

*Leave of Absence**Friday, October 22, 1993***HOUSE OF REPRESENTATIVES***Friday, October 22, 1993*

The House met at 1.40 p.m.

PRAYERS[MADAM SPEAKER *in the Chair*]**LEAVE OF ABSENCE**

Madam Speaker: Hon. Members, I have granted leave of absence to the Member for Oropouche (Mr. Trevor Sudama) from October 18 to November 1, 1993. I have also granted leave of absence to the Member for Chaguanas (Miss Hulsie Bhaggan) from today's sitting.

JOINT SELECT COMMITTEES**Indictable Offences (Amdt.) Bill**

Madam Speaker: Hon. Members, I wish to inform this House that I have received two pieces of correspondence from the President of the Senate. The first is as follows:

"Honourable Speaker,

I refer to your letter to me dated October 11, 1993 and advise that at the sitting of the Senate held on Tuesday, October 19, 1993 the Senate agreed to the following resolution which was moved by the Leader of Government Business.

Be It Resolved

That this Senate appoint and nominate a select committee of the following six Members to join with a select committee of equal number appointed and nominated by the House of Representatives to consider and report on the Indictable Offences (Preliminary Inquiry) (Amdt.) Bill 1993:

Mr. Russell Huggins, Mrs. Camille Robinson-Regis, Mr. Gordon Draper, Mr. Martin Daly SC, Miss Carol Mahadeo, Mr. Surendranath Capildeo.

The resolution is accordingly for the attention of the House of Representatives.

Yours respectfully,

J. E. Carter,
President."

The other piece of correspondence that I received is as follows:

Companies Bill

"Honourable Speaker,

I refer to your letter to me dated October 11, 1993 and advise that at the sitting of the Senate on Tuesday, October 19, 1993 the Senate agreed to the following resolution:

Be it Resolved

That this Senate consider that it is expedient that a committee of both Houses be appointed to consider and report on the Companies Bill 1993.

The resolution is accordingly forwarded for the concurrence of the House of Representatives.

Yours respectfully,

J. E. Carter,
President of the Senate."

The Minister of Local Government and Minister in the Ministry of Finance (Hon. Kenneth Valley): Madam Speaker, at the appropriate stage, I shall seek leave of this honourable House to dispense with the notice in respect of nominations and appointments of the Members of the House to serve on this committee.

PAPERS LAID

1. Annual Report of the Legal Aid and Advisory Authority for the year ended December 31, 1992. [*The Minister of Consumer Affairs and Social Services (Dr. The Hon. Linda Baboolal)*]
2. Report of the Auditor General on the accounts of the Primary Education Programme—Inter-American Development Bank Loan Contracts 796/SF-TT and 215/IC-TT for the year ended December 31, 1990. [*The Minister of Finance (Hon. Wendell Mottley)*]
To be referred to the Public Accounts Committee.
3. Business Expansion and Industrial Restructuring Loan between Republic of Trinidad and Tobago and International Bank for Reconstruction Development and Letter of Sectoral Policy to the World Bank Business Expansion and Industrial Restructuring Loan. (Loan Contract No. 3432-TR). [*Hon. W. Mottley*]

4. US \$25 Million Fixed Rate Bond, 1996. [*Hon. W. Mottley*]
5. Annual Report of the Public Utilities Commission for the year ended December 31, 1992. [*The Minister of Public Utilities (Hon. Morris Marshall)*]
6. Annual Report of the Trinidad and Tobago Electricity Commission for the year 1989. [*Hon. M. Marshall*]

ORAL ANSWERS TO QUESTIONS

The Minister of Local Government and Minister in the Ministry of Finance (Hon. Kenneth Valley): Madam Speaker, I simply want to inform Members that we will be asking for a deferral of question No. 4. to the Minister of Energy and Energy-based Industries. We shall be answering the other questions.

X-ray Department (Referrals)

3. **Mr. Sahid Hosein** (*Siparia*) asked the hon. Minister of Health:
 - (a) Is the Minister aware that the X-ray Department at the San Fernando Hospital is refusing to deal with referrals from private doctors?
 - (b) If the answer to (a) is yes, can the Minister indicate,
 - (i) The reason for this situation?
 - (ii) If the same policy exists at other health institutions?
 - (iii) What is his Ministry doing to correct the situation at San Fernando?

1.50 p.m.

The Minister of Health (Hon. John Eckstein): Madam Speaker, the Minister is not aware that the staff of the X-ray Department of the General Hospital, San Fernando is refusing to deal with referrals from private doctors. Increasing demands on the hospital for extra services arising out of its in-patient and out-patient clinics, the Accident and Emergency Department as well as the activities at district hospitals and health centres in the area, have placed a heavy burden on the staff and facilities of the X-ray Department.

The issue, therefore, is not one of refusal, but one of incapability. Accordingly, the Minister of Health has secured the services of NIPDEC to install new X-ray equipment in two X-ray rooms at the San Fernando General Hospital. Work in one of the rooms is expected to be completed by the end of November 1993. Work in the other room will then commence.

This new equipment when operational will give the hospital an expanded capability.

Yellow-stone Quarries

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

4. Could the hon. Minister of Energy and Energy Industries state:
 - (a) How many yellow-stone quarries are in operation in the Guaracara area as at this present date?
 - (b) When and to whom were licences issued for the respective quarries/quarry operations?
 - (c) When last were these operations inspected and what were the findings?
 - (d) Is the hon. Minister aware that due to the unorthodox methods of operations of one of these quarries situated about four hundred feet from the main Guaracara/Tabaquite roadway a considerable amount of sand, water and slush cover the roadway whenever it rains, for about two hundred feet, making it very difficult for both pedestrian and automobile traffic?
 - (e) If the answer to (d) is in the affirmative, could the hon. Minister state what steps are in place to remedy the situation?

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

Question, by leave, deferred.

Anti-Dumping and Countervailing Duties Act (Regulations)

5. **Mr. Krish Jurai (Nariva)** asked the hon. Minister of Trade, Industry and Tourism:
 - (a) Would the hon. Minister give reasons for the delay in the introduction of the regulations pertaining to the Anti-Dumping and Countervailing Duties Act?
 - (b) Would the Minister inform the House when the said regulations will be put into effect?

The Minister of Trade, Industry and Tourism (Sen. The Hon. Brian Kuei Tung): Madam Speaker, draft regulations which would allow the Minister of Trade, Industry and Tourism to implement the provisions of the Anti-Dumping and Countervailing Duties Act, 1992 are presently being revised by the Ministry of Trade, Industry and Tourism and the Chief Parliamentary Counsel.

The revision process is in its final stage and the Anti-Dumping Regulations are expected to be enacted by the end of January, 1994.

**Harbour Master
(Abolition of Post)**

6. Mr. Krish Jurai (Nariva) asked the Minister of Works and Transport:

- (a) Would the hon. Minister state whether the post of Harbour Master and Superintendent of Lighthouse is to be abolished?
- (b) If the answer is in the affirmative would the Minister state what form this replacement will take and by whom?

The Minister of Works and Transport (Hon. Colm Imbert): Madam Speaker, the answer to part (a) is in the affirmative.

Cabinet by Minute 724 dated April 15, 1988 accepted the report of the Organization and Management Division in which it is recommended that the post of Harbour Master and Superintendent of Lighthouse should be abolished when the post of Director of Maritime Services is classified and filled.

The post of Director of Maritime Services was created and classified by Cabinet in Minutes 201 and 1158 dated February 4, 1988 and June 7, 1988. The post of Director of Maritime Services however, has not been filled because a suitable candidate has not yet been located.

However, in order to have the maritime services operational, Cabinet in Minute 1286, dated September 5, 1990 agreed that the post of Deputy Director of Maritime Services be filled by an officer on contract.

Legal Notice 227 dated November 16, 1990 cited as a delegation of functions, Deputy Director of Maritime Services Order 1990 as follows:

In exercise of the powers conferred on him by section 52(2) of the Interpretation Act, the Minister of Works, Infrastructure and Decentralization now delegates to the Deputy Director of Maritime Services until such time as a Director of Maritime Services hereinafter referred to as the Director is appointed,

Oral Answers To Questions
[HON. C. IMBERT]

Friday, October 22, 1993

the responsibilities and authority currently vested in the Director under the Shipping Act and in the Harbour Master and Superintendent of Lighthouse under any written law.

Lieutenant Commander Curtis Roach assumed duties as Deputy Director Maritime Services, on contract, with effect from August 1, 1990.

**YTEPP
(Retirement Age)**

7. Mr. Krish Jurai (*Nariva*) asked the hon. Minister of Education:

- (a) Would the hon. Minister state what is the mandatory retirement age for persons employed with YTEPP?
- (b) If there is no mandatory retirement age limit, would the Minister state whether the Government intends to set one, and if so, when?

The Minister of Education (Hon. Augustus Ramrekersingh): Madam Speaker, this question was originally posed to the Minister of Sport and Youth Affairs, but, as of 1992, the YTEPP programme came under the Ministry of Education.

There is no mandatory retirement age for persons employed with YTEPP Limited. Almost all the employees of YTEPP are on contract, either full-time or part-time. A few officers are on secondment from the public service and they are subject to the normal retirement regulations of the public service.

Under existing arrangements with the World Bank the YTEPP programme as it is currently structured is due to end in three years. The existing practice of hiring on contract therefore, would be maintained; however, the emphasis would be on engaging younger persons.

JOINT SELECT COMMITTEE

Companies Bill

The Minister of Local Government and Minister in the Ministry of Finance (Hon. Kenneth Valley): Madam Speaker, in accordance with Standing Order 26 I seek your leave and the leave of the House to dispense with notice in respect of a motion for the nomination and appointment of Members of the House to join with Members of the Senate to form a Joint Select Committee to consider and report on the Companies Bill 1993.

Leave granted.

Hon. K. Valley: Madam Speaker, I beg to move the following Motion:

Whereas the Senate has agreed that a committee of both Houses be appointed to consider and report on the Companies Bill 1993,

Be it resolved that this House appoints and nominates a Select Committee of six Members to join with a Select Committee of equal number appointed and nominated by the Senate to consider and report on the Companies Bill, 1993.

I further beg to move that the following Members of this honourable House be nominated to serve on the Joint Select Committee: The Hon. Attorney General, Hon. Keith Sobion; Member for Diego Martin Central, Hon. Kenneth Valley; Member for Toco/Manzanilla, Mr. Andrew Casimire; Member for La Brea, Mr. Hedwige Bereaux; Member for Caroni East, Mr. Shamshuddin Mohammed; Member for Naparima, Mr. Subhas Panday.

Question put and agreed to.

2.00 p.m.

ORDER OF BUSINESS

The Minister of Local Government and Minister in the Ministry of Finance (Hon. Kenneth Valley): Madam Speaker, I seek leave of the House, after consultation with the Chief Whip, to defer "Private Business" to the next sitting of this honourable House and consider at this time, Motion No. 1 on the Order Paper, after which we propose to consider Bill No. 1 under "Bills Second Reading" before considering Motion No. 2.

Leave granted.

LAND ACQUISITION

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

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

Madam Speaker, there are some corrections, which I seek leave to make as follows:

Schedule 1: The area of the land is 506.1 square metres instead of 596.1

Schedule 5: The name of the owner should be S&C Seenath, instead of S and C.

Schedule 6: The name of the owner is Seeram Namdeo, not Seeram Namdee.

Leave granted.

Sen. Dr. The Hon. L. Saith: Madam Speaker, in respect of parcel No. 1, the section 3 notice of intended acquisition was published on January 27, 1993; the section 4 notice of authority to commence work was published on January 29, 1993, and the land was used to facilitate the laying of a sewer trunk main and construction of an access road to the Couva North housing settlement project.

In respect of parcel No. 2, the section 3 notice was published on July 5, 1979; the section 4 notice on July 31, 1979, and the land was utilized for construction works in the improvement of the Uriah Butler Highway.

In respect of parcel No. 3, the section 3 notice was published on July 29, 1976; the section 4 notice on September 8, 1977; and the land was utilized for the construction of an access road off Mango Alley No. 2 in Trou Macaque.

Parcel No.4: the section 3 notice was published on August 15, 1974; section 4 notice on September 9, 1974, and the land utilized in the construction of the Claude Noel Highway.

Parcel No. 5: the section 3 notice was published on July 5, 1979; section 4 notice on July 31, 1979, and the land was utilized in the construction of the Uriah Butler Highway.

Parcel No. 6: the section 3 notice was published on October 21, 1983; the section 4 notice on December 1, 1983, and the land was used in the construction of an access road off St. John's Trace in Avocat.

Parcel No. 7: the section 3 notice was published on March 19, 1981; the section 4 notice on May 14, 1981, and the land used for improving bridge B1/1, Morne Coco Road, Diego Martin.

Parcels Nos. 8 and 9: the section 3 notice for both parcels was published on August 18, 1977 and the section 4 notice on August 22, 1977. These notices covered the whole of the San Fernando Hill. Four parcels were acquired in 1977 and we now seek to acquire the remaining parcels to complete the acquisition of the lands for the protection of the San Fernando Hill.

Permit me also to take the opportunity to report on the progress of the Land Acquisition Bill. I am advised that the drafting of the Bill is now in its final stage and should be completed by October 25, 1993, which is next Monday. If this deadline is met and the normal course of action is taken subsequent to that, it should be possible to introduce this Bill in Parliament this year.

I thank you.

Question proposed.

Mr. Ramesh Lawrence Maharaj (*Couva South*): Madam Speaker, this Motion deals with getting the authority of this House to implement decisions which have been made to acquire private property. These decisions, from what the hon. Minister has stated, in some cases date back to 1979. What this Motion therefore involves, is the implementation of machinery for acquisition by the state of privately-owned lands under the present legislation.

I think one should understand at the outset that under the present legislation it has been recognized that there are certain deficiencies, not only in the procedures for acquisition, but also in the method of assessment and the payment of interest in respect of compensation. They are unjust. Therefore, it is felt that there is need for reform in those areas.

2.10 p.m.

It was in this context that the last administration decided that acquisition and implementation of measures under this legislation would produce grave injustice to private landowners that the Land Acquisition Bill was drafted. That is what the Minister stated. The last administration introduced that Bill and had it published for public comment.

Since this administration came into office we have raised the grave injustice caused by the delay in having this new Bill made law. All we have had are excuses. As a matter of fact, the hon. Minister had promised that he would have the Bill introduced in the House by the end of 1992; it was not introduced. We have had promises since then and we have another promise today.

Despite the fact that the Government has not seen it fit, for whatever reasons, to introduce that Bill for it to become law; and despite its recognition that injustice is being done by the method and computation of assessment, no undertaking has been given by this Government that persons who have been affected since the recognition by the Government of Trinidad and Tobago—whether the last administration or this administration—that compensation would be paid under the reformed law.

Before I deal with the promises by this administration about that Land Acquisition Bill, I want to deal a little with the present law, so that this House and the public would know what injustices have been taking place. Under the present law—and the hon. Minister mentioned section 3—if the Government decides that it wants to acquire land, by the mere publication of the Government's decision in the name of the President—it is called a "section 3 notice"—in the *Gazette* to acquire these lands for public purposes, the Commissioner of State Lands is

Land Acquisition
[MR. MAHARAJ]

Friday, October 22, 1993

entitled to enter upon those lands to do surveys, sketches, and so on. So, even without consulting the landowner, without giving him an opportunity, according to the existing law, the Government is entitled to enter private property.

Under section 4 of the Land Acquisition Act now in force, the Government is entitled to enter the land and do public works, do whatever works it wants in respect of the purpose for which the lands were acquired, without any payment of compensation at that stage. What happens is that there is a section 3 notice in the *Gazette*, a section 4 action and a notice, and then we come to section 5. This is what the Government is doing now with respect to these lands, under section 5 of the Act: after Parliament has approved it and there is a notice, the land is declared to have been acquired. Then the vesting of the property would occur.

The compensation which has to be paid under the present law is based on the market value of the land 12 months before the section 5 notice. So that in these cases, for example, the section 5 notice is going to be in 1993, the market value of the land would be one year before the section 5 notice. It is important to remember that the compensation can only start in respect of matters after the section 5 notice. In other words, although the Government takes possession of the land, the compensation is limited from that time.

What the 1991 Land Acquisition Bill does—and I do not know if it is the same Bill the Government is going to introduce—in an effort to redress that very unjust practice, is to provide for compensation to be paid from the time the state takes possession of the land. So the whole concept of compensation would, therefore, be changed to include loss of use or business, whatever it is, from the time the state enters into possession. Also, under the new Bill there are certain time schedules to compel the Government to deal with matters within a particular time, so the situation would not arise where a decision is made in 1979 and the matter comes to the House 15 or 20 years thereafter.

Under the existing law interest is restricted to the time of the section 5 notice until the assessment of compensation, and it is a 6 per cent interest on whatever compensation. So one sees, therefore, that under this law which was passed in 1947, owners of private lands are at a great disadvantage. One of the exceptions to the rule where Government can acquire private property, can take property without the owner's consent, is known as the doctrine of eminent domain, where for public purposes the state is entitled to take one's land even without one's consent. It was in that context this legislation was considered as the development of rights—rights to privacy, the enjoyment of property—that this legislation was

totally outdated, produced grave injustice to owners of land and in effect should be changed.

Under the present law persons who can get compensation are very restricted. The new Bill includes persons who could fall as statutory tenants under the Land Security and Tenure Act, 1981. So that the Land Acquisition Bill, 1991, did attempt to deal with this injustice.

The point I want to make, however, is that it seems very odd that a simple matter like this has taken the Government almost two years and it has not been able to redress the situation.

I want to say quite clearly, that I have no confidence that this Bill is going to be introduced as the hon. Minister says. The 1991 Bill, prepared by the last administration for public comment, in effect dealt extensively with compensation. We do not have any commitment from the Minister that the Government is going to change anything here; he has not made any announcement why it is being kept back, and therefore, I think it is very immoral for the Government to proceed to implement a law which it recognizes to be very deficient and unjust. It is not right, and I think that the Government cannot ask us to proceed with implementation of this unjust law unless it gives some commitment that compensation is going to be computed on the basis of the reformed formula.

Let me just briefly demonstrate how promises have been made by this administration about this Bill. On March 20, 1992, the Minister of Planning, when he moved a similar Motion for the acquisition of land, stated that:

"I assure the Member for Chaguanas that within my Ministry a Bill is now being prepared to replace the present Ordinance. It is the Land Acquisition Bill, 1991.

It is a Bill which is seeking to touch on a number of issues raised by her, one of which is basically to balance the rights of the state to acquire lands for public purposes..."

He continued:

"A number of things are being addressed in the Bill, including a provision which relates to lack of information on the part of the public...We are also trying in that Bill to give people a chance—I think is a period of two months is being considered—to make representations before the first phase of the acquisition..."

So that under the 1991 draft Bill, all those matters have been dealt with. As a matter of fact, under this draft Bill there is a period of two months within which

Land Acquisition
[MR. MAHARAJ]

Friday, October 22, 1993

the owner can make representations to determine whether his lands should really be acquired, or whether what he is doing is in the interest of the public or is for public purpose, more so than what the Government intends to do.

2.20 p.m.

So that, this Minister had recognized in his contribution that there must be a speedy method of valuation and he said that a Bill was put out for public comment. Almost at the end of his contribution he said that—

"Comments have been received. A team of officials in the Ministry has been set up to review the comments; they have been asked to report by the end of April. Once they report, I will review the comments and take recommendations to the Cabinet. It is my hope that before the end of the year, we will be in a position to place before Parliament the revised Bill."

That was the end of 1991.

Madam Speaker, on May 15, 1992, I raised the same issue in respect of a similar motion and the Minister stated that it was his intention that the Bill be brought to Parliament in 1992.

On November 6, 1992, there was a similar situation; and the Minister said—

"I have on my desk the final draft of the Cabinet Note."

I am afraid to talk about Cabinet Notes these days because the Government sometimes wants to deny what happens in Cabinet Notes. Anyhow—

"I have on my desk the final draft of the Cabinet Note to take to Cabinet which I propose to do next week. After that we will go through the process that has to be gone through to ensure that it comes to Parliament. So we have worked on it. I believe we have a Bill now that will satisfy the requirements of the policies of our Government and I want to assure the Member that we are still on track with that."

Still on track at the end of the year! Something has derailed them. I hope it is not Mr. Nello Mitchell.

Mr. B. Panday: Hail the new party, man! Hail the new party!

Mr. R. L. Maharaj: Well, we did not have it in 1992, Madam Speaker, they were derailed, and we are fortunate that we have the *de facto* Prime Minister here with us today.

The matter was, again, raised in the House on May 7, 1993. [Interruption] The hon. Member for Couva North, my Leader, says the *de jure* Prime Minister is unfortunately not here.

Mr. B. Panday: He has gone to perform peripheral functions.

Mr. R. L. Maharaj: Madam Speaker, May 7, 1993, the Member for Chaguanas, again, raised the matter and the hon. Minister stated that—

"As I indicated, it is with the Chief Parliamentary Counsel and I am told that they are completing the legislative work and it should be with me shortly. I hope if I am a couple of months late she will understand the situation."

We are to hope that this comes quickly. I do not believe it will come. My point is I think that it is not sufficient for the Government to merely say that this Bill is coming, without indicating what it intends to do with matters in which it is proceeding under the existing law. Acquisitions were started after the Government recognized that this Bill was unjust. What are they going to do? Are they going to say, "We recognize that a law was unjust, we proceeded to act under that law, but we are still going to give people compensation under that unjust law?"

I was doing some reading the other night and I think it was the hon. Member for Diego Martin Central who had something to say about public life on page 2 of *In Defence of the People's Interest*. I quote:

"When persons in public life fail to maintain a certain minimum standard of behaviour in their daily lives in accordance with the general expectation of the national community, the citizenry feels cheated and abused. The response to this betrayal or abuse of the people's trust is generally not only a disrespect for the persons concerned but, more importantly, a disrespect for the society's institutions, its norms, and its laws. In short, it leads to a complete breakdown of the society."

Mr. Valley: That was in 1990.

Mr. R. L. Maharaj: The hon. Member said that he was on this side, well, not on this side of this House, but in Opposition. I think that the population, the citizenry, would feel cheated and abused if Government recognizes that a law is bad, or unjust, and it continues to act under that law.

Mr. Valley: Madam Speaker, just for the information of the hon. Member, I want to let him know that I was on that side of the House, both downstairs and upstairs, in the last term.

Mr. R. L. Maharaj: Madam Speaker, I wonder if the hon. Member would accept my apologies. I am very sorry.

I should have thought that the Government would have come to this House in respect of land acquisition for public purposes and indicated to this House what its policy was with respect to acquiring land for public purposes. What is its policy? Here it is we have a situation where lands have been acquired and where a Bill has been mentioned; but the Minister's contribution can be noted for its brevity. We have no indication as to what the Government's policy is with respect to acquisition for public purposes. I was hoping to hear that the Government was going to indicate that it had some policy to deal with acquisition for public purposes for accommodation for Government offices.

If one looks at some of the figures one sees that a fantastic amount of money is being spent by the Government on rental accommodation—millions of dollars. We have a situation here where the Government is acquiring land for public purposes such as laying of mains, improvement of the Uriah Butler Highway, road construction, highway construction; access roads. Yes, public purposes. But, Madam Speaker, if you permit me, according to the details of Estimates of Recurrent Expenditure, in respect of rental accommodation—

	1991	1992	1993
Industrial Court	—	\$144,900	\$240,000
Service Commissions	\$1,020,000	\$1,035,000	\$1,100,000
		837,000 (revised)	
Office of the Prime Minister/Central Tenders Board	\$208,592	—	\$490,602
Customs & Excise	\$1,933,000	\$1,978,000	\$2,277,000
VAT Office	\$819,617	\$844,000	\$844,000

So one sees on an annual basis the Government spends a lot of money on accommodation.

2.30 p.m.

I should have thought that any government would have a policy on the acquisition of private property. Are they going to do it *ad hoc*, that whenever they find something or some things there, they decide to do it, or it was there before

and they are just completing it, but there is no policy for the future? I should have thought that the Government would have told us today that it recognizes there is a social problem in this country with squatting, squatters living on privately-owned lands. What is the Government going to do? Is there a policy on acquiring these lands which would, in effect, provide security for the squatters? What is the policy? That is "public purposes"; it is the duty of Government to provide housing for people.

Hon. Member: Is that so?

Mr. R. L. Maharaj: I should have thought so. That is quite clear. When the Minister gets up to respond, I want him to say, if it is not so, that he does not consider it is the duty of the Government to provide housing for people who cannot afford housing. Does he want to say it now?

You see, we know that the Government has many buildings which in effect are not occupied. We have the spending of money for rental. It cannot be disputed that the acquisition—and they have done it before—of land or buildings for the purposes of accommodation for government offices would be public purposes. Therefore, the question arises: All these buildings which they are renting—and they have been renting for years—why is it that the Government cannot consider acquiring them for public purposes and paying the owners compensation? It would be cheaper in the long run and more secure for the people of Trinidad and Tobago. But you see, they are not going to do that.

There is one other point I want to raise on this matter, and perhaps the Government could tell us whether they consider this is a good proposal. Here we have a situation where, since 1947, it was recognized that in order to acquire a person's land and to complete that acquisition, it was necessary to get the approval of Parliament, of the people. Parliament represents the people. And if one merely considers that in 1947, under this law, it was recognized that even if the Government wanted to acquire a person's land for a public purpose, however small or large, although the President, on behalf of the Government, or the Governor-General, could have done so by publishing it, taking that initial decision, in order for that process to be completed, it had to be approved by the Parliament.

We have the odd situation in which the Government agrees that that should be the case, but it can dispose of state property without coming to Parliament. We are saying that the Government should consider making a policy decision in the interest of the people, that if it has to get rid of state property, whether it is 10 or

Land Acquisition
[MR. MAHARAJ]

Friday, October 22, 1993

27 companies, T&TEC or WASA, if it has to divest or privatize, it should come and have Parliament scrutinize; it should not be done in the back rooms of the Cabinet. It is because of accountability of the Government in its dealings with private property or state property, one had the notion of coming to Parliament.

Obviously, these acquisition procedures started—and the injustice of these situations—let me just give an indication of how this injustice is occurring. Hon. Members would have noticed from the figures given that some of the section 3 notices were published in 1979. For example, in the first one, that was 1993; the section 3 notice, which meant it was advertised in the *Gazette*, the Government went in also in 1993. So that is obviously after it recognized that this law was unjust. The Government would have been able to occupy this second parcel of land since 1979, but this person, under the Act, would not be able to take steps for compensation until a section 5 notice, until we get through with this procedure. So that from 1979 to now, one sees the injustice which has been caused.

When one goes through all these matters, one sees the great length of time. I concede that by having the approval now, the machinery would start for them to get compensation, bearing in mind that the compensation would be limited from the section 5 notice. So in other words, these people would not be able to get compensation from 1979 for the Government's use of their land—until 1993 for 14 years—they will get the market value 12 months before the section 5 notice. They would not get compensation, because compensation is related only to what is taken from the land; they would not get compensation for loss of use of the land. Under the Bill one can get compensation for loss of use of the land. So one sees that for 15 years all this injustice has been occurring.

In concluding, I should really like the Government to look at this, and see that these people have suffered tremendously to see whether it could not consider making an announcement that those persons who have had the acquisition procedures going on for such a long time and whose acquisitions have started, would be covered by compensation. All that means is a particular clause to the Bill which would cover those instances where one could have a cut-off period. That cut-off period could be from the date, whether it is the last Government or this Government, where it recognized that injustice was being done.

It is in that context that I make this contribution. I hope that the Government would recognize that it really does not augur well for a government to recognize that a law is unjust but still apply that unjust law by taking away people's property and paying them compensation under the unjust law.

Thank you very much, Madam Speaker.

Mr. Sahid Hosein (*Siparia*): Madam Speaker, this Motion brings into focus the whole question of the acquisition procedure. I say so in the light of the fact that we are dealing, as pointed out by my colleague, with this acquisition procedure under the current land acquisition law. While mention has been made of a Bill that is to come before the House, we are not in a position to determine what that Bill is going to contain in respect of steps and procedures. So we have to go by the present law.

2.40 p.m.

The first question I want to raise, as my colleague did, is: Why the long and agonizing wait for this procedure, the time that elapses between the publication of section 3 and section 5 notices? As has been indicated to this House, we have had section 3, in some instances, being published way back in 1974. For the life of me I cannot understand how a system could be so inefficient, in that, after notices under sections 3 and 4 have been published in 1974, twenty years after works have been carried out, in 1993 we are now talking about taking steps to have the notice under section 5 published. One can even concede that the existing law is deficient, but it boggles the mind to understand why, even in its deficiency, it should take 20 years. This is the issue at hand here.

Why did it take 20 years for this matter to come before this Parliament to have this situation regularized? This debate, in fact, has gone on many times over a number of years. My colleagues cited two instances during the tenure of this administration, where we have had to go through this procedure in this House, and in each instance virtually the same concerns were expressed. We also want to know if this issue of land acquisition is going to be tied into the Government's land reform policy, because there is a definite link between both.

As I indicated earlier, I wish to raise the question of the acquisition process as it relates to the local government situation. What happens is that there is the tenure of life of a corporation, by law, three years, where certain matters would be referred to the ministry that handles these matters and because of the long wait, the life of that council expires and that matter is virtually dropped. What also happens is that if these individual corporations do not send reminders and requests for information on a regular basis, nothing is done about these matters.

One would hope, under the new Bill that that is going to be brought forward, something is going to be done to deal with that delay and lack of follow-up action.

Before I move on to my next point, I wish to deal with the transfer of property; not when it is a question of acquiring from private owners, but from

Land Acquisition
[MR. HOSEIN]

Friday, October 22, 1993

another state body. I raise that in the context of what is taking place with the lands controlled and owned by Caroni (1975) Limited, in that for many years—and this is about the third time during the life of this Parliament that this matter is being raised—nothing has been done about it.

Caroni (1975) Limited has about 60 recreation grounds under its ownership and the local government bodies have been asking time after time to have these lands transferred to the local government bodies so that they may spend moneys, incur expenses and develop these recreation grounds and facilities for use of members of the public. To date, there is a deafening silence on this matter. I hope the Minister would use this opportunity to deal with that matter and at least tell us something about it.

Finally, I ask the questions: Who pays for the acquisition of these parcels of land? Does the payment come from the Consolidated Fund, or, do individual ministries pay for these lands? I ask these questions in light of the fact that one acquisition was done for the laying of a sewer trunk main. Does one assume that the onus would be on the Ministry of Public Utilities to pay? Is it the responsibility of the Ministry of Works and Transport to pay for the improvement of the Uriah Butler Highway? Or, is it that all these acquisitions are paid for from the Consolidated Fund?

Thank you, Madam Speaker.

The Minister of Planning and Development (Sen. Dr. The Hon. Lenny Saith): Madam Speaker, I have just a few comments. I place on record that I do not think the Government has ever said that the law was unjust. What the Government did say was that there were serious deficiencies in the law, which it is seeking to correct by having a new bill. There are many laws in this country which have deficiencies, but I do not think one can go ahead proclaiming them all to be unjust.

We agreed on many occasions that the law needs to be updated. I am advised, just for the record, that the Bill we are talking about was drafted in 1982 and put out for public comment in 1991.

Mr. Maharaj: Who was the Government then?

Sen. Dr. The Hon. L. Saith: It was a PNM Government.

The Member for Couva South selectively quoted me in my contribution of May, 1993 when I indicated that a process had been followed; the draft Bill was approved by the Cabinet at the end of December last year. I know he has great doubts that he will ever see it here, but I hope one day to surprise him.

The Member also indicated that we were proceeding under this unjust law, but, as he subsequently recognized, if we did not proceed under the law as it exists, we would be further depriving people of their rights to the properties that have been acquired. I think he would concede that until we get the new Bill, we need to speed up what we do now.

I do not want to get into a debate on what the new Bill will contain; I would leave that for when it comes. *[Interruption]* I would be guilty of anticipation, and let me not be accused of that.

Mr. Maharaj: Madam Speaker, does the hon. Minister consider that the provisions of that Bill are secret and cannot be divulged?

Sen. Dr. The Hon. L. Saith: Madam Speaker, I merely wish to indicate that the Bill was put out for public comment. *[Interruption]* The time was taken up dealing with those comments and trying to make adjustments. It is not secret, in fact, he has a copy of the draft Bill. *[Interruption]*

The Member for Siparia asked whether anything was being done to reform the arrangements. I, again, refer him to the fact that this Government is engaged in public service reform which is an on-going and continuing exercise, and as part of public service reform, much of this delay in the system will be addressed.

He also raised the matter of payments for acquisition matters. These payments are made by the Ministry of Planning and Development from the vote provided in that ministry for compensation for land acquisition.

With respect to the recreation grounds in the ownership of Caroni (1975) Limited, my information is that in order to have divesting take place, surveys need to be done; that all recreation grounds to be handed over by Caroni (1975) Limited have now been surveyed. There are 32 in county Caroni; 18 in Victoria; and three of these sites were considered by the regional council to be unsuitable. Therefore, there was no need to proceed with those. All surveys have now been done and the process is in place to have the recreation grounds transferred.

I believe I have dealt with the pertinent matters which have been raised.

Question put and agreed to.

Resolved:

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

APPENDIX

Description of Land	Public Purposes for which to be acquired
<p>1. The following parcel of land containing five hundred and six point one square metres (506.1m²) more or less, situate on the northern side of Carli Bay Road, in the ward of Couva, in the county of Caroni, described in the Schedule hereto and coloured raw sienna on a plan of survey filed with the Director of Surveys in his office.</p> <p style="text-align: center;">THE SCHEDULE</p> <p>A parcel of land comprising 506.1m² (5,448 sq. ft.) situate on the northern side of Carli Bay Road at its junction with Victoria Street in the ward of Couva, county of Caroni and said to belong now or formerly to Paras Kowlessor and Sylvia Harrison.</p> <p>This parcel is more particularly shown coloured raw sienna on a survey plan filed in the vault of the Lands and Surveys Department, Red House, Port of Spain.</p>	<p>To facilitate the laying of the sewer trunk main and construction of the main access road to the Couva North Settlements Project.</p>
<p>2. The following parcel of land containing zero point one five four four (0.1544) of an hectare, more or less, situate at the junction of Clarke Road and Uriah Butler Highway, in the Borough of Chaguanas in the county of Caroni, described in the Schedule hereto and coloured raw sienna on a plan of survey signed by the Director of Surveys and dated April 3, 1993, executed under Survey Order No. 91/92 and filed in his office.</p> <p style="text-align: center;">THE SCHEDULE</p> <p>A parcel of land triangular in shape comprising 0.1544 of an hectare, more or less</p>	<p>Improvement to Uriah Butler Highway.</p>

Description of Land	Public Purposes for which to be acquired
<p>situate approximately 130 metres south of John Peter Road at the junction of the south bound carriageway of the Uriah Butler Highway and Clarke Road, Charlieville, in the Borough of Chaguanas in the county of Caroni, and said to belong now or formerly to Genevieve La Croix.</p> <p>The parcel of land is more particularly shown coloured raw sienna on a survey plan filed in book 1140 folio 136 in the vault of the Lands and Surveys Department, Red House, Port of Spain.</p> <p>3. The following parcel of land containing eighty-nine point seven square metres, (89.7m²), more or less, situate at Laventille in the ward of St. Ann's in the country of St. George, described in the Schedule hereto and coloured raw sienna on a plan of survey filed with the Director of Surveys and executed under Survey Order No. 117/90 and filed in his office.</p> <p style="text-align: center;">THE SCHEDULE</p> <p>A parcel of land containing 89.7m², more or less situate at Trou Macaque on the northern side of Mango Alley No. 2 in the ward of St. Ann's in the county of St. George, said to belong now or formerly to Winston George.</p> <p>This parcel is more particularly shown coloured raw sienna on a survey plan filed in the vault of the Lands and Surveys Department, Red House, Port of Spain.</p>	<p>Road construction</p>
<p>4. The following parcels of land containing two point zero six five nine eight (2.06598) hectares,</p>	<p>Highway construction</p>

Description of Land	Public Purposes for which to be acquired
<p>more or less, situate on the western side of All Fields Trace north of Milford Road in the ward of Tobago in the parish of St. Patrick, described in the Schedule hereto and coloured raw sienna on a plan of survey signed by the Director of Surveys and dated December 16, 1992, executed under Survey Order No. 102/89 and filed in his office.</p> <p style="text-align: center;">THE SCHEDULE</p> <p>Twelve (12) parcels of land comprising together 2.06598 hectares situate on the western side of All Fields Trace, approximately 230 metres north of Milford Road, Lowlands in the parish of St Patrick, in the ward of Tobago, and consisting as follows:-</p> <ol style="list-style-type: none"> 1. 12.5m² said to belong now or formerly to Leeson George. 2. 5817.1m² said to belong now or formerly to Roy James Bhutan. 3. 1019.9m² said to belong now or formerly to Roy James Bhutan. 4. 3801.0m² said to belong now or formerly to heirs of Clifford Patrick. 5. 457.9m² said to belong now or formerly to heirs of Clifford Patrick. 6. 507.7m² said to belong now or formerly to Pearl Smith. 7. 444.3m² said to belong now or formerly to heirs of E. Pitt. 	

Description of Land	Public Purposes for which to be acquired
<p>8. 3834.7m² said to belong now or formerly to heirs of Susanna Pitt.</p> <p>9. 3713.8m² said to belong now or formerly to heirs of Daniel Pitt.</p> <p>10. 42.7m² said to belong now or formerly to Neville Romany.</p> <p>11. 496.2m² said to belong now or formerly to Neville Romany.</p> <p>12. 512.0m² said to belong now or formerly to Neville Romany.</p> <p>These parcels are more particularly shown coloured raw sienna on a survey plan filed as plan on RH 261 in the vault of the Lands and Surveys Department, Red House, Port of Spain.</p> <p>5. The following parcels of land containing zero point eight seven zero nine, (0.8709) hectares more or less, situate at Bejucal in the ward of Cunupia in the county of Caroni, described in the Schedule hereto and coloured raw sienna on a plan of survey filed with the Director of Surveys and executed under Survey Order No. 110/79 and filed in his office.</p> <p style="text-align: center;">THE SCHEDULE</p> <p>Eleven (11) parcels of land comprising together 0.8709 hectares along the western side of the former Princess Margaret Highway reserve, Bejucal, between lands of Rufus and Yula Andrews on the south, and lands of Kodarboccus now situate in the north in the ward of Cunupia in the county of Caroni and comprises as follows:</p>	<p>Highway Construction</p>

Description of Land	Public Purposes for which to be acquired
<ol style="list-style-type: none"> 1. 0.0719 hectares said to belong now or formerly to S. and C. Seenath. 2. 0.0384 hectares said to belong now or formerly to Ramdath Holdings Limited. 3. 0.0317 hectares said to belong now or formerly to Ramdath Holdings Limited. 4. 0.0063 hectares said to belong now or formerly to Charles Lalla. 5. 0.0065 hectares said to belong now or formerly to Housilla Maharaj. 6. 0.1298 hectares said to belong now or formerly to Henry Ramcharitar. 7. 0.1264 hectares said to belong now or formerly to Leo C. D. Seebaran. 8. 0.1343 hectares said to belong now or formerly to Nabbi Baksh and others. 9. 0.1431 hectares said to belong now or formerly to Roopnarine Charran. 10. 0.1500 hectares said to belong now or formerly to International Aerodio (Caribbean) Limited. 11. 0.0325 hectares said to belong now or formerly to Tazim Mohammed. <p>These parcels are more particularly shown coloured raw sienna on a survey plan filed in the vault of the Lands and Surveys Department, Red House, Port of Spain.</p>	
<ol style="list-style-type: none"> 6. The following parcels of land containing together seven nine eight point zero square 	Access road

Description of Land	Public Purposes for which to be acquired
<p>metres, (798.0m²), more or less, situate at St. John's Trace in the ward of Siparia in the county of St. Patrick, described in the Schedule hereto and coloured raw sienna on a plan of survey signed by the Director of Surveys and dated November 3, 1986, executed under Survey Order No. 14/84 and filed in his office.</p> <p style="text-align: center;">THE SCHEDULE</p> <p>Four (4) parcels of land comprising together 798.0 square metres situate on the northern side of St. John's Trace approximately 0.4 kilometres from Siparia Old Road and approximately 10 kilometres north of Siparia, in the ward of Siparia, in the county of St. Patrick, and said to belong now or formerly to the following:</p> <ol style="list-style-type: none"> 1. 463.3 square metres said to belong now or formerly to Ganga Singh. 2. 29.9 square metres said to belong now or formerly to Seeram Namdeo. 3. 268.4 square metres said to belong now or formerly to Seeram Namdeo. 4. 36.4 square metres said to belong now or formerly to Kuldipnarine Goberdhan. <p>These parcels are more particularly shown coloured raw sienna on a survey plan filed in book 1140 folio 37 in the vault of the Lands and Surveys Department, Red House, Port of Spain.</p> <p>7. The following parcels of land containing together seventy-seven point nine square metres,</p>	<p>Road improvement to bridge</p>

Description of Land	Public Purposes for which to be acquired
<p>(77.9m²), more or less, situate at Morne Coco Road, Diego Martin in the ward of Diego Martin, in the county of St. George, described in the Schedule hereto and coloured raw sienna on a plan of survey signed by the Director of Surveys and dated May 18, 1989, executed under Survey Order No. 47/88 and filed in his office.</p> <p style="text-align: center;">THE SCHEDULE</p> <p>Three (3) parcels of land comprising together 77.9 square metres situate at Morne Coco Road, Diego Martin approximately 100 metres west of the junction of the Diego Martin Main Road and the Morne Coco Road, in the ward of Diego Martin in the county of St. George, and described as follows:-</p> <ol style="list-style-type: none"> 1. 39.9m² said to belong now or formerly to Morne Haven Condominiums Limited. 2. 19.8m² said to belong now or formerly to Major Bullen. 3. 18.2m² said to belong now or formerly to Aubrey Ameerali. <p>These parcels are more particularly shown coloured raw sienna on a survey plan filed as R. H. 189 in the vault of the Lands and Surveys Department, Red House, Port of Spain.</p> <ol style="list-style-type: none"> 8. The following parcel of land containing two point three eight seven seven (2.3877) hectares, more or less, situate at the San Fernando Hill off Circular Road in the City of San Fernando in 	<p>Development of San Fernando Hill</p>

Description of Land	Public Purposes for which to be acquired
<p>in the county of Victoria, described in the Schedule hereto and coloured raw sienna on a plan of survey signed by the Director of Surveys and dated April 9, 1979, executed under Survey Order No. 103/77 Part 5 and filed in his office.</p> <p style="text-align: center;">THE SCHEDULE</p> <p>A parcel of land comprising 2.3877 hectares situate at San Fernando Hill in the city of San Fernando in the county of Victoria, and said to belong now or formerly to Hasmatali.</p> <p>The parcel of land is more particularly shown coloured raw sienna on a survey plan filed as No. E. H. 125 in the vault of the Lands and Surveys Department, Red House, Port of Spain.</p> <p>9. The following parcels of land containing together six four five one point six square metres, (6451.6m²), more or less, situate off Pointe-a-Pierre Road on the San Fernando Hill in the City of San Fernando in the county of Victoria, described in the Schedule hereto and coloured raw sienna on a plan of survey signed by the Director of Surveys and dated March 9, 1978, executed under Survey Order No. 103/77 Part 3 and filed in his office.</p> <p style="text-align: center;">THE SCHEDULE</p> <p>Three (3) parcels of land containing together 6451.6 square metres situate on the southern side of Pointe-a-Pierre Road on San Fernando Hill, in the City of San Fernando, in the county of Victoria and comprising:-</p>	<p>Development of San Fernando Hill.</p>

Description of Land	Public Purposes for which to be acquired
<p>(a) 195.7m² said to belong now or formerly to T. L. Austin;</p> <p>(b) 462.9m² said to belong now or formerly to James N. Nimblette;</p> <p>(c) 5793.0m² said to belong now or formerly to Roopnarine Nathai.</p> <p>These parcels are more particularly shown coloured raw sienna on a survey plan filed in book 1066 folio 114 in the vault of the Lands and Surveys Department, Red House, Port of Spain.</p>	

2.50 p.m.

GUARANTEE OF LOANS (UNIVERSITY OF THE WEST INDIES) BILL

Order for second reading read.

The Minister of Finance (Hon. Wendell Mottley): Madam Speaker, the purpose of this Bill is to enable the Government of the Republic of Trinidad and Tobago to guarantee loans granted by the European Economic Community to the University of the West Indies for upgrading certain facilities at the university's several campuses.

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

Maybe, I was not listening but I do not believe that I heard moved the Motion to have the Bill read a second time. The Minister proceeded by saying the purpose of this Bill. Which Bill is it?

Madam Speaker: This is an omission, really, which the Minister, I am sure, will rectify.

Hon. W. Mottley: Madam Speaker, the hon. Member is correct. I was premature.

I beg to move,

That a bill to enable the Government of Trinidad and Tobago to guarantee loans to the University of the West Indies by any lending agency for use at the campuses of St. Augustine and Mount Hope be now read a second time.

The purpose of this Bill is to enable the Government of the Republic of Trinidad and Tobago to guarantee loans granted by the European Economic Community to the University of the West Indies for upgrading certain facilities at the university's several campuses.

The total amount of financing provided would be ECUs \$16 million which is about TT \$105 million which is broken down as follows: ECU \$10 million or TT \$65.9 million in grant funds. That is, *gratis*—free. Then a loan element of \$6 million ECUs which is about \$39.5 million coming as loans. These funds are being provided out of the Sixth European Development Fund, LOME 111 Convention and is available for regional corporation programmes.

This proposal was presented to regional leaders and was approved at the Tenth Meeting of the Caribbean Community held at Gran' Anse, Grenada in 1989. As part of the loan agreement, however, each campus of the University of the West Indies was required to provide a guarantee for that portion of the funds attributable to be spent on location in that country. Specifically related to Trinidad and Tobago, we are expected to guarantee the provision for the St. Augustine Campus and our share amounts to TT \$10.809 million.

This loan is on highly concessionary terms—30 years to repay at 1 per cent interest rate with a 10-year moratorium. The sum earmarked for the St. Augustine Campus is expected to do two things. Firstly, a hall of residence at the Mount Hope Medical Sciences Complex is expected to be constructed and, secondly, a student centre involving a cafeteria and lounge at the St. Augustine Campus itself.

Similarly, the Governments of Barbados and Jamaica are expected to guarantee their portions for work to be done at these respective campuses. It is our information that the Governments of Jamaica and Barbados have already, through their parliamentary systems, provided these guarantees. It remains now only for Trinidad and Tobago to provide the guarantee which is required. All three guarantees must be in place before there are any disbursements in any territory.

At present there are two pieces of legislation which authorize the Government of Trinidad and Tobago to guarantee loans. The first is the Guarantee of Loans (Statutory Authorities) Act and the second is the Guarantee of Loans (Companies) Act. The University of the West Indies does not fall within any of these two Acts

Guarantee of Loans (UWI) Bill
[HON. W. MOTTLEY]

Friday, October 22, 1993

and we are advised, therefore, that separate enabling legislation has to be passed to deal with the requirements of guarantee for the University of the West Indies.

In the course of drafting, however, it was decided that the Bill should be drafted in such a way as to allow the Government to guarantee loans made to the University of the West Indies by other lending agencies, not only the EEC, which contemplates developments that may occur in the future, not now foreseeable.

In this regard, clause 2 of the Bill defines lending agencies. Clause 3 empowers the Minister with responsibility for the University of the West Indies to sign the guarantee. Clause 4 of the Bill imposes a limit of TT \$100 million in respect of which the guarantee may be given. Clause 5 provides for payment out of the Consolidated Fund where the lender defaults. In clause 6 provision is made for the University of the West Indies to repay any sum paid out under guarantee by the Government of Trinidad and Tobago. Finally, clause 7 empowers the Minister of Finance to grant exemptions from taxes where this is necessary to give full effect to the guarantee.

Madam Speaker, this loan, coming as it is, with parallel grant funds is extremely beneficial to the University of the West Indies, specifically to the campus at St. Augustine. And for these reasons I believe that Members on both sides will wholeheartedly support this Bill.

Thank you.

Question proposed.

Mr. Basdeo Panday (*Couva North*): Madam Speaker, it is on the point that the hon. Member made about the need for this legislation that I rise early to speak. It seems to me that there was recently a loan between the IADB and the University of the West Indies, on April 7, 1992; that was loan 681/OCRG, which the Government guaranteed. It was under neither of the existing provisions for the guaranteeing of loans.

The first question is: Under what law did the Government guarantee that loan, and if the Government did, in fact, have power to do so, why is it necessary to bring this Bill in order to guarantee a further loan is being sought from the EEC? The whole question of moneys and loans to the University of the West Indies raises a sore point that has been existing between the Government of Trinidad and Tobago and the University of the West Indies for a very long time. Maybe, there would have been no need to resort to these loans if the Government was performing its duties to the University of the West Indies. As far as I am aware, the Government owes the university some \$200 million.

3.00 p.m.

If the Government would pay the sum it owes the university, then there would be no need to resort to further borrowing. I think that this may very well be money owed not only by the Government of Trinidad and Tobago, but by the regional governments as well. I am not sure, maybe the hon. Minister can tell me whether the amount owed by the regional governments is in addition to the \$200 million owed by the Government of Trinidad and Tobago.

It is to be noted that the "real" Prime Minister had instituted a five-year programme—I think the university is within his portfolio—to meet the current arrears to UWI. Maybe, this would be a good opportunity for the "real" Prime Minister to indicate what has happened to the programme that he instituted. It may also be a point to raise another matter. As I said, the relationship between the Government and the University of the West Indies and its funds has been a problem for some time.

Would the Government think of restructuring that tertiary education system? For example, it may consider merging NIHERST with the University of the West Indies. Is there still need, in these times, to have the two separate bodies? Would it not be a cost-saving device to bring both NIHERST and the University of the West Indies together into some kind of co-operative organizational arrangement?

It may be that these loans which we are seeking to borrow arise from, as I said, the failure of the university to raise funds. Recently, I saw an article in the *Guardian* dated August 14, 1993, where Dr. Max Richards has been complaining about the problems of the university. The headline of the article was: Government cuts back on UWI funds. It stated:

"According to Professor Maxwell Richards, Pro Vice Chancellor and campus principal, the overall budget granted for 1993-96 triennium is \$280 million. This figure was 14.2 per cent less than budget approved by the Campus Council recently."

It seems that while the Government is looking at trade liberalization and using its resources in that direction, it is ignoring to a great degree the tertiary and university education of our citizens. If it keeps cutting back on university allocations, it would be to the detriment of the educational standards of Trinidad and Tobago.

It is a fallacy—I think that every time we raise this question of education in Trinidad and Tobago somebody jumps up and says that Trinidad and Tobago has

Guarantee of Loans (UWI) Bill
[HON. W. MOTTLEY]

Friday, October 22, 1993

a 95 per cent literacy rate. I want to dispel that myth. That is not correct at all. As a matter of fact, in an article in the *Express* dated Thursday October 7, 1993, Paula Lucie-Smith, chairman and founder of the Adult Literacy Tutors Association, speaking at a luncheon meeting of the Rotary Club of Maraval is reported on as follows:

"She believed that a large sector of the population has always been illiterate.

And, she added, after decades of complacency and even boasting about a high literacy rate—95 per cent or more—the public was now being made aware that the country's literacy rate was far from 95 per cent.

She referred to the results of a recent worldwide study on reading literacy in which Trinidad and Tobago was ranked in the last seven of 31 countries."

Maybe the Member for Diego Martin—who objected when I said that it was not 95 per cent, but it was 85 per cent—would like to listen. Was that the government that said that the future of this country was in the school bags of the children? I believe that it has run this Government in such a way, that the only things we can find in the school bags of the children today are cocaine, knives and guns.

This is the result of the policy of this Government to deny education its share of allocation. In fact, Lucie-Smith went on to say:

"Developed countries were claiming a literacy rate of 85 per cent."

Trinidad, living in its dream world, as always, boasts of 95 per cent literacy rate.

"The United States came out in the top end of an international IEA study whereas we were placed in the bottom end, yet we claim a literacy rate in the 90's.

Lucie-Smith said a more accurate picture has been presented by Dr. Lawrence Carrington, Dean of the Faculty of Education at the University of the West Indies.

Using the 1970 census results and assuming that persons with less than six years primary schooling would be poorly literate, Carrington estimated that at least 22 per cent of the adult population had inadequate skills."

I merely mention this to show that this is the legacy of the PNM Government to our country. This is the legacy of a government that said that the future of the country was in the school bags of the children. It is yet another example of its tremendous capacity for saying one thing and doing exactly the opposite.

Lucie-Smith continued:

"...almost a quarter of the population in 1970 was functionally illiterate.

'By no stretch of the imagination can the literacy problem be seen as a 'new' problem—rather it is one that has been compounded by decades of neglect,' she added."

That is the important thing.

Now, we come with a Bill that would guarantee loans of \$100 million; but, immediately, \$39.5 million comes out for the purpose of building a residence hall and a student centre—after years of neglect by this Government that says it cares about people, neglect of the most important aspect of human resource mobilization, education.

"Lucie-Smith said she did not agree that there had been a drastic decline in the literacy rate over the past two or three decades in Trinidad and Tobago.

Instead, she added, there has been a change from selective to mass education, combined with a rise in the literacy level required to function in society.

She noted that in 1962 only 14 per cent of Trinidadian school children went on to secondary school and that 20 or 30 years ago, people could get by without being literate."

3.10 p.m.

So, the whole definition of literacy changes from time to time. Thirty or forty years ago, people need not have had such a standard of education to be regarded as literate. Now that things have changed, the standard of education has to be much higher before one can be regarded as literate. It is important, therefore, that we look not only at primary and secondary education, but also at tertiary education.

If the Government continues to neglect the funds owed the university, one can only expect that there will be a further deterioration in the educational level. In fact, we are probably promoting functional literacy in the society. Perhaps the Government would take this occasion to tell us—the Prime Minister, while acting as Minister of Planning and Development—what has become of his five-year plan for paying the university all the moneys that are owed to it.

The Minister of Finance (Hon. Wendell Mottley): Madam Speaker, the hon. Member for Couva North asked what loan guarantee Act governs the loans

Guarantee of Loans (UWI) Bill
[HON. W. MOTTLEY]

Friday, October 22, 1993

from the IDB. There is a separate IDB Loans Act under which we were able to give assistance there. That covers not only loans to the university, but also any of the IDB loans.

Secondly, the Ministry of Finance discussed arrears with the university and scheduled repayments. We made a small start in 1993 and are hoping that in the later years, especially 1995, we would be able to accelerate the payments to the university. It is not that we are unaware of our responsibility to the university, but we share a problem with all the other Caribbean governments, especially as our economies have gone into recession—Trinidad and Tobago's associated with oil; Jamaica's associated with the decline of its bauxite industry. So that the revenue base on which the university originally was founded just is not there any more. Therefore, the kinds of commitments made to the university have had to be cut back, as with all other allocations. It is not that the university has been singled out for harsh treatment. All the ministries central to the Government have had to bear with cut-backs.

It is for that reason that we have been urging the university not to depend only on Government funding, but to seek where its highly professional research services could be contracted out to industry, as well as to the Government. We would hope to deepen that process. This Government certainly contemplates using university expertise.

The university has a core of students who have benefited from it—several of them having become prime ministers today—and who might be tapped for additional resources. Certainly, both universities abroad where I studied, benefit from tremendous funding provided from their alumni. The university then invests these funds and gets income from those investments.

We have been urging on this university here that, yes, the Government remains committed to it; however, the revenue base has been under pressure and it behoves the university to look at all sources for the funds required to discharge its responsibilities. The assistance from the EEC is one additional source of such funding; part being grant, part being loan funds under extremely generous conditions. Recently, too, as the Member for Couva North remembers, the university received additional assistance from the IDB.

We are expecting that as the economy recovers, Trinidad and Tobago will be able to accelerate the payment of these arrears and we look forward to the

Guarantee of Loans (UWI) Bill

Friday, October 22, 1993

university continuing its very important role in providing higher education to a larger percentage of the population in this region.

With these words, therefore, I commend this Bill to the House.

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 7 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.

3.20 p.m.

PORT OF SPAIN CORPORATION

(Pensionable Office)

The Minister of Local Government and Minister in the Ministry of Finance (Hon. Kenneth Valley): Madam Speaker, I beg to move the Motion standing in my name which reads as follows:

Whereas section 3 of the Municipal Corporations (Pensions) Act, Chap. 25:05 provides *inter alia* that the Council of a Corporation may by Resolution declare a permanent office in the service of the Corporation for which separate provision is made in the annual estimates to be a pensionable office and that any such resolution shall be approved by Resolution of the House of Representatives and the Senate:

And Whereas Council of the Port-of-Spain Corporation by Resolution dated 17th December 1992, declared the office to be a permanent office in the service of the Port of Spain Corporation for which separate provision is made in the annual estimates of that Corporation to be a pensionable office from the date specified in the Resolution:

Be it resolved:

That this House approve the Resolution of the Council of the Port of Spain Corporation shown hereunder:

Port of Spain Corporation (Pensionable Office)
[HON. K. VALLEY]

Friday, October 22, 1993

PORT OF SPAIN CORPORATION
RE: THE MUNICIPAL CORPORATIONS
(PENSIONS) ACT, CHAP. 25:05

Whereas section 3 of the Municipal Corporations (Pensions) Act, Chap. 25:05 provides *inter alia* that the Council of a Corporation may by Resolution declare a permanent office in the service of the Corporation for which separate provision is made in the annual estimates to be a pensionable office:

And Whereas Cabinet as conveyed by Ministry of Local Government letter LG:2/7/8 Vol. I dated 21st November, 1967 agreed to the creation of twelve (12) posts of Estate Constable:

And Whereas Cabinet by Minute No. 2100 dated 9th August, 1984 subsequently agreed to the abolition of these posts of Estate Constable save one (1) that is occupied to be abolished when it becomes vacant:

And Whereas this Council considers it expedient to declare this one remaining post of Estate Constable pensionable so that the incumbent may enjoy his pension rights.

Be It Resolved:

That the post of Estate Constable mentioned above be declared a pensionable office in the service of the Port of Spain Corporation on the 17th day of December, 1992.

Madam Speaker, as the Resolution passed by the Port of Spain Council indicates, this situation arose because when a decision was taken in 1984 to abolish the posts of estate constable, which existed since 1967 on the establishment of the Port-of-Spain Council, eleven of those posts were vacant; one had an incumbent. That post was not a pensionable post and what we are doing today is simply ensuring that that one incumbent can qualify for his pension.

When the posts were abolished in 1984, the Cabinet decision said that when the post became vacant that remaining one would also be abolished. In other words, eleven were abolished in 1984—the eleven which were vacant—and the one which had an incumbent could not have been abolished, but it was not a pensionable post.

As you know, Madam Speaker, there is now the Port of Spain City Police and those posts are pensionable, so that all we are doing here this afternoon is merely scheduling this post to make it a pensionable one under the Municipal Corporations (Pensions) Act, Chap. 25:05.

That is my simple task this afternoon. I ask for the support of my colleagues in ensuring that the incumbent can receive his pension.

I beg to move.

Question proposed.

Mr. Sahid Hosein (*Siparia*): Madam Speaker, as far as we on this side are concerned, this matter is indeed a simple one. Given the brevity of the contribution of the Member for Diego Martin Central, however, there are several aspects of this particular Motion which we would like explained.

The first question we wish to ask on this side is, what are and what were the functions of these posts? I ask this in the sense that some of the posts were abolished and one position is continuing. Given the fact that there is a Municipal Police Service at the Port of Spain City Corporation, one has to ask: what indeed are the functions of this estate constable, whose position it is proposed to make pensionable? Indeed, for elucidation, we on this side would have expected to be informed as to what happened to the other persons who filled those positions that were abolished. What was their position?

One has to ask also, was it intended that the post of estate constable, when it was first conceived, would be a pensionable post? If it was not, how has it been determined at this stage that it should be a pensionable post? Also, why—especially now, when one sees a headline in the newspaper "3,000 to lose jobs at local government"? Here we are talking about providing pension for a particular individual in an atmosphere where thousands are going to lose their jobs and there is no question of pension arising. This is to add to the thousands who have already lost their jobs.

In addition to bringing this matter before this House, one would have thought that the Government would have made a statement to this House, through the Member for Diego Martin Central, the Minister of Local Government, who seems bent on destroying local government. The population, and indeed this House, has the right to know what is the Government's position with respect to local government, because it has the potential to disrupt this society. It is the third time this year—and I am talking about thousands of workers—that workers are being retrenched, sent home with all the implications. We on this side should have thought that this matter was also worthy of a statement.

As I said, we expect that the Minister would give us some further information as to why this step was necessary. Because, here we are—and let me say at the

Port of Spain Corporation (Pensionable Office)
[MR. HOSEIN]

Friday, October 22, 1993

outset that we on this side have no problem—securing a pension for one individual and, in the same breath the Government is sending home thousands of people; a Government which went to the population and said it cares.

The Minister is reported in today's *Express* as saying he has very little sympathy for the workers of local government because they work two hours a day. So one can expand the Minister's argument and expect that all the other workers at local government are going to be retrenched. If one accepts that statement—a wicked and malicious statement—the workers in this country, the trade union movement should call on the Minister to retract it. A Government which went to the electorate and said "we care"; a Government which on one hand reinstated the 10 per cent to the workers, and, on the other hand, savaged them and sent them home. They gave 10 per cent with one hand and sent them home with the other.

3.30 p.m.

We on this side ask: Are there any other workers in other corporations who would find themselves in a similar situation as this estate constable has found himself? Is it going to become necessary? While I am new to the Parliament, it is my understanding that these matters come up here regularly. One would have thought that in a matter like this some sort of committee would be convened to deal with it, with which, really, most of us would not have a problem. It is really a procedural matter, according to the law under which it falls. Our recommendation would be that a committee be formed to deal with these matters, instead of having them brought before the full House.

I want to delve into another area, since we are on this pension issue. A great oversight, in fact, an injustice, continues to take place in this country with respect to people who serve on the other side of the fence in local government, not as workers but as politicians—local government representatives. In one case, I think, Mr. George Kangalee, who died last week, served for 36 years in local government—30 years as a councillor, six as an alderman. Many people have found themselves in that situation—giving service to the country for very little remuneration. I think the time has come—I do not think it will come under the tenure of that Minister of Local Government—when we as a House have to address the question of pension for local government representatives. *[Interruption]* Yes, pension for local government representatives.

They contribute to the development of this society at great sacrifice and personal cost. In fact, most of them that I know are virtual paupers, or have died

paupers, with one or two exceptions. I think the time has come when the Government of the day should take into consideration that, maybe, now is the appropriate time to look into this question.

I come back to the question of how this pension is related to what is taking place in local government today. It seems to me that there is a plan to dismantle local government. If the argument is that we have no sympathy for the workers or the local government authorities because they work only two hours a day, I am asking: Does it apply to this worker, the estate constable? If that argument applies to him, why do they want to make it a pensionable position? He works two hours a day. This is a wicked and dishonest statement to make.

At a later date I will deal in a more comprehensive manner with the issues in local government. It seems not to matter. It is just another thousand gone home; another thousand who might not be able to send their children to school, and what have you. This gentleman is extremely fortunate, having this Motion before the House on his behalf. It must be akin to winning the National Lottery, given what is prevailing in local government, and we are extremely happy for him.

Miss Nicholson: He is a special case.

Mr. S. Hosein: Madam Speaker, I end on this note to ask the Minister of Local Government; if he really cares—and, indeed, we all have our doubts—to get up in this Parliament and make a statement to the nation. What is taking place at local government does not affect only the workers; it affects the quality of service that is delivered to the taxpayers of this country, and that is very important because it raises the question: Why do we pay taxes? Is it to provide them with a revenue base so that they can curry favour and use it corruptly to dispense patronage? I expect the Minister to address some of these concerns that we on this side have.

Thank you.

Miss Pamela Nicholson (Tobago West): Madam Speaker, I am forced to rise this afternoon because of the peculiarity of the case. Here we have a situation where one individual—I am very happy for him: I am not against the worker—but a matter is brought before us this afternoon that one individual from one municipal body should be compensated by making his post pensionable. I feel that if the Minister knew that he was coming to the House with a matter like this, he should have addressed the total local government organizational structure before coming to the House.

Port of Spain Corporation (Pensionable Office)
[MISS NICHOLSON]

Friday, October 22, 1993

I wish to support the Member for Siparia very strongly this afternoon, in the sense that the post of one individual is being made pensionable at the Port of Spain City Council, while thousands of others who have worked for 10, 15, 20 years—I am sure about that—are being dumped on the streets of Trinidad and Tobago. There must be a social conflict, as my colleague, the Member for Laventille West, used to say. But I note that he is very silent these days.

Mr. B. Panday: They have silenced him.

Miss P. Nicholson: I am alarmed that he is still resting there on their side. Madam Speaker, what I am saying is, if we are going to address the case of one worker, it is my view that it cannot be legal when thousands of regular workers are retrenched—and here is where our legal "weights" must open their mouths this afternoon, for example, the Member for Couva South and Senior Council Allum, Member for Port of Spain North/St. Ann's West.

Madam Speaker, it cannot be legally sound for people who have worked for 10 or 15 consecutive years to be thrown on the streets without any compensation at all—just retrenched and sent home, with their families to take care of. I should really like to hear the views of the "Silk" the Member for Port of Spain North and also the views of the Member for Couva South on this matter, to force this "caring" Government to act. I am here also on behalf of the hundreds of people of Tobago this afternoon. It is a Trinidad and Tobago case, but you know one has to make a special case for Tobago because when you are separated by water it is very critical and one's position is not easily understood down here, so that is why I have to say 'Tobago'.

Hundreds of workers from the Tobago House of Assembly have been sent home and I read in the newspapers today that the Minister of Finance has found some millions for 300 workers in a particular area, I think it is San Juan/Laventille. If money is found to re-employ these workers, a totally discriminatory practice is taking place in this country, in the sense that the Government cannot find millions for workers who have worked for eight, 10 or 15 years in several other areas; they are ignored. If we are going to address that section, San Juan/Laventille, or any section at all, we must address the whole of Trinidad and Tobago.

Here is where I want to see the unions. I want to hear their voices. When the NAR was in office, we were not even given a chance to settle down, they were prancing the streets of Trinidad and Tobago. Today, not a drum is heard and not a funeral note; not a whisper from their mouths. There is one who is just fooling the

people. One day he is going to get up and tell the workers he has found \$8 million for them; next day he has found \$10 million; next day he has found \$5 million from the Minister of Finance; and then the Minister of Local Government will say that he knows nothing about that. So, there is a contradiction in the operations of the Government of this country today, because the Minister of Finance is saying one thing and the Minister of Local Government, another. The Minister of Local Government even went as far as to say he did not care. I am going to read what he said.

3.40 p.m.

Mr. Valley: Madam Speaker, before she reads what I said, I am saying she is misrepresenting the facts and I ask her to retract that statement, that I said I do not care. I ask that she withdraw that statement.

Miss P. Nicholson: Madam Speaker, he does not say what statement, so I shall go ahead. On page 4 of the *Daily Express*, it states:

"Minister Valley told the *Express* that the crunch had occurred because his ministry had not received the \$19.5 million supplementary appropriation required to carry the workers for the rest of the year. The sum, he said, had been approved by Cabinet over two months ago, but the Ministry of Finance had experienced 'difficulty' in finding it."

It also says here:

"Minister Valley thought it 'unlikely' that the amount needed to support daily-paid workers until the end of the year, would be found. Saying that there was 'very little sympathy' for daily-paid workers, many of whom, he said, 'work two hours,'..."

That was Minister Valley, but he is not explaining why they are working for only two hours. Do the workers have the material to work with? He is not meeting his side of the bargain. However, when the Government gives the workers material to work with, as it gives the URP workers in Laventille and all those areas, then the workers will work.

If you are limited in funds, you should say, "Well, we are limited in funds throughout the country and all we can do is pay the workers." But do not say you have no sympathy. You have to sympathize, because the problem is not one of the workers, but of the PNM Government—PNM culture. It is all over the country. It is because of the lack of funds to purchase the material. I think I read in the newspapers yesterday, or the day before, where the Minister of Finance argued

Port of Spain Corporation (Pensionable Office)
[MISS NICHOLSON]

Friday, October 22, 1993

that he found a surplus this year of, is it \$200 million? I cannot remember the exact figure. So there should be no problem. The Minister should now use the surplus to give Minister Valley the necessary amount to pay the workers and buy materials for their development jobs.

The critical point I am raising here, and which I am very concerned about, is these people have worked for 10 to 15 years, and even though the Government takes a decision to retrench, there should be some voluntary retirement programme, or whatever it is. We cannot just say they were never permanent and they must go home, and one individual who may have worked for far less time than that, should be compensated. That approach is very discriminatory. Therefore, if we are addressing the one individual, we should be addressing the thousands of workers.

I should like to hear the legal minds this evening, because I think this is a constitutional matter which should be taken up. I feel very strongly about it. I think something like this occurred in the teaching service. A young lady had worked for five consecutive years, was not made permanent and was to be retrenched by the Service Commission. The matter went to court, and if I remember rightly, the young lady won the case. So I should like the legal minds to take this matter up on behalf of the thousands of workers in this country, if the Government just continues to retrench with no compensation.

There is also a matter in the Tobago House of Assembly, where several people are just acting for others who are holding down certain positions in Trinidad. In other words, they are permanent in those positions in Tobago, while they are posted to other jobs in Trinidad. Therefore, the people who might be working for 10 or 15 years in Tobago cannot be made permanent. I call upon the Government to address that situation.

While I am sympathetic to this individual, I should like to see the sympathy spread to everyone who is suffering in this way. I call upon the Government to either withdraw this, or address the plight of the thousands of workers who are being sent home, and this unfounded and raw argument by the Member for Diego Martin Central that they work only for two hours, should not be made. What he should do is address his side of the bargain and then he can make a statement.

I am calling upon the Government to address the problems that the thousands of workers are facing today. Yesterday it was said that another government was creating social conflict in the country and that this Government, the one now in power, would be able to address unemployment and all the social ills in the

country. I, therefore, call upon the Government today to address the case of those thousands of workers and prevent what is staring us in the face in this country.

I thank you, Madam Speaker.

Mr. Mohammed Haniff: (*Princes Town*): Madam Speaker, anyone in his right mind would support Government or anyone else if they intend to regularize, promote and to give security to a worker. In this case, the resolution is seeking to regularize and to put this estate constable in a pensionable position. As a result, this is before us and we are privileged to make our comments. But I must agree with the two previous speakers. Today, when the *Express* is exposing the situation in local government: "3,000 to lose their Jobs," this Minister who says he is not sympathetic to that situation, comes here—

Mr. Valley: Madam Speaker, this is the third occasion on which I am being misrepresented. The last speaker quoted, and yet she claimed that I said that I have no sympathy. I ask that the Member be requested to withdraw that statement.

Mr. M. Haniff: Madam Speaker, if I misquoted the hon. Minister, then I withdraw it. I wish, however, to continue by stating that I am quoting from page 4 of today's *Express* in which it says: "Valley, very little sympathy."

The point I am making is, that this Minister, over the past two years, has been making all sorts of statements concerning daily-paid workers in the local government bodies. In this case he continues to say he has very little sympathy for workers in local government.

Mr. Valley: Madam Speaker, I protest once more. I said that there is very little sympathy. At no time did I say that I have very little sympathy for anybody. There is a gap of difference.

Mr. M. Haniff: Madam Speaker, by the Minister's performance in local government, he has demonstrated that there is no sympathy for workers in local government. As a result, what do we have today? We have a situation where thousands have already been sent home and thousands more will again go home, and the Minister rises in this Parliament to introduce a Motion, but does not see it fit to say one single word as to whether, in fact, these 3,000 workers will go home or not.

Madam Speaker: Would the Member be relevant to the Motion?

3.50 p.m.

Mr. M. Haniff: I am referring to job security and pensionable position for a worker in a local government body. It is in these circumstances I am saying that the Minister ought, in an urgent situation as this, and where there is talk of retrenchment, to say something about job security for workers.

Madam Speaker: This motion does not really evoke that kind of response.

Mr. M. Haniff: Madam Speaker, the point I am making is that job security as well as pension for one worker is fine, we appreciate that; but there is an urgent situation where workers have been sent home, and continue to be sent home, and not a statement made by the Minister.

In addition to that, over the past 10 to 15 years, governments and representative unions have been seeking to iron out a pension plan for daily-paid workers in the corporations. In these circumstances why did the Minister not find it convenient to come to the House and indicate the developments of those negotiations, or say whether it is expected that those workers will, in fact, enjoy this pension that has been on the drawing board for many years? What is the situation with this matter? Thousands of workers similarly affected are hoping that their positions would one day become pensionable.

Do you know what is also happening in the local government bodies at this time? While workers with 15 to 20 years' service are being sent home with very little remuneration and no pension, workers who have a PNM connection are being re-employed on the URP projects. There are workers who are not given new contracts but are re-employed on the URP projects without being given similar consideration. The situation in this country with respect to employment is bad, and worsening every day. The corruption and favouritism continue in local government, URP and in Government generally.

It has been brought to the attention of the Minister of Local Government, and to my attention as well, that workers in the San Fernando City Corporation are of the understanding that those who have two years' continuous service will retain their employment but others have already been sent home.

There is a situation where six workers in the San Fernando Corporation have over two years of service and have been laid off. The matter has been referred to the Ministry, and the Permanent Secretary has advised that they should be re-employed; but to date this has not been done. This matter has been brought to the attention of the Minister, but rather than deal with this, he says that more workers must go.

I am referring to the situation in local government and seeking to regularize the position of a particular worker. I am informing the House that this Minister is breaking away from the normal policy of employment in local government. The Princes Town Regional Corporation in carrying out its development projects has sought to implement the agreement that one-third of the total number of workers with service will come from the corporation and two-thirds from the villages.

It has been brought to my attention that this Minister has given instructions that no villagers must work on the development projects, and that is contrary to long-standing agreement and practice.

While the Government seeks to regularize the position of one worker—with which we are in agreement—we are saying that it is too fundamental and important an issue to come before this House and not make a statement on some of these issues. Now that this issue has been raised out of a situation of urgency, I hope the Minister would respond, because there is chaos.

Three days ago I attended the funeral of a worker attached to a local government body. That worker collapsed the day he was handed a layoff notice and was taken to the doctor. He felt better, but within a matter of two weeks, he died. I am saying that the death of that worker is as a result of Government's policy on retrenching workers with 15 and 20 years' service. I am of the view that this Minister who is not showing sympathy, should state what is Government's policy on local government, because the unemployment situation is very bad. URP workers who have a PNM card are working every other fortnight while other people in this country, who do not have similar connections, cannot get a "five" or "10 days" on those URP projects, and no pension for them.

I want the Minister to state also what is Government's policy on pension.

Madam Speaker: Hon. Member, this is not a debate on URP. I have allowed you to stray quite a lot. Please confine yourself to the motion before the House.

Mr. M. Haniff: I am comparing the situation and simply asking why URP workers do not fall under an agreement so that they will qualify for pension. Why do they not fall under an agreement so that they will also qualify for the other negotiated benefits that other daily-paid workers enjoy? Most people do not realize that workers in this country are being taken advantage of, especially if they are unemployed and seeking employment.

If there is a situation that needs to be regularized at the Port of Spain Corporation that is fine. However, we wish to point out that there are many issues

Port of Spain Corporation (Pensionable Office)
[MR. MOHAMMED]

Friday, October 22, 1993

concerning workers that need to be regularized in all the local government corporations and in other sectors of workers in this country.

In these circumstances we hope the Minister of Local Government in his reply would state the Government's position concerning pension for workers in local government, and also villagers working on the development jobs.

Thank you, Madam Speaker.

The Minister of Local Government and Minister in the Ministry of Finance (Hon. Kenneth Valley): Madam Speaker, I find it amazing how week after week very simple matters can stimulate so much heat in this House.

The issue before us is that way back in 1967, 12 posts of estate constable were established at the Port of Spain City Council. As a matter of fact, when these were established in 1967, I think they were called district constables. In 1975 the designation was changed to that of estate constable. In 1984, however, of those 12 posts which were established, 11 were vacant; only one had an incumbent. These are monthly-paid posts quite different from daily-paid establishments where you may have permanent or regular employees as referred to by the hon. Members for Princes Town and Siparia. This is a monthly-paid post.

4.00 p.m.

When those posts were abolished in 1984 the same Cabinet agreed to the creation of 11 additional posts of police constable. As you know, there is already the city police. In other words, they were replacing the estate constables by police constables. At that time the estate constables were servicing the market, and the general upgrading of the post of police constables was being looked at.

So that to answer the Member for Siparia, 11 posts were vacant, and there is nothing one can do with those 11 posts. There is no one there for whom one has to provide a pension. The 11 new posts created, posts of police constable are already pensionable posts. Under Chap. 25:05 of the Municipal Corporations (Pensions) Act, police constable is already a pensionable post. So that any police constable hired, when those additional posts are filled, automatically would qualify for pension.

The estate constable post was not a pensionable post and because we have the one incumbent who is now approaching retirement, obviously, we have to regularize his situation. That is all we are attempting to do here, because from that point he was, in fact, considered as a police constable although his designation was not changed. These additional police constables would then have been doing

what the estate constables were supposed to be doing—looking at the market and all these things.

The Member for Siparia asked why we are providing pension for this individual when so many people are losing their jobs. As I said, we are merely regularizing a situation. Of course, the current situation with respect to the daily-paid employees in local government is a separate matter and one on which I am quite prepared to enter debate at any time. As a matter of fact, I want to say a few things this afternoon on it and I would do so in a short while.

The Member for Tobago West wanted to know why the Member for Couva South and "Silk" did not say anything on this Bill. There is an old saying: "Fools rush madly where angels fear to tread" because, obviously, "Silk" and "Khaki" understood quite clearly the purpose of the Bill. That is why they said nothing. They realized it was a simple matter merely regularizing a situation. But my good Friend the Member for Tobago West, just listening to the Member for Siparia, perhaps looking at the Motion for the first time thought: "Aha! let me beat the PNM". The PNM harder to beat than that!

Let me talk about the situation in local government. All of them quoted from an article and they deliberately attempted to misrepresent the fact. That is the dishonesty that I find very disheartening in politics—that nobody attempts to be interested in the truth. They did not refer to the first page which said that Minister Valley said that he would be the happiest person out if the Minister of Finance was able to find the money. They did not refer to that, because that did not suit their purpose. That did not show lack of sympathy. It did not show uncaring.

But they would attempt to misrepresent the statement—and the reporter reported fairly. The statement is that "there was very little sympathy." I would tell you that if you talk to the general public and local government representatives—I was present the other evening at a legislative group meeting—there is very little sympathy for daily-paid employees in local government, and I want to tell daily-paid employees that they weaken my hand and my bargaining for them because—as a fact, you will see it—the argument is that the gang size is too large and they work too few hours. That is a fact and we have to deal with that. We cannot hide behind any brick wall.

Miss Nicholson: Because of lack of material.

Hon. K. Valley: Lack of material?

Miss Nicholson: Of course!

Hon. K. Valley: Madam Speaker, these gangs are maintenance gangs and when they come they would wake you up—they would come perhaps 6.30 a.m. to 7.00 a.m., but by the time you are ready to go to work they are gone. That is a fact. It does not matter where you live.

I see one of my major objectives and main purpose in local government is to change that, and if I cannot change it I would consider myself to have failed local government.

Mr. Maharaj: Madam Speaker, I wonder if the Minister would give way. Is he saying, therefore, at his legislative meeting, that his party is unsympathetic to these workers?

Hon. K. Valley: I am saying no such thing! Do not put words into my mouth! I am saying that everybody, PNM people, the nation—and I hope some of you opposite, would recognize the fact that these workers, most of them—I make a categorical statement—work no more than three hours for the day; daily-paid employees. Let us face it. I am saying that that is a hangover of the boom years. I will readily admit that. I am saying, however, that in our current financial situation we have to recognize where we are and I am saying to the union, with which I have a good working relationship, that we have to recognize that and deal with it, otherwise they would go the way of the Port.

We should remember when the Port employees would sit there and people would come and say, "you sit down; we would bring in other people to do the work", but they would be paid nonetheless. How long could we continue with that situation? How long? Now you will see what is happening with the Port. I have sympathy for the workers, but I am saying that unless we recognize what is happening and make the necessary adjustment, my fear is that the same thing would happen to local government. This Minister of Local Government would not be Minister of Local Government and allow daily-paid workers to perform two and three hours work a day. No way!

Mr. Hosein: Is the Minister arrogating to himself the powers to alter the agreement between the workers...? *[Interruption]*

Madam Speaker, I crave your indulgence. Please let me finish my point. I ask that question because we, too, on this side share some of the concerns expressed by the Minister of Local Government. I make the point that the union agreement has been negotiated and up to this time is controlled by the Industrial Relations Act. He cannot take a position. I make the point that the agreement caters for

workers to perform a certain type of work. That is called the Task Schedule. I also want to make the point that the workers are supervised by monthly-paid workers.

Hon. K. Valley: Is the Member making a speech? Sit down!

Mr. Maharaj: Madam Speaker, I do not think he has the power to tell the Member to sit down.*[Interruption]*

Mr. Narine: Madam Speaker, I would like to indicate something from the memorandum of agreement. For the information of hon. Members, on page 35 of the memorandum of agreement, the question that was asked is a letter of understanding.

Madam Speaker: You can pass that to the hon. Minister of Local Government so that he may reply.

4.10 p.m.

Miss Nicholson: I was not too clear. I want to find out from the Minister if he is saying that all that the local government workers do is aligned to task work. I am getting that impression coming from his argument. I should like to know what kinds of jobs they do. Do they do developmental works? If they do that, he would have to say something else. That is why I asked the question about material.

Hon. K. Valley: Madam Speaker, honestly, when I hear defences like those which the Member for Siparia attempted to advance, that we are bound by some agreement—that agreement says a number of things.

The agreement says that a regular worker would be employed if there is work for him to do and money to pay him.

Mr. Maharaj: Madam Speaker, on a point of order. The Member did not say that. The Member said that the Minister's action was tantamount to interfering with the contractual relationship of the worker.

Hon. K. Valley: I am saying—not the Member—that the agreement says that a regular daily paid worker would be employed when there is work for him to do and money to pay him. If there is no money to pay the regular worker, the council under pain of the financial regulation, cannot employ the regular worker.

We in local government understand the financial situation. Cabinet understands the situation in local government. A supplementary appropriation was allocated to local government, but given the overall financial situation, it is difficult to source that, therefore, we have to make adjustments.

Port of Spain Corporation (Pensionable Office)
[HON. K. VALLEY]

Friday, October 22, 1993

The last part of this report said that all that is happening in local government now, points to the imperative for the restructuring of the system as a whole. I inform this House that about a month ago I took steps to set up a committee to look at this whole system of daily paid employment in local government.

I have a certain difficulty because as a Minister in the Ministry of Finance, I understand clearly the financial imperative for fiscal discipline if we want to get the economy back on the growth path. I understand the need for efficiency in whatever we do. While I am willing to go to bat for any of my employees as long as they are doing the job, I have a serious difficulty arguing a case for employees when I see they are not giving their best.

When we went on the campaign trail, we preached the message of caring without being care-free. We said quite clearly that the things that used to be cannot continue. [*Interruption*] I would go on the campaign trail any time because I am at my best on the campaign trail. When I am finished on the campaign trail, big men cry. Quite simply, as we go into 1994, we have to look quite closely at what we do and how we do it in local government. That is my commitment.

With respect to the other issues, the pension for local government daily paid people, I would just recall that the Minister in the Office of the Prime Minister with responsibility for Public Administration, in a statement to this House last year, made the point that there was already agreement in principle for a pension plan for daily paid employees. In fact, work is continuing on that. We have been meeting with the union on that matter.

The Member claimed that workers with 10 and 15 years service are going home with nothing. That is not so. There is the Severance Act which entitles every worker to a benefit, even regular workers. As long as the person has worked for a certain time, the Act protects the worker and the payment must be made within a limited period after the person is severed. I think it is 45 days. The law is there to protect workers. That is clear.

We continue in local government to pursue major initiatives. On October 1, 1993, we put a new fee structure in place. Cabinet has just approved a committee to review the system of property taxation and we expect that by January 1, 1995, property taxation would be the prerogative of the local government system, throughout the local government system to help fund their needs. I maintain that local government bodies must be creative in their financing.

Recently, we have taken the initiative to ensure that there are qualified persons in the accounting positions of these corporations. We had a situation where persons coming up as clerks were heading the accounting or finance section of the corporation. Obviously, if one is qualified in accounting or finance, one would have a wider breadth or vision with respect to doing things. As we move towards autonomy in the local government system, we want to provide them with a structure that would assist them in doing things and doing them efficiently.

As I said, the Motion before the House has very little to do with that matter, but since some issues were raised and they are current, I thought I should say a few words on it. The Motion simply deals with the question of regularizing a situation.

With those few words, Madam Speaker, I beg to move.

Thank you.

Question put and agreed to.

Resolved,

That this House approve the Resolution of the Council of the Port of Spain Corporation shown hereunder:

PORT OF SPAIN CORPORATION
RE: THE MUNICIPAL CORPORATIONS
(PENSIONS) ACT, CHAP. 25:05

Whereas section 3 of the Municipal Corporations (Pensions) Act, Chap. 25:05 provides *inter alia* that the Council of a Corporation may by Resolution declare a permanent office in the service of the Corporation for which separate provision is made in the annual estimates to be a pensionable office:

And Whereas Cabinet as conveyed by Ministry of Local Government letter LG:2/7/8 Vol. I dated 21st November, 1967 agreed to the creation of twelve (12) posts of Estate Constable:

And Whereas Cabinet by Minute No. 2100 dated 9th August, 1984 subsequently agreed to the abolition of these posts of Estate Constable save one (1) that is occupied to be abolished when it becomes vacant:

And Whereas this council considers it expedient to declare this one remaining post of Estate Constable pensionable so that the incumbent may enjoy his pension rights.

Be it resolved:

That the post of Estate Constable mentioned above be declared a pensionable office in the service of the Port of Spain Corporation on the 17th day of December, 1992.

ADJOURNMENT

The Minister of Local Government and Minister in the Ministry of Finance (Hon. Kenneth Valley): Madam Speaker, I beg to move that this House do now adjourn to Friday, October 29, 1993 at 1. 30 p.m.

I also wish to inform the House that it would be Private Member's Day.

Madam Speaker: There is a Motion on the Adjournment.

4.20 p.m.

Health Care Services (Deterioration of)

Dr. Carl Singh (Tabaquite): Madam Speaker, my motion is the continuous deteriorating health care services in the twin-island state of Trinidad and Tobago. Since the egg-nog tragedy of 1992, several untimely deaths which border on gross negligence have occurred at the Port of Spain and San Fernando General Hospitals.

Since early last year, we have had five or six untimely deaths because of the lack of proper care administered by personnel of the Ministry of Health. There was the incident of food poisoning at the Picton School—

Madam Speaker: You are talking about the deterioration of health.

Dr. C. Singh: I am mentioning some of the effects of the deterioration—the effects of the long waits at hospital by cases which require rather urgent treatment.

A child was taken to the San Fernando General Hospital and had to wait for about five hours before any treatment was administered to him. It was a case where emergency treatment was required on admission, and not a wait of five hours before any treatment could be administered.

Another incident occurred at the Port of Spain General Hospital where Debra Yearwood, a 27-year old woman, waited four days for treatment. She had a bleeding problem which had started some time before. One of her parents remarked that on the morning they visited the ward, the walls were splashed with

blood. While this patient was dying, there was no care or sympathy. At least in death there should have been some form of dignity.

The X-ray Department at San Fernando is another problem. In a reply this afternoon in this House, it was stated that the workload is too much for the facilities. Who, then, is responsible for health?

With the HIV infection spreading by leaps and bounds, opportunistic infections are rearing their heads. For example, tuberculosis is moving up again. A simple chest X-ray can give a pointer as to where we are going and help in preventative medicine but, as a private practitioner, you can send a person to the San Fernando General Hospital and invariably you are told that they cannot do the X-ray. The patient has to go to a private institution. The people who go to state institutions are the poor, the destitute, the unemployed and the old-age pensioners; yet they are asked to go to a private institution to have X-rays done.

Another very important aspect of the deteriorating situation is the sort of disbanding of the insect vector spraying programme. There is considerable retrenchment. There is a lack of vehicles, chemicals and equipment for spraying. Someone remarked that the *aedes aegypti* mosquitoes are the aristocrats of mosquitoes and live inside the house. Be that as it may, what about the mosquitoes outside. In the wet season the mosquitoes are uncontrollable. In the country areas you can hardly enter some of the houses. Spraying has been completely abandoned.

Recently in Mayaro a patient was taken to the district hospital. There was no one in attendance and no medicine to treat the patient. Added to that, the ambulance service was inoperative. Somehow this patient was sent to the Sangre Grande Hospital. No attention was given there. The patient was returned to Mayaro and eventually he was sent to San Fernando where he died.

No number of new buildings will ameliorate this situation. The people have to deliver the service. This is the more important aspect. We have had this made abundantly clear. There was the incident of the boy being stabbed at school and taken to Mount Hope where no treatment was administered. He was sent to Port of Spain for treatment where he died. These are some of the 'milestones' over the last year indicating the complete deterioration of the medical service.

The point that I want to raise, more importantly, is an incident that occurred in the Cedar Hill area. A young man had a scuffle in his district. His head was bashed on the roadway. He was taken into the house and lay in a semi-comatose condition. This patient was taken to the San Fernando General Hospital by taxi.

Health Care Services (Deterioration of)
[DR. SINGH]

Friday, October 22, 1993

The medical officer at the time could not get a history from the person and did not examine him. He said, "When you are ready to talk to me, you will come back." That was the recorded statement I got from the parents. This patient went back home. On the way he began having convulsions. He was in a coma. Another opinion from a doctor outside was obtained and he told them to take the man back to the hospital or he would be dead by morning.

4.30 p.m.

He could not have been transported in the taxi; the Fire Services ambulance took this man back to the hospital where he was then seen at 10.00 o'clock. He was in a deep coma, unresponsive. The examining doctor recorded:

"About 10.00 p.m. on 13.9.93, brought in with a history of getting stiff, conjunctiva pink, unresponsive, frothing at the mouth. He was having certain respiratory disturbances from which one could have drawn a conclusion clinically that he was having compression of his brain."

The second physician then hurried on, took an X-ray and then sent him on to Port of Spain, where he died after neurosurgical procedure was performed.

I cannot understand why a doctor, having a patient at casualty in any institution in the country, with head injury—whether the person is under the influence of alcohol or otherwise, it is mandatory that he should be admitted for observation—temperature, pulse, respiration, blood pressure—to see what is happening. What was happening with this patient was that he had subdural haemorrhage as a result of the injury; the clot was getting larger, compressing his brain and he was going into deep coma. At that stage, truly, a stitch in time would have saved a life, a burr hole to remove the blood clot would have saved this young man's life, but he died after the procedure was done in Port of Spain.

I have a letter written by the relative who is a lay person and he questions:

"Can a person in a coma with severe brain damage and a swollen brain speak? Is that what a doctor expects from a patient in such a condition, or is it that doctor does not know his job? What medical school did he attend and study at? My son would have been alive today if he had taken the right action at that time."

These are some of the conditions that we are dealing with—people are writing letters; the press is replete with them.

No amount of hot air and decentralization; new buildings and more taxes would ameliorate the condition. It is the personnel, not the building that delivers

the health service. This is where we are sadly lacking. In the interim, while the new buildings are going up, the drug prices are going up; what is the situation of the poor and the destitute? They are suffering and this suffering seems to be without end. There is a crying need for improvement.

The delay, as I mentioned earlier, has been recognized by the administrator of the San Fernando General Hospital. I read here from the *Trinidad Guardian* dated 11.10.93:

"The hospital's administrator, Stewart Smith, has reportedly admitted that the waiting period in the accident and emergency department could vary between one and six hours."

In some cases people have gone to the hospital for treatment and they have had to wait seven and eight hours. It is true that one would say, "Well, it is an emergency department," but if one goes to any health office in the country today, after 2.00 o'clock in the afternoon, I am sure, has nothing to get there—no one to advise him, no one to do anything for him.

We have pledged, according to the declaration, health for all by 2000. Now the section of the medical services that really needs beefing up is not the buildings; it is the peripheral mechanism, such as the health offices, for doing screening, a proper ambulance service whereby the patients can be dealt with in the primary state and then sent to the hospitals. This would reduce the burden there and make it available for the more pressing and urgent cases.

This is my plea. I raise this question as the situation is going from bad to worse and we are not seeing any light beyond the tunnel.

I thank you, Madam Speaker.

SITTING OF THE HOUSE

Madam Speaker: Hon. Members, according to the Standing Orders, I must suspend the sitting at 4.30 p.m., but for purposes of convenience, will hon. Members agree to continue so that we can have the Minister's reply?

Assent indicated.

ADJOURNMENT

Health Care Services (Deterioration of)

The Minister of Health (Hon. John Eckstein): Madam Speaker, I have listened to the Member for Tabaquite and in a number of areas I agree with him. I

Health Care Services (Deterioration of)
[HON. J. ECKSTEIN]

Friday, October 22, 1993

have no real quarrel with him. If I take some of the points which he has raised, I would indicate where we are at one.

There is need for a better ambulance service in this country; the present system is deplorable and needs to be improved.

I agree with him that there is a need to strengthen the primary health care system to prevent referrals to the hospitals.

I agree also that in the Insect Vector Control Division we are not able to get all the insecticides needed because of the very difficult financial situation that the country faces.

It is not true, however, that anybody has been retrenched from the Insect Vector Control Division. Around September/October, 1991, about 180 people were taken into that division without any authority. I do not know if there is anything peculiar about the date, but it was around September/October, 1991, that 180-odd persons were engaged in the Insect Vector Control Division without the necessary authority. The Ministry of Finance normally has to provide authority and we did not have the money to pay the individuals so that we had to discontinue their employment.

As I have indicated previously, there are problems at the X-ray Department at the San Fernando General Hospital. There is no point minimizing that. However, as I indicated in response to a question, we are expanding those facilities and when this is done, there would be an extended capability. And the hope then is that we would be able to handle more of the referrals from private doctors. It is not that we are unwilling at this time; it is simply that we do not have the capacity in that institution.

In respect of the long waiting times at the San Fernando General Hospital, I have a memo from the Medical Chief of Staff of that hospital addressed to the Principal Medical Officer, Institutions, dealing with this subject. It states:

"An administrative decision was taken to improve the quality of care given in accident and emergency. Some of the measures taken were:-

1. Training of medical officers in resuscitation and other emergency measures;
2. Better supervision of medical personnel with insistence on proper examination of the patient and documentation of such; and

3. Screening process to allow real emergencies to be seen immediately on arrival and serious cases to be attended to in the shortest possible time.

These measures had the predicted effect of a long wait for the non-serious, non-accident and emergency cases resulting in public discontentment and abusive behaviour towards the staff and it has reached the point of the press."

So that, what the authorities at San Fernando are seeking to do, as indicated here, is to separate those who are judged to be critically ill and in need of urgent attention to give them priority treatment. Of course, the ones who suffer in this process, because they are not deemed on an inspection to be urgent cases, are kept waiting for a longer time and this has resulted in some measure of dissatisfaction.

Again, the Member for Tabaquite said that we do not need buildings. For years, the doctors were up in arms against the Ministry of Health for the very poor state of the infrastructure. I think it is absolutely necessary that we correct that, as well as do other things. In San Fernando we are building a very large extension where there will be a brand new Accident and Emergency Department and, hopefully, the capacity to deal with the problems there. That original hospital was built long before you were born, Madam Speaker, to accommodate 500 or so patients. San Fernando is not the community it was 30 years or so ago; it is a massive community now and we just do not have the capacity.

Notwithstanding the Member for Tabaquite's scathing remarks about buildings, we are building a facility there that we hope will meet the needs of the expanded population and resolve some of the difficulties being experienced. It is really impossible to resolve the many problems that exist within the context of the existing institution. It just cannot be done.

As I said, I agree with him that there is need to improve the primary health care system and we are doing that. We are improving the primary health care facilities throughout the country. We are building new health centres, and expanding others within the limits, of course, of our financial resources. I have been very fortunate, Madam Speaker. As you are probably aware, I have been able to get, with the very kind support of my colleagues, \$70-odd million which is being used to develop the infrastructure in health. That money is not being used only for buildings, but also for getting equipment to furnish these various facilities that are being built.

4.40 p.m.

Mr. B. Panday: I understand there are many of them lying idle at Mount Hope, why not use some of those?

Hon. J. Eckstein: I do not know how seriously you can urge this argument about an empty building at Mount Hope. Is that still a sustainable argument? Are you still urging that argument on the national community?

Madam Speaker, this is a diversion, but I think it is common knowledge that the facilities at the Mount Hope Medical Complex are being utilized on a steadily increasing basis.

Mr. B. Panday: I understand you have machinery lying in boxes, 10 years old.

Hon. J. Eckstein: Well, we are opening them every day. Every day!

Mr. Maharaj: I wonder if the hon. Minister could say how long it will take to open them?

Mr. Valley: It all depends on the number.

Mr. B. Panday: This Minister is too honest.

Hon. J. Eckstein: Madam Speaker, if I can respond to that question. Early next month we will start open heart surgery for the first time in the entire Caribbean; and I will invite him to that function where he will see the opening of many more boxes again.

As regards the child who died at San Fernando, the Member for Tabaquite, in fact, was not accurate when he said that the child remained five hours. The child's medical records show that he came in at 8.00 o'clock and was admitted to the ward at about 11.00 o'clock—that is three hours. He remained in the Accident and Emergency Department for three hours, according to the confidential medical records of the patient—three hours. He was not deemed, on inspection, to require emergency treatment. When he entered the institution, the physicians who looked at him in the Accident and Emergency Department did not come to the conclusion that it was an urgent case requiring emergency treatment. That was the judgment of the doctors at the San Fernando General Hospital.

Given the system for discriminating between patients as to emergency and non-emergency, he was not deemed to be one—all the medical records show that he was not that ill on entry to the hospital. They might have been wrong, but that was their professional judgment. The Member for Tabaquite had a different point of view.

Mr. B. Panday: Constitutional motion again.

Mr. Maharaj: Case for negligence!

Hon. J. Eckstein: The death is extremely unfortunate. We are still looking into it; we are investigating the matter. We are very concerned about it and we are still in the process of acquiring, through investigations, all the information relevant to the child's death.

In respect of Debra Yearwood in Port of Spain, I do not attribute this to him, but it was a very incorrect statement, untrue, almost malicious, to say that the Port of Spain General Hospital did not have blood. The headline was extremely misleading. In fact, the lady got—between San Fernando and Port of Spain—nine pints of blood and plasma. Every single request made of the blood transfusion services in respect of that patient was satisfied. Every single request made for blood by the attending physicians was satisfied. So that it is incorrect to say that.

We have a very different problem, and we are not disputing that we need more blood in the system. The fact is that, over that very weekend, there were two ladies in the Maternity Department who were bleeding very profusely and were supplied with blood and, as a consequence of the service provided, their lives were saved. So it is absolutely untrue, as was reported, that the young lady did not get the blood requested.

One of the difficulties we are having when we look into these matters is an agreement between the Public Services Association and the CPO registered in the Industrial Court which says that consultants can do private practice. That is a serious problem and it has to be re-visited. The problem with that agreement is that it is not qualified. It can only be someone who has no idea of the consequence of such a decision who could have agreed to it. That is the problem I have with this whole business about the central bureaucracy monitoring and dealing with the health services. You end up with an agreement in the Industrial Court saying a consultant can do private practice, without the agreement being qualified.

I have looked at the British situation. Their document is about 400 pages governing the rules under which a doctor can do private practice without prejudice to the institution that he functions in. We have a one-line statement: a doctor can do private practice—end of story. As I said, probably if some of these centralized agencies had to answer for these kinds of arrangements, we would have a different arrangement. However, under the decentralization which I propose to bring to Parliament—let me not say I propose to bring to Parliament because that is pre-judging the Cabinet. The first thing is the legislation has been drafted. I have a copy of the legislation here with me now.

Mr. Maharaj: Can I get a copy?

Hon. J. Eckstein: The Cabinet, before you, would have to, hopefully, accept the proposals and then we will bring it to the Parliament for consideration. But, I have said publicly that until we marry authority to responsibility, we cannot give people a hospital to run and give other people the authority to make decisions in respect of how that hospital is run.

Mr. B. Panday: Absolutely correct!

Hon. J. Eckstein: It just cannot work. It has not worked and it will never work. We proposed in our election manifesto—as the other side of the Parliament also proposed—that if elected to office we would introduce a system of administrative decentralization. We are now proceeding in accordance with our proposal.

Mr. B. Panday: We will support you.

Hon. J. Eckstein: I am very happy to hear that. Do we have that on the record? What he said under his voice, I want it recorded that I have been promised, by the Opposition Leader, support for the proposal that I will bring to the Parliament on administrative decentralization.

4.50 p.m.

So that I really have no difficulty with the Member for Tabaquite; I think that his intentions are very honest and sincere, and I accept the criticisms. I know that the whole service has to improve and I want to give him the assurance that we are working assiduously to improve the quality of the service. Apart from the buildings, we are also working on the reform, the administrative arrangements, and these things have to be put in place.

The drug supply situation is also very critical, but, again, we have now put in place the machinery whereby we hope to resolve a problem that has afflicted the health services for many a year.

I thank you, Madam Speaker.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 4.52 p.m.