

Leave of Absence

Friday, July 01, 1994

HOUSE OF REPRESENTATIVES

Friday, July 1, 1994

The House met at 1.50 p.m.

PRAYERS

[MADAM SPEAKER *in the Chair*]

LEAVE OF ABSENCE

Madam Speaker: Hon. Members, I have granted leave of absence from today's sitting to the Member for Tobago East (Mr. A. N. R. Robinson), the Member for Diego Martin West (Dr. The Hon. Keith Rowley) and the Member for Chaguanas (Miss Hulsie Bhaggan).

PAPERS LAID

1. The Financial Institutions (Prudential Criteria) Regulations, 1994. [*The Minister of Finance (Hon. Wendell Mottley)*]
2. Report of the Auditor General on the accounts of the San Fernando Corporation for the year ended December 31, 1981. [*Hon. W. Mottley*]
3. Report of the Auditor General of the Republic of Trinidad and Tobago on the Accounts and Financial Statements of the East/West Corridor Highways Project for the year ended December 31, 1993 as required by Loan Contract No. 513/OC-TT between the Government of the Republic of Trinidad and Tobago and the Inter-American Development Bank. [*Hon. W. Mottley*]
4. Report of the Auditor General of the Republic of Trinidad and Tobago on the Accounts and Financial Statements of the Rehabilitation of Access Roads and Reconstruction of Bridges Programme for the year ended December 31, 1993, as required by Loan Contract 700/OC-TT between the Government of the Republic of Trinidad and Tobago and Inter-American Development Bank. [*Hon. W. Mottley*]

Papers 2, 3 and 4 to be referred to the Public Accounts Committee.

ORAL ANSWERS TO QUESTIONS

The following questions stood on the Order paper:

**Drug Trade
(Foreign Assistance)**

- 86.** (1) Would the Minister of National Security state whether since his Government assumed office any government or agency of it offered

any assistance (whether in the form of money or the provision of goods and services) to the Government of Trinidad and Tobago to help it to combat crime and/or to help it to combat the drug trade and/or to help it to promote law and order and/or to help it to promote national security?

- (2) If the answer is in the affirmative:
- (a) Would the Minister give particulars of the offers?
 - (b) Would the Minister state whether:
 - (i) these offers were accepted or refused or allowed to lapse?
 - (ii) any conditions were to be satisfied by the Government for any of these offers?
 - (iii) the Government satisfied the conditions attached to the offers? *[Mr. R. L. Maharaj]*

Kelvin Subran
(Application for Post of Librarian)

96. (a) Is the Minister in the Office of the Prime Minister responsible for Public Administration and Public Information aware that an application was made by Kelvin Subran of Cumberbatch Street Extension, Chaguanas, to the Teaching Service Commission for the post of School Librarian and that such application is pending for about ten years?
- (b) Could the Minister inform this honourable House whether the Government has set up any machinery for it to be informed of this and/or similar matters and, if so, could he inform this honourable House of the date such machinery was set up and give the particulars of such machinery? *[Mr. R. L. Maharaj]*

Vashti Mungal
(Transfer of Service)

97. (a) Is the Minister in the Office of the Prime Minister responsible for Public Administration and Public Information aware that an application made by Vashti Mungal of Balmain Village, Couva, attached to the Port Authority of Trinidad and Tobago, to the Director of Personnel Administration for her services to be transferred from the

Port Authority of Trinidad and Tobago to the public service, has been pending for over eight months?

- (b) Could the Minister inform this honourable House whether the Government has set up any machinery for it to be informed of this and/or similar matters and, if so, could he inform this honourable House of the date such machinery was set up and give particulars of such machinery? *[Mr. R. L. Maharaj]*

**Ministry of Works
(Vehicles and/or Heavy Equipment)**

114. Would the Minister of Works and Transport and Minister of Local Government state:

- (a) How many vehicles and/or heavy equipment are attached to each section of the Ministry of Works at the present time?
- (b) The number of vehicles and/or heavy equipment in each section under the various categories?
- (c) How many of these vehicles and/or equipment were on the register in each section during the years 1990, 1991, 1992, 1993?
- (d) How many of these vehicles and/or equipment were licensed in each section during the years 1990, 1991, 1992, 1993 and to date for 1994? *[Mr. M. Haniff]*

**URP Footpath
(Debe)**

118. Could the Minister of Works and Transport and Minister of Local Government state:

- (a) The date the URP footpath project on the San Fernando-Siparia-Erin Road, Debe near the 4 1/2 mile mark commenced?
- (b) The number of metres of footpath constructed?
- (c) The amount spent to date on the project?
- (d) The number of workers employed since the commencement of the project? *[Mr. T. Sudama]*

**Diplomatic Relations
(Trinidad and Tobago/Nigeria)**

120. Could the Minister of Foreign Affairs state:

- (a) (i) What is the status of any negotiations and/or agreements entered into by the Republic of Trinidad and Tobago with the Republic of Nigeria?
- (ii) What plans does the Government have to implement any agreements already arrived at?
- (b) What is the status of diplomatic relations between the Government of Trinidad and Tobago and the Government of the Republic of Nigeria?
[Mr. A. N. R. Robinson]

WRITTEN ANSWER TO QUESTION

**URP Footpath
(Siparia-Erin Road)**

122. Could the Minister of Works and Transport and Minister of Local Government provide the names and addresses of the workers employed on the URP project on the San Fernando-Siparia-Erin Road near the 4 1/2 mile mark from the inception of that project? *[Mr. Trevor Sudama]*

ORAL ANSWERS TO QUESTIONS

MF Panorama

- 123.** 1. Could the Minister of Works and Transport and Minister of Local Government inform this House of:
- (a) The passenger, car and motor vehicle capacity of the MF Panorama?
 - (b) The average percentage of the capacity that is utilized when the MF Panorama sails between Trinidad and Tobago?
 - (c) The passenger, cargo and vehicle capacity of the fast ferry service he intends to introduce?
2. (a) Is the Minister aware that Port of Spain is the business centre for Tobago and that the MF Panorama was specially designed to meet the passenger, cargo and vehicle transport needs of the people of Tobago?

- (b) If the Minister is aware of this situation, could he tell this House what are the reasons for the introduction of a fast ferry service that can only partially handle the passenger capacity?
- (c) Is the Minister aware that the Government Shipping Service of Trinidad and Tobago is an essential one, particularly for the people of Tobago, hence the reason it was subsidized?
- (d) Can the Minister tell this House if it is the intention of the Central Government to dismantle the present functional sea transport service and to privatize and subsidize a "new fast ferry service" that cannot meet the service needs particularly of Tobago?
- (e) If the Minister's concern is "time and money saving", is he aware that the cost of a "fast ferry" service ticket would be similar to or more than the national airline—British West Indian Airways—overnight return ticket of \$190.00 and that BWIA provides a much faster—12 minutes—service and that the comfort level of a BWIA trip between Trinidad and Tobago is incomparable?
- (f) If the Minister is cognizant of the above facts, why is there no effort by his Government to increase the number of BWIA flights between Trinidad and Tobago in the effort to resolve the sea and air transport problems between the two islands? [*Miss P. Nicholson*]

The Minister of Trade and Industry and Minister in the Ministry of Finance (Hon. Kenneth Valley): Madam Speaker, we have to ask for a further deferral of that question. As you know, we try to answer questions in a timely manner. At times the research necessary takes longer than the three weeks allowed for the question.

As a matter of fact, today we have answers for two of the questions on the Order Paper, questions Nos. 112 and 113 and we are asking for a deferral of questions Nos. 86, 96, 97, 114, 118, 120, 122 and 123 for one week.

Mr. Maharaj: Madam Speaker, I appreciate that at times it would be difficult for the Government probably within a period of three weeks to answer questions, but answers to questions are an important means of accountability of the Government. In this case, with respect to question No. 86, this is about the fourth time that this has been asked to be deferred, and so are other questions which I have on the Order Paper. I think it is amounting to a scandalous state of

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affairs, and I think the hon. Member for Diego Martin Central owes some further explanation to this House, apart from the normal three weeks. This is procrastination to its highest!

Hon. K. Valley: Madam Speaker, one does not know whether all the other Members on that side agree with his statement.

Mr. B. Panday: We do.

Hon. K. Valley: I know you will agree with everything he says; I am talking about the others, not you.

Madam Speaker, the fact is, as I was saying quite simply, the Government answers all questions before the end of any session, perhaps with one or two—

Madam Speaker: Is it the research you say—

Hon. K. Valley: It is the research, Madam Speaker, so we are asking for a deferral of one week. We will be answering questions Nos. 112 and 113 today.

Questions, by leave, deferred.

Pipe-borne Water Supply (Robert Village and Tableland Areas)

112. Mr. Mohammed Haniff (*Princes Town*) asked the Minister of Energy and Energy Industries and Minister of Public Utilities:

- (a) Would the Minister state whether he is aware that the residents of Robert Village and Tableland areas have not been receiving a supply of pipe-borne water for several months?
- (b) If he is aware of this situation, would he state what his ministry is doing to relieve the residents of this suffering?
- (c) Would the Minister state how soon the residents could be assured of a supply of this precious commodity (water)?

The Minister of Energy and Energy Industries and Minister of Public Utilities (Sen. The Hon. Barry Barnes): Madam Speaker, the Water and Sewerage Authority has advised that Robert Village and Tableland are served with a water supply from the Navet waterworks, via the trunk main offtake at Arch Trace. These areas are scheduled to receive water five days per week from Wednesday through Sunday.

For the past several months, the consumers in Tableland and Robert Village have been receiving a restricted supply of water during the night time only because of:

- (1) Lower operating pressures on the Navet Transmission System due to heavy leaks and seepage at the offtake valves.
- (2) Frequent bursts on the Arch Trace offtake transmission pipeline which is old 9-inch diameter and 10-inch diameter brittle pipeline. The condition of the line has necessitated a reduction in the working pressure in the system.
- (3) Existing leaks in the distribution systems within Tableland and Robert Village.

On May 3, 1994, WASA commenced a special programme of rehabilitation work on the Navet Transmission System and sub-systems, geared to the replacement of all defective offtake and control valves as part of a \$6 million project of repairs to major leaks and bursts in WASA's water distribution system nationwide.

As at the end of June, 1994, major repairs to the Navet Transmission System have been completed, and work on the Navet Systems has commenced so that Robert Village and Tableland should already be experiencing some small improvement in their water supply.

The Water and Sewerage Authority has also recognized the necessity for a programme involving the replacement of some 100 km of water mains throughout the country at an estimated cost of \$60 million. This programme will commence as soon as the necessary funding has been put in place.

While WASA's short-term measures will secure some measure of immediate improvement in the water availability and service to the Robert Village and Tableland areas, a fully satisfactory supply will only be achieved with the eventual complete replacement of the Arch Trace offtake transmission pipeline.

2.00 p.m.

**Local Government Bodies
(Vehicles and/or Heavy Equipment)**

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

Would the Minister state:

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- (a) How many vehicles and/or heavy equipment are attached to each local government body?
- (b) The number of vehicles and/or heavy equipment there are under the various categories?
- (c) How many of these vehicles and/or heavy equipment were on the register during the years 1990, 1991, 1992 and 1993?
- (d) How many of these vehicles and/or heavy equipment were licensed during the years 1990, 1991, 1992, 1993 and to date for 1994?

The Minister of Works and Transport and the Minister of Local Government (Hon. Colm Imbert): Madam Speaker, the total number of vehicles and heavy equipment attached to local government bodies as of March 31, 1994 is 606. A breakdown into categories can be given to the Member on request. I have it with me.

However, the total number of vehicles and/or equipment on the register and licensed for the years in question is as follows:

YEAR	VEHICLES ON REGISTER	VEHICLES LICENSED
1990	559	342
1991	572	301
1992	597	295
1993	581	264
1994 to date	606	191

As I said, Madam Speaker, I have a complete breakdown according to categories which I will make available to the Member.

Mr. Haniff: Madam Speaker, part (a) of the question calls for vehicles and/or heavy equipment attached to each local government body. Can the Minister say whether that is available for each local government body?

Hon. C. Imbert: Yes, Madam Speaker, that is the list I have. It is an exhaustive list, and it would take me a long time to read it out. I will give it to the Member.

Madam Speaker: All right. Proceed, please.

Vide end of sitting for statistics.

DEFINITE URGENT MATTER**(Forcible Entry)**

Mr. Ramesh Lawrence Maharaj (*Couva South*): Madam Speaker, I wish to seek your leave at today's sitting of the House to raise a definite matter of urgent, public importance pursuant to the provision of Standing Order 12, to wit, the forcible entry and taking of possession and threats of entering and taking possession of land and houses by the state and/or its arms or agencies without the authority of the court. Action taken at Bamboo, Harmony Hall and River Estate provides recent evidence of the matter.

It is definite and public in that, such conduct constitutes the commission of an indictable criminal offence under the statutes of forcible entry. Such conduct is in violation of the rights enshrined in the Constitution. Breaches of the peace are likely to occur if such action continues.

It is urgent, in that respect and obedience to laws cannot be demanded of the citizenry by the Government if it contravenes or condones the contravention of the Constitution and the criminal law.

The future of children and families is in jeopardy; homelessness, unemployment, poverty and destitution are likely to increase if the action is not arrested.

It is of public importance because it is in the public interest for the effects of the action and/or threatened action not to occur. If the actions continue, the rule of law will be subverted, the public interest and national security of the country will be adversely affected.

It is in the public interest that the Government be made to respond urgently in Parliament to the matters in question and to indicate, *inter alia*, what measures it intends to take to arrest the situation.

Madam Speaker: Hon. Members, I am not satisfied that this is a matter that falls for consideration under Standing Order 12, but it is a matter that can be debated under Standing Order 11.

Mosquito Invasion

Mr. Krish Jurai (*Nariva*): Madam Speaker, earlier today I gave notice to you that I wish to seek leave to move the adjournment of the House to raise a definite matter of urgent, public importance, pursuant to the provisions of Standing Order 12, at the sitting of the House, today.

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The matter relates to the invasion of mosquitoes throughout the country and the serious consequences that arise therefrom.

It is definite because mosquitoes are a menace and they are affecting the people of this country resulting in body sores, as well as other serious health hazards.

It is urgent because with the onset of the rainy season mosquitoes breed rapidly. Furthermore, mosquitoes are also well-known vectors of diseases that result in death.

It is of public importance because in Trinidad and Tobago we have the *Aedes Aegypti* mosquitoes which are well-known carriers of the Dengue Fever and its deadly effects on every stratum of the society.

If this matter is not dealt with immediately, a national epidemic is imminent.

Madam Speaker, I am of the view that this matter is urgent; it is of national importance and of grave public concern. Because of the gravity of the situation, I am sure that you will allow this matter to be debated so that the Government would act immediately to avert a national crisis.

Thank you.

Madam Speaker: There is no national epidemic at the moment. I am afraid that I am not satisfied that this is a matter that falls for consideration under Standing Order 12. It is a fitting matter for Standing Order 11.

GREATER MALABAR CHRISTIAN CENTRE (INC'N) BILL

Question put and agreed to, That a Bill to provide for the incorporation of the Greater Malabar Christian Centre and matters incidental thereto, be now read the first time.

Bill accordingly read the first time.

ORDER OF BUSINESS

The Minister of Trade and Industry and Minister in the Ministry of Finance (Hon. Kenneth Valley): Madam Speaker, I beg to move that the House now proceed to consider Bills Second Reading.

Mr. Maharaj: There is no statement about by-election or Minister Mottley?

Hon. K. Valley: Do you have the support of the other Members to make that statement?

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Madam Speaker: Come on, Gentlemen, let us proceed with the business of the House.

Hon. K. Valley: I beg to move that we proceed to “Bills Second Reading” on the Order Paper.

Leave granted.

ECONOMIC SANCTIONS BILL

Order for second reading read.

The Minister of Foreign Affairs (Hon. Ralph Maraj): Madam Speaker, I beg to move,

That a Bill to provide for the implementation of economic sanctions imposed by regional or international organizations and for matters incidental thereto, be now read a second time.

The Bill was debated in the other place and passed with amendments which have been circulated to hon. Members.

Economic sanctions constitute a mechanism which has been used by the international community to effect corrective action against a country or group of countries which, in the opinion of the international community, and according to international norms and consensus constitute, for example, a threat to international peace, or is acting or has acted in a manner that is considered to be oppressive or abusive, or which may have for example, usurped the democratic will of a people. Economic sanctions, therefore, have been applied against the apartheid regime in South Africa; the Government of Iraq as a result of the deviant behaviour of its ruler; and against the military regime in Haiti.

2.10 p.m.

Economic sanctions have been viewed with mixed feelings and have not always met with the kind of success that we would like them to achieve. It took quite a long time for economic sanctions to work in South Africa but, in our view, it did eventually contribute substantially to the eventual dismantling of apartheid. In the case of Haiti because, essentially, of poor implementation, economic sanctions have not worked as effectively. As you know, there is a very porous border between the Dominican Republic and Haiti, and the international community has taken the decision in recent times to tighten the economic sanctions, strengthen the embargo, and from all appearances they seem to be having the desired effect.

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The fact is, though the success of economic sanctions has been limited and not exactly immediate, they constitute an international mechanism, an international tool, as I said, for effecting corrective action against deviant international behaviour. I have no doubt that today the Korean peninsula is less volatile than it would have been because of the threat of economic sanctions against a particular country in that area of the world.

The fact is most nations do not want to go to war and people, as a general rule, would prefer to live their lives in an undramatic fashion, bringing up their children and earning their living. Usually when international disputes arise, the approach is taken to solve the problem through dialogue, consensus, cajoling, persuasion and diplomatic overtures, diplomatic initiatives. It is not the best thing for violent confrontation to take place as a result of international crises. When persuasion does not work, when the diplomatic overtures fail, the international community uses the mechanism of economic sanctions as a step to avoid violent confrontation.

Madam Speaker, I am sure you would agree that forceful intervention in any country can lead to very traumatic experiences and with very long-lasting and severe repercussions. We must accept economic sanctions as a mechanism but we must apply them short of the use of force, and we must be committed to ensuring that they are applied effectively and thoroughly and with a measure of flexibility. In a way, this is what this Bill is all about: the effective implementation of economic sanctions by Trinidad and Tobago. I made the point earlier on, that it is only when sanctions are not effectively applied that they do not have the kind of results that we would like them to have; and I pointed to the case in Haiti.

In looking at this Bill we ought to also view the world scenario. In my mind, the world is threatened more than ever at this time with a descent into chaos. The fact is, the predictability and rigidity of the ideological divide is no longer with us and, more and more, we observe that pockets of conflict are emerging in the world to the point where we feel a sense of irony that we are now closer to Armageddon and possible annihilation than we were when we had the threat of a nuclear holocaust hovering over our heads, leading one to believe that in order for us to maintain the peace we must be constantly prepared for war.

The fact is the balance of power is really no more; a vacuum exists internationally, and that vacuum is aggravated by—some people say caused by—the apparent uncertainty and exhaustion of those who are in a position and who have the means to lead. I fear, as has been seen in other parts of the world, we are fast approaching, I think, the era of the war lord—if you look at what has been

happening on the African continent, former Yugoslavia, and Haiti, in our own hemisphere. I fear that we could be moving towards that era and that descent into chaos, as I said, as a result of the disappearance of the balance of power, and as we move away from the rigidity and predictability of the cold war situation when two super powers kept that balance of power in the world.

It is also, in a way, paradoxical because in the midst of this vacuum, and running parallel to the splintering that we are seeing—I am sure if you look at the situation in Eastern Europe you would see the splintering that I am talking about; splintering that has been occasioned by a rediscovery of ancient identities and so forth. I am saying it is a bit paradoxical because on one hand there is this vacuum and splintering and, yet on the other hand, there is a very positive move towards multilateralism, globalization, borderlessness and the building of international consensus. We hear talk, more and more, that we are in the age of multilateralism and now more than ever can the United Nations fulfil its mandate—of course, if it is given the resources to do so. I think that we must see this Bill within that context. Like all civilized nations, we must be on the side of multilateralism, international co-operation and consensus; and this Bill must be seen within that context.

At present, the current legislation governing the implementation of economic sanctions is the Customs Act, Chap. 78:01 of the laws of Trinidad and Tobago. This Act is a limited and restrictive piece of legislation when it is applied to the whole question of economic sanctions. It is not really meant for this. What it is really meant for is the protection of industry and trade within Trinidad and Tobago. It deals with the banning of specific actual physical products. International economic sanctions sometimes deal with intangibles like financial transactions, information exchange, financial services and so forth, and these are not covered by the Customs Act. The provision in this Bill which deals with the sequestration of property in Trinidad and Tobago, of a foreign power is something that is not covered by the Customs Act.

The point I am making is that there is the need in Trinidad and Tobago for a more flexible and comprehensive legislative framework to deal with the demands of these international economic sanctions if we are to co-operate with our international partners and fulfil our international obligations in an area which, as I pointed out, in my view, is going to become more and more important if the world continues on this slide into the realm of chaos and conflict.

2.20 p.m.

A closer examination of the Bill will reveal that clause 4 will empower the President of Trinidad and Tobago to make orders restricting or prohibiting

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specific economic activities in relation to a foreign state, and to make the order authorizing the seizure, freezing or sequestration of property in Trinidad and Tobago held by or on behalf of a foreign state or a person in that foreign state, or a national of that foreign state who does not live in Trinidad and Tobago; and this may be done for the purpose of implementing a decision which has come about through an international organization based on the recommendation of an international or regional organization or if, in the opinion of the Cabinet of this country, a grave breach of international peace and security has occurred which is likely to lead to serious international crises.

Madam Speaker, I do not think we can have any problem with this provision because, whilst it may give the executive power to act on its own, this power is quite circumscribed because it has very limited application to situations where, in the opinion of the Cabinet, a crisis of grave international proportions has occurred and the country must respond to this as a matter of urgency.

Even so, Madam Speaker, when the debate took place in the other House, as a result of concerns expressed there, we made amendments which have been accepted, and which, even though there is no alteration of the authority of the executive's ability to act in those special circumstances, there is now the safeguard which will ensure that the population of Trinidad and Tobago and the Parliament have some input whenever sanctions are made.

The amendment installs a provision which will affix the order for a period within which Government must come to the Parliament with a statement, and that statement is to be debated and must give the reasons why the economic sanctions have been taken and a debate must take place on that statement within one month after the order is made.

Clause 5 clearly outlines the economic activities which the President may limit or prohibit or restrict under clause 4, and these include the restraint of trade, provision of financial services or the flight of aircraft registered in the affected state.

The imposition of economic sanctions must be seen within the context of changing circumstances. The fact of the matter is economic sanctions are intended to effect change and when they are, indeed, applied, a measure of fluidity comes into the system, and because there is that fluidity, the country that is applying the sanctions must have that flexibility and that legislative framework to operate with that flexibility. There is no doubt that this is what clause 6 is intended to do. But, again, being a reasonable Government—

Mr. Maharaj: Which Government?

Mr. B. Panday: You smiled when you said that.

Hon. R. Maraj: —taking into consideration the views expressed in the other place, amendments were made which set the framework for these exemptions and it is proposed that they be applied for the purpose of relieving human suffering, or on any other humanitarian ground.

As the amendments indicate, if exemptions are to be made, the orders are to be laid in the Parliament and they are to be the subject of a negative resolution of the Parliament, constituting yet another safeguard based on the concerns expressed in the other place.

Clause 7 of the Bill lists the liabilities of a person, that is, the fine and terms of imprisonment, should there be a contravention of the provisions of this Bill; and again, amendments have been made to increase the fines and the term of imprisonment, the argument being that if the fines are too low, people might be willing to incur the fines whilst, at the same time, profiteering from black market dealing, for example, in a country against which an embargo had been placed. The argument here is that the adjustments that have been made with respect to the fines will ensure that the fines are set at the maximum level and that the magistrate or judicial officer dealing with the particular case will have the flexibility, depending on the particular case, for instance, the level of profiteering as a result of going against the embargo.

Clause 8 grants to the police and customs officers the authority to obtain warrants to search any building, vessel, receptacle, or place, should they find reasonable grounds to believe that an offence has been committed under the Act; and to seize whatever they find therein and carry the same before a magistrate. And the burden of proof is on the requesting officer.

Clause 9 of the Bill permits proceedings in respect of offences allegedly committed outside Trinidad and Tobago to be commenced and treated as having been committed in Trinidad and Tobago. Simply put, clause 9 will ensure that any offence committed by a Trinidad and Tobago national under the Act may be deemed within the jurisdiction of a Trinidad and Tobago court, so that he or she can be brought to Trinidad and Tobago and tried, ensuring that nationals do not feel that they can go outside our own jurisdiction and operate illegally with respect to this particular matter.

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The final clause of the Bill requires that any proceedings for the prosecution of an offence under the Act, must first gain the sanctions of the Director of Public Prosecutions and this constitutes an additional check on the powers exercised by the police or customs officers.

This is, in essence, the Economic Sanctions Bill.

Mr. B. Panday: Would the hon. Minister give way? It appears that the hon. Minister is going to conclude his presentation; and before he does, for my own edification—I think he mentioned that this country imposed economic sanctions against South Africa; and I believe we have imposed economic sanctions against Cuba.

Hon. R. Maraj: Cuba? No.

Mr. B. Panday: We have not imposed economic sanctions against Cuba. That is the other question I was going to ask. Would the hon. Minister be so kind as to say which are the countries we have imposed economic sanctions on, and under what authority those sanctions were imposed, and how did we effect them?

Hon. R. Maraj: From my own recollection, Madam Speaker, we have imposed economic sanctions against South Africa, against the regime in Haiti; we have imposed economic sanctions against the Government of Iraq; we have imposed economic sanctions against Libya, and these economic sanctions, as I said, were brought into effect by the Customs Act which we are now seeking to replace.

Madam Speaker, as I was saying, what I had mentioned before constitutes a highlight of this Economic Sanctions Bill which I commend to the hon. Members of this House and which I feel, if supported, will put Trinidad and Tobago in a position where it can continue to participate with dignity and as a fully independent sovereign state among the family of nations.

Thank you, Madam Speaker.

Question proposed.

2.30 p.m.

Madam Speaker: Member for Couva South.

Mr. Basdeo Panday (Couva North): Thank you, Madam Speaker, but I would prefer to speak before the Member for Couva South.

Madam Speaker, first of all, I agree with the hon. Minister that economic sanctions are to be preferred as a method of enforcing the norms of international

conduct and international behaviour, as opposed to war. Obviously, nations that love peace would prefer that instead of having to resort to arms, as indeed was done in Iraq, economic sanctions be imposed as a method of bringing in line, so to speak, adherent international bandits. Therefore, I agree with the Minister on that point.

But the seriousness of economic sanctions is that it is in total contradiction of what we tell our citizens to do at other times. The hon. Minister is aware and the Government is aware that all nations now are seeking more and more trade. The accent has moved away from aid and we are seeking trade—Trinidad and Tobago, like other countries. That is the reason for the development of NAFTA, the European Economic Community, the South East Asian Economic Community and so forth. But to develop trade, one must painstakingly develop markets and that is developed over years. It does not take one day, one month or one year to develop international markets. It is prolonged and persistent hard work that develops a market for products.

We encouraged our citizens—we said go out there and develop markets. Go out there and look for trade. And people—businessmen, companies, the business community—exerted tremendous influence and incurred enormous cost in so doing, in developing those markets. That is not only their right and privilege, but they were encouraged by the state so to do. They invested large sums of money, employed a large number of people; then, suddenly, the state says, "We are imposing economic sanctions upon country "A,"—where this country may have a tremendous market for its goods—"You, the citizen of Trinidad and Tobago, must stop trading with that country."

Now, I am sure the Minister recognizes in that case what is going to happen is, if you cannot supply me with your goods, I am going to look elsewhere for them. Therefore, the market which was so studiously built up over the years has collapsed within a month. One month and the market which was built up is gone. And once that market is gone, what happens? The businesses close down, the business community loses a tremendous amount of money because there is nobody to sell the goods to and so the workers would now be laid off. So there is a tremendous conflict of interests on this question of sanctions.

Sanctions hurt not only the country upon which sanctions are imposed; it also hurts the country imposing them. It hurts our citizens. It hurts our economy. Hence the resistance, of many countries which refused to impose economic sanctions against South Africa. I am sure you would realize how many countries in the world, how many rich countries in Europe, would refuse to impose

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economic sanctions on South Africa because that would injure their trade, their economy and their employment situation.

Whenever the United States imposed or attempts to impose economic sanctions, even limited economic sanctions, against the Soviet Union, in that they banned the exportation of wheat, I am sure the Member knows the big uproar there is with the farmers in the United States because the farmers in the United States, have invested their money on the assumption that wheat was going to be sold to the Soviet Union. When the state suddenly says, "Do not sell any to them," that is economic collapse for them.

So that there is a conflict—remember I started by saying economic sanctions are to be preferred to war because it is a more civilized and more humane way of dealing with matters, but there are tremendous repercussions for the citizens of a country when economic sanctions are imposed.

So it is because of this tremendous conflict of interests between the state on the one hand and the individual on the other hand, that our Constitution has imposed upon this House an obligation not to pass legislation like this unless there is a three-fourths majority. That is the first point I bring to the attention of this House.

Mr. Maharaj: Three-fifths.

Mr. B. Panday: Thank you. A three-fifths majority.

If it is a simple matter, the law says go ahead and pass it by a simple majority, but the whole issue of economic sanctions has such tremendous implications and ramifications for the country that the founding fathers and framers of our Constitution said this Parliament must never do that unless it can convince three-fifths of the Members of this House—and three-fifths of the Members of the other House to agree upon those sanctions.

That provision was put into the Constitution so that the interest of the citizen would be preserved as against the interest of the state, because, as I say, with sanctions the state has an interest in complying with the resolutions passed by its international colleagues in the OAS, the United Nations and elsewhere. But, at the same time, the citizen stands to suffer enormous consequences. The Constitution says that cannot be done unilaterally. The only way that that can be done is if the support of three-fifths of the Members of this House is had. That includes the Opposition having regard to the distribution of seats in this House. It includes us.

It is for this reason that the Opposition has a moral and a constitutional obligation to ensure that in the passing of this legislation, the state will not ride

roughshod over the individual. That is our duty here today. That is the duty to which we swore when we picked up the Gita, the Bible, and the Qur'an to uphold the Constitution and the privileges and rights of human beings and so forth.

I make this point because the hon. Prime Minister, among others on that side, is trying to hoodwink the population into believing that the Opposition are obstructionists, that we do not want to support them. I cannot remember Prime Minister Dr. Eric Williams saying he could not run the country because the Opposition did not support him. I cannot even remember the Hon. George Chambers saying that he could not run the Government because the Opposition did not support him.

I cannot remember the Member for Tobago East saying he could not run the Government because the Opposition did not support him. The only fella—I beg your pardon—the only person, the only weakling I know of who is flapping his hands and legs all over the place and crying out that he cannot run the country because the Opposition is not supporting him is this one. He is the only one and in order to fool the people he goes and says, "Do you know why I cannot run this country? Those fellows on the other side, are not helping me." No wonder they want to take the Opposition Front Bench! They want to control this side and they want to control that side, too! No wonder!

Mr. Maharaj: Even for seating arrangements!

Mr. B. Panday: Even seating arrangements—they do not want to allow the Opposition the right to take the Front Benches. All right. That is not the point. The point is when we stand in this House and we make a point and we struggle, we do it because it is our duty.

2.40 p.m.

Our duty is not to support the Government. Our duty is to protect the citizens. As a matter of fact, in the whole ethos of Westminster politics, our duty is to protect the citizens against the Government, because, it is the executive that has the power. Opposition has no power, but it fights for the protection of citizens against the roughshod riding of the executive of Government. Whatever I say in this debate, I want it to be taken in that light; that that is our duty here today, and we shall perform that duty without fear or favour, and regardless of the consequences we will perform that duty—by-election or no by-election.

Mr. Maharaj He is afraid to call a by-election!

Mr. B. Panday: Having said that, may I tell the Member that I agree with him on economic sanctions. It is imperative, therefore, having regard to the

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enormous consequences of this kind of action, that economic sanctions can only be justified if there are serious breaches of international law, international conventions and the norms of international behaviour. The Member said something there which indicated that he agrees that economic sanctions are not something to be exercised with the needy.

Economic sanctions are really the weapons of powerful nations. Can Trinidad and Tobago impose economic sanctions against anybody? Is it going to have any effect?

Mr. Maharaj: Not even on Tobago!

Mr. B. Panday: You cannot even impose economic sanctions against Tobago and bring them to heel no matter how hard you try.

Mr. Maharaj: Tobago could impose economic sanctions against Trinidad!

Mr. B. Panday: The first argument is that Trinidad and Tobago, having regard to its size and to the nature of the economy, cannot impose economic sanctions on anybody.

Mr. Maharaj: This Government can impose economic sanctions against the people!

Mr. B. Panday: When, therefore, would we impose economic sanctions? Obviously, we have an international obligation to comply with the decisions and resolutions of those international bodies to which we belong—the United Nations, the OAS, Caricom—and therefore, if the larger bodies should decide upon economic sanctions—after having the matter debated in the United Nations and so forth—our duty is to follow. So, in economic sanctions we are followers; we are not initiators—that is extremely important.

It is important because there is a provision in the Bill which seeks to make the Government initiators—and let me come to it immediately. That is why I asked the hon. Minister to tell me which countries we have imposed economic sanctions on and how we enforced them? The hon. Minister answered—and I believe he is correct because that is the answer I got during my research—that it was done under the Customs Act. That is a function in declaring economic sanctions that was exercised by the President. I am sure what the hon. Member is referring to is section 44 of Chap. 78:01 of the Customs Act which says:

"The President may from time to time by Order prohibit the importation, carriage coastwise or exportation of any goods whatsoever, and any such

Order may prohibit importation, carriage coastwise or exportation until the revocation thereof, or during such period as may be specified therein, and may either absolutely prohibit importation, carriage coastwise or exportation, or may prohibit importation, carriage coastwise or exportation except on compliance with any conditions which may be specified in the Order, ..."

The position as of now is that the President is the person who issues the orders to comply with the international arrangements, but do you know what this Bill does? I must congratulate the hon. Member on sneakily slipping so quickly past this provision. It is clause 4 which says:

"The President may, for the purpose of implementing a decision, resolution or recommendation by a regional or an international organization of states or association of states, of which Trinidad and Tobago is a member, that calls on its members to take economic measures against a foreign state..."

shall do certain things. That is the present position; but do you know what the Government has done? The Government has also added after that clause—

"... or where Cabinet is of the opinion that a grave breach of international peace and security has occurred that has resulted or is likely to result in a serious international crisis—"

That is the point I think the Member made reference to. He said that the Government was circumscribed—I think was the word he used—that the power of the Government is circumscribed in that it could only issue such Orders if in the opinion of the Government, not the opinion of this House—Is that what the Constitution intended? That the Government must be of an opinion? I thought it said three-fifths of the majority of this House should be of the opinion!

The clause says—

"If the Government is of the opinion that a grave breach of international peace and security has occurred..."

So, the Government decides unilaterally what is a breach or crisis. Now, that was not what the founding fathers of this Constitution intended—that you should have that kind of unilateral power, as I said, because sanctions have enormous economic repercussions, not only for the country against which they are imposed but also on the country imposing.

For example, I was shocked to hear the Minister not mention Cuba as a country against which we have imposed economic sanctions. Why then do we not trade with Cuba?

Mr. Maraj: We do trade with Cuba. There is significant trade going on between Trinidad and Tobago and Cuba at the moment; the figures would show that.

Mr. B. Panday: How long ago has that been?

Mr. Maraj: That has been going on for quite some time. We have significant trade going on between companies in Trinidad and Tobago and Cuba.

Mr. B. Panday: If my Friend would look at the statistics on international trade, he would see that they are minimal to the point of non-existence.

Mr. Maraj: The fact that they are minimal has nothing to do with an embargo that Trinidad and Tobago may have imposed. It has to do with other things.

Mr. B. Panday: Sure! That is exactly the point I am coming to! It has to do with the United States. You fell straight into that one!

Mr. Maraj: It has to do with traditional patterns of trade. We, for example, do not have significant trade with countries of Central America, but we expect to develop that as we go into the future. Our traditional partners have been the United States, Canada, Europe and so forth because that is the pattern that has developed, and we are now moving in different directions. The same thing can be said of other countries with respect to Cuba!

Mr. B. Panday: That is how debates should go on in this House. That is how I understand debates; without rancour, without bitterness, but debating.

Madam Speaker, I am going to get caught with time, I am sure, but I must tell the hon. Member this. When I was a Member of the Government for that very, very short period of my life, I went to Cuba to an international conference—maybe the group of 1977—representing the Government.

2.50 p.m.

While I was there I had discussions with certain officials. I knew that the bagasse plant in Trinidad had gone down and we could not get it going. There was a tremendous amount of resources of bagasse and we were importing particle board. I spoke to one of the persons who ran the bagasse plant in Cuba and who had been enormously successful. I said to them, "would you consider coming to Trinidad and resuscitating the bagasse plant for us here?" They said, "certainly." When I came back and I raised this question with my colleagues, I was told that the Americans may not like this. So I had a meeting with the ambassador.

I called the Ambassador of the United States, and I said, "Listen, I am not interested in your ideology, I am interested in people getting jobs, people getting work. I am interested in this country not having to spend foreign exchange importing particle board when we can make it here. My colleagues were afraid if we should ask the Cubans to come here, that we might offend the Americans. I will tell you that the American Ambassador said, "Yes, we will be offended, because, that is what the Cubans want, only to get a foothold here." I told them all we wanted was trade. That is the kind of pressure to which we are subjected.

Mr. Maraj: I thank the hon. Member for giving way. I agree there is an attempt to apply pressure, but we in Trinidad and Tobago have always taken an independent position, and this Government has taken an independent position.

Hon. Member: Who? Which Government?

Mr. Maraj: Let me say this: are of the view that the embargo which the United States has sought to impose on Cuba has not worked and we have called for re-examination of it. Only yesterday I was in Venezuela signing the agreement with the Association of Caribbean States of which Cuba is a member. So that we are approaching the matter of Cuba. We have also, with Caricom, formed the Caricom Cuba Joint Commission against the wishes of our giant neighbour, but we have taken an independent line. I just wanted to clear that point.

Mr. B. Panday: I am extremely happy to hear that. I am sure it is because you probably got the permission of the Americans. But that is besides the point. *[Interruption]* Injury time please, Madam Speaker.

Madam Speaker: I know that the hon. Member has always been encouraging this kind of debate.

Mr. Manning: Injury time for the hon. Member will be permanent. Could he be kind enough to let us know what he did when that was told to him by the American Ambassador?

Mr. B. Panday: I came and I spoke to you.

Mr. Maharaj: And he agreed.

Mr. Manning: What a naughty boy.

Mr. B. Panday: I am happy to hear that because that is one of the major reasons that Caricom has not developed into a viable economic unit—we excluded the French-speaking, Dutch-speaking and Spanish-speaking countries from Caricom.

Mr. Manning: For the record, my Friend did not speak to me.

Mr. B. Panday: I am sure my Friend will agree that was one of the biggest constraints against the development of Caricom as a viable economic unit—we were not able to include in Caricom all those nations which were not favourable to the United States, and Cuba, the largest in the entire region, was among them.

Mr. Maraj: Madam Speaker, I have to correct the inaccuracy. It is not because we did not include Cuba. Caricom saw the need to widen the integration process as well as deepen it, and the Association of Caribbean States which has now been launched formally is part of that widening process to bring the Latin American countries into direct economic relationship with Caricom.

Mr. B. Panday: I am not doubting the Minister. I am saying that the exclusion prevented the development of Caricom over the 20 years of Caricom's existence.

I was on the point that the President was the person who passed the orders for economic sanctions. And this Bill is seeking to give that power now to the President or the Cabinet, where the Cabinet is going to decide upon the imposition of economic sanctions.

As regards Cabinet making such a decision, we are saying that the Constitution decrees that such decisions must have the approval of the House, at least three-fifths of it. Therefore, that is the power which we are not going to see you usurp, not to see you circumscribe, but that you provide the checks and balances necessary to prevent the Government from taking precipitate decisions. It is because the Constitution also recognizes this as not being a partisan matter for the Government, that in the Standing Orders of this House, though they be Standing Orders which were passed since 1961, Standing Order 79A says:

"(1) There shall be a Joint Select Committee on External Affairs to be known as the Joint Parliamentary Committee on External Affairs. The Committee shall be a Standing Committee appointed for the duration of the life of the Parliament.

(2) The House shall, for the purposes..."

It goes on to give the composition. I am not on that. It is because foreign affairs, of which this Bill, is a very significant part, was not intended to be a partisan matter but to be a matter for the Parliament that since 1961, *[Interruption]* I think this was introduced later, in 1964. Since 1964 it has been a requirement that we have a committee on external affairs to examine external

affairs matters. I am informing the hon. Member that I do not know whether that committee was ever appointed. I know for this session it was not. I cannot remember for the time I have been in this Parliament. Besides, the hon. Member who won on a no-vote campaign; he has been here longer than I. If I were in that no-vote campaign I, too, would have won.

Mr. Maharaj: And the NAR eased him up the last time.

Mr. B. Panday: We are asking, first of all, that the Standing Committee on Foreign Affairs be appointed.

Mr. Manning: And I am likely to be here long after you have gone.

Mr. B. Panday: That is extremely important. Sanctions are never an urgent matter. When I say “urgent”, you do not need to pass sanctions within a week because as you rightly said, sanctions become effective over a prolonged period. Therefore, there is no urgency about sanctions. You can come to Parliament with sanctions or you can come to Parliament with matters of international relations including sanctions, and say, "We propose to impose sanctions on country A, B, or C." If the committee debates the matter, does what it has to, reports to the Parliament and the Parliament takes a decision—and I thought that was the scenario that was intended for foreign affairs in our Parliament. So that is one check and balance we would be insisting on.

There is a very curious—and I have to speak about the amendments from the other place because I think we are going to deal with them—amendment to the Bill which is before the House. It says the Government will impose sanctions, and if it does so, that is, it tells people they cannot trade with this one, or they cannot trade with the other, such an order would remain in force for three months.

3.00 p.m.

First of all to impose sanctions, there must be a special majority. The order continues for three months, but if the Government wants to extend it before the expiration under subsection (3), the order may be extended, either indefinitely or for a specified period, by a resolution supported by a majority vote in the House of Representatives. So the Constitution says that you cannot pass the Bill in the first place unless you have a three-fifths majority. But according to the Bill, having imposed sanctions by a simple majority.

I go on to another point where it says that the order may be extended for a specified period under subsection (5) and it may at any time before the expiry be further extended—so, it may go on in perpetuity—but an order made under

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subsection (1) may at any time be amended by the President by order, subject to a negative resolution of the House of Representatives.

Now, those of us who have been in this House for a long time know the effect of a negative resolution. Effectively, a negative resolution is a piece of paper which is put on the Parliamentary Table, among all these papers that they give you, and it says a resolution has been passed extending this thing *ad infinitum*. The House does not really provide an opportunity to initiate a debate to get a negative resolution, therefore, we would suggest that instead of a negative resolution, we have an affirmative resolution of both Houses of Parliament. Actually that resolution should be supported by a three-fifths majority, but be that as it may for the time being.

This Act creates, for the first time, criminal offences that carry very serious penalties for persons who continue to do what you have told them to do before you imposed sanctions. Do you understand what I mean? You tell people trade, and they trade. You impose sanctions, they continue to trade because they have to supply their customers. Do you know the result of that? On conviction of a summary offence, a fine of \$150,000 and imprisonment of five years; conviction on indictment, a fine of \$300,000 and imprisonment for 10 years. This is the point I was really making. For the first time now we are creating a criminal offence for people who trade after there is an economic sanction.

Are you telling me that you must do this by yourself? Do you think I can believe that I have done my duty to the people of this country if I allow you to pass such legislation without safeguards? Should you not come before this Parliament, in the manner we have thought of, and have it debated whether there should be sanctions or not, so that the country knows, so that the businessmen know? Debate is not only so that the Government and the Opposition may arrive at decisions it is an educating factor, to educate people in the country that they must stop trading. It educates people abroad. If Trinidadians living in Lagos, Argentina, the United States, Canada, London or Europe trade with a country on which you have imposed economic sanctions, do you know that they are liable to imprisonment on conviction? And you want to do this secretly? I am afraid not.

I had said earlier on that there was no problem with the order being issued by the President, but when the Executive does it, it must come before the Parliament before we can deal with it. I ask one other question: why has this Bill taken precedence at a time when legislative time is so important? We are coming to the end of the term, hopefully we shall go on recess as do most civilized countries, so we have about a month left. This Government believes that it is important and

imperative at this stage to bring a Bill on economic sanctions when there is an enormous number of bills to be brought before this House which are of benefit to the people. What is the urgency of this?

The reason I told you just now that economic sanctions are not for a country like ours to impose, is that it is imposed by us following decisions taken by organizations to which we belong. There is no urgency in a matter such as this, except for the fact that the legislative agenda of this country is being determined by the United States. The United States is interested in our sanctions because we are very near to Haiti and Cuba. Despite the fact, as you rightly say, the ideological problem is no longer there, they continue sanctions against Cuba. What nonsense! But we are supposed to succumb to the pressure of not trading with Cuba. That we admit. Why should that be? How much money are we losing by not trading with Cuba? How many people in Trinidad can be employed—

Mr. Maraj: Madam Speaker, I just want, for the record, to say that we have not succumbed to any pressure not to trade with Cuba. I have said before that there is trade going on between Trinidad and Tobago companies and Cuba. That will continue, and we hope it will increase.

Mr. B. Panday: I go back to the parliamentary agenda. We have in this country a legislative agenda, which we had first, and which is now being reversed for us. That is the level of the independence we have. If I recall rightly, in the *Medium-Term Policy Framework: From Stabilization to Growth, 1993—1995*, the Government said that we will introduce or amend the following legislation: Minimum Wages—instead of talking about sanctions, which can wait for next year, we should have been talking about minimum wages in this country. I am saying that this Government is afraid to introduce minimum wages because it is not in control of its policy decision-making mechanism.

Mr. Maharaj: They promised soup kitchens and cannot give soup.

Mr. B. Panday: I do not believe it. Is my colleague right when he says that they have not given the people any soup yet?

Mr. Maharaj: And the Member for Laventille is sitting there. She will not talk for the people of Laventille.

Mr. B. Panday: Member for Laventille, have they got soup? Apparently, the Member for Laventille did not get any soup; she cannot talk.

The Minimum Wages Bill is one which should have long been before this House and should be here before the end of 1995. What we also need is a

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Monopolies Commission. There is need for legislation on a Monopolies Commission if we are going to deal with the whole issue of free trade and dumping, and the issue of large conglomerates gobbling up small businessmen in this country. We have been promised an amendment to the Securities Industries Act; we have been promised an Insurance Act. There is no Insurance Act. We have been promised an Exchange Commission Act. We have been promised an Act to deal with a Revenue Protection Agency. We have been promised a Rent Control Act, a Fair Trading Act. That was the legislative agenda we had decided upon.

Mr. Valley: I want to inform the hon. Member that what he is reading from is the *Medium-Term Plan, 1993—1995*, in other words, before 1995. I can assure the House that we are working on the programme and the legislation that he has been talking about is in various stages of preparation.

3.10 p.m.

The minimum wages legislation is at present before the Finance and General Purposes Committee, the security legislation is at its final stages. All of these pieces of legislation are engaging the attention of the Government and they would be coming to the Parliament very soon.

Mr. B. Panday: I am overjoyed and I am exhilarated to hear that the Government is going to bring this legislation before 1995. What I am saying is, it seems to you that what is more important is the Economic Sanctions Act. But my information is, that you intend to come to this House with even more important pieces of legislation. I think you have a Protection of Wrecks Bill. *[Laughter]*

Mr. Maharaj: Not the calypsonian, you know. *[Laughter]*

Mr. Valley: Madam Speaker, the Member is making joke on a very serious issue. The insurance legislation, the Companies Bill, for example, is before the Parliament at the committee stage; there are some pieces of legislation which require a greater degree of preparation than others. The Economic Sanctions Bill before the House, coming as it does out of an agreement of the international community, is a simple Bill, much simpler than the securities legislation, the Insurance Bill, the Companies Bill or what have you.

Mr. B. Panday: Madam Speaker, I have in my possession—and I did not produce it myself—the Protection of Wrecks Bill 1994.

Mr. Sudama: Does that include political wrecks?

Mr. B. Panday: It says, *[Interruption]*. But that is the legislative programme of this Government! The Bill says:

"The purpose of this Bill is to protect wrecks and sites in territorial waters from interference by unauthorized persons."

We have so many wrecks in the seas around us, that there is urgent need for legislation to protect those wrecks from unauthorized persons. *[Interruption]* There is one lying by the lighthouse for 15 years and nobody has taken it.

The point of my speech is that one does not have a legislative agenda over which one has control.

Mr. Valley: Madam Speaker, is the hon. Member suggesting that the United States Government is forcing us to bring the Bill with respect to the protection of wrecks?

Mr. Maharaj: We are saying that you are a "robot Government."

Mr. B. Panday: I am saying that this Government does not know whether it goes, hither or thither, it is floating like a leaf on the ocean and every time a foreign nation blows—

Mr. Valley: Madam Speaker, this Government can control its Members.

Mr. B. Panday: But it cannot control the economy, that is the problem.

I want to refer to an article on page 6 of the *Express* of Friday, May 13, 1994. It states:-

"A DRAFT bill to establish the Environmental Management Authority (EMA) was approved by Cabinet on April 18 and is expected to go before Parliament by the end of June."

This is July.

The article continues:

"This was stated yesterday by Minister in the Office of the Prime Minister, Camille Robinson-Regis, at a news conference at the Central Bank Building in Port of Spain."

The charming lady is with us today.

"Regis was reporting on the just concluded United Nations (UN) Global Conference on the Sustainable Development of Small Island Developing States, held in Barbados from April 25 to May 6.

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Regis said the immediate focus of Government was on the area in the 15-chapter Programme of Action which dealt with the development of the legislative and institutional capacity for environmental management."

Maybe that is where the wrecks fit in.

Mr. Maharaj: Lead poisoning, slow death to Arima people.

Mr. B. Panday: The Government states one thing as being part of its legislative programme, but then it does an identically different thing.

I have here the Acts and Subsidiary Legislation for 1981—

Madam Speaker: The hon. Member's speaking time has expired.

Motion made, That the hon. Member's speaking time be extended by 30 minutes. [Mr. R. Palackdharrysingh]

Question put and agreed to.

Mr. B. Panday: I am grateful to hon. Members and to you, Madam Speaker, for extending my time, and I can very well understand the fear of the Government that I should continue in the same manner in which I was proceeding.

This entire volume is a collection of social legislation, legislation that affects our people. They passed it in an election year 1981 and I have brought this volume to show how they fool people! They rushed through the Parliament in 1981 all kinds of legislation. Legislations relating particularly to land tenants, deeds, the Landlord and Tenant, Act, the Land Law and Conveyancing Act, Trustee Act, the most important, Madam Speaker, is the Limitation Act.

Mr. Valley: Madam Speaker, I want to ask the hon. Member, was 1981 the only election year? Could he compare what happened in 1976 or in 1986 if he has to make a case?

Mr. Maharaj: Why do you not respond?

Mr. B. Panday: I do not think that would change the price of cocoa in 1981, because I am talking about legislation that sits on the books, that was passed by both Houses, was assented to by the President, and all it awaits is the simple stroke of the pen by this Government, so that these Acts that protect people can be proclaimed. The Acts are not proclaimed.

Mr. Valley: Why did you not do it in 1987?

Mr. B. Panday: So, is that a reason for the Government not doing it? I do not understand the Members!

There is a piece of legislation called the Limitation Act that we passed here. That Act as it is, borders on the point of criminal conduct on the part of a Government. If I should be driving a motor car and should knock down some unfortunate citizen, that citizen has four years to bring an action against me. If it is a Government vehicle, and that person broke a limb; or if that person remains in hospital for a whole year, on his or her discharge from the hospital he or she cannot bring any action against the Government for damages. That is the present law in this country.

Mr. Maharaj: Or if they poison people with lead by their negligence—

Mr. B. Panday: Actions cannot be brought against the state after one year from which it happens, but against an ordinary citizen, four years. If I knock you down, you have four years to bring a case against me, but if the Government knocks you down, you have one year—and they knocking down people every day! They knocking down houses all how!

Do you think that any civilized government would have left that legislation hanging and would not have implemented it? The point I am making, Madam Speaker, is the one I raised: what is the Government's priority? What is its legislative agenda? What is the urgency of a Sanctions Bill? Should we not be spending today passing the law about tenants, the Land Registration Bill? The people whose houses the Government is breaking down, should we not be passing legislation to protect them? I should have thought so. I find it extremely difficult to understand why this legislation is now surfacing at this point.

3.20 p.m.

Loan Agreement No. 758/OC-TT signed on August 5, 1993, states that the second tranche of a US \$65 million loan is payable only when conditions in section 403(k)—which requires Companies legislation—have been entered into effect. So if this Government is to get money it cannot get money because it cannot pass the Companies Bill. So far the Government has got bogged down in a joint select committee and it will fail to pass that legislation before the end of this session, and these are conditionalities which it must comply with before it can access loans available to it.

Loan 403 refers to an action plan. It is important to have an action plan on land tenure rationalization, in other words, of squatters' homes. Those are things which are urgent. This a loan agreement. We are not going to access those finances unless we can fulfil those conditionalities.

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The Note also refers to the requirement for legislation on copyright, patents and intellectual property. These are things that are important and they should have been presented to Parliament already.

The *Express* of May 21, 1994 reported on page 20:

"A redrafted Patents Bill is scheduled to be laid in Parliament by April this year."

That is 1994, April this year has gone. It is April next year now. Nothing has been heard of it since, even though the hon. Member for Toco/Manzanilla, in his contribution to the 1993 Budget debate referred to the Bill being introduced in the near future.

I read a report where the hon. Member said that I made certain remarks which got him very scared. I did not write the *Patra*; I only read it. So do not kill the messenger.

Mr. Casimire: You interpreted it.

Mr. B. Panday: Why does he want to kill the messenger? I am only the messenger who has come to tell him what the *Patra* says. I did not write it! I have no determination of those matters; those are matters that are determined by fate, my Friend, not by you and me.

Newsday of September 24, 1993, reported that a draft Bill on Occupational Health and Safety was before the legislative review committee and would be introduced early in the 1993/1994 session. The session has gone; there has been absolutely no Occupational Health and Safety Bill.

The bills I am talking about are Land Tenants, Occupational Safety, Companies for the businessmen and so forth. The Government is not interested in those Bills; the Government is interested in Wrecks and—

Mr. Valley: Madam Speaker, let me inform the House, as the Member knows, that the Companies Bill is before the House; it is at the committee stage.

Mr. Maharaj: Sit down!

Mr. Valley: No, no, you cannot tell even the Member for Chaguanas to sit down, you want to tell me to sit down!

Mr. Maharaj: You have no right to be interrupting all the time.

Mr. Valley: You cannot even tell one of your Members to sit down, yet you want to tell me to sit down! You can control nothing in here. You have no power at all.

Madam Speaker: Hon. Members. Please!

Mr. B. Panday: Madam Speaker, I hope the hon. Member, by his outburst, does not indicate his role in that affair. He had better not talk too much, he might expose himself.

Mr. Maharaj: Why do you not pay back the bank?

Madam Speaker: I wish hon. Members would not bring personal matters into the House. Just let us proceed with the Bill.

Mr. B. Panday: On May 14, 1994, the *Guardian*, at page 8 reported Hon. Minister Colm Imbert as saying that recommendations made in a report on the *Oslo Lady* explosion would be incorporated in the Occupational Health and Safety Act. Labour Minister Collis announced at the ILO Convention in Geneva recently that the Bill would be laid in Parliament shortly. That was reported in the *Guardian* of June 12, 1994 at page 28.

Madam Speaker, people are dying; there was an explosion of a ship on the docks—one-year limitation and so forth—and up to now the recommendations have not been put before the House, neither has the Occupational Health and Safety Bill. I ask, what is the Government doing? Is it interested in the people, or is it interested in a foreign government trying to push it into sanctions at this stage? That is my concern.

Dr. Glen Maynard in the *Guardian* of September 10, 1993 said that draft legislation on brain death and transplantation was to be studied by the Health Committee.

This country has been waiting for legislation to deal with a tissue bank for years. That is to say, people will donate their body parts and on their death these parts could be transplanted to save lives; tissue transplant. We are waiting for legislation on that, people are dying and the Government comes with a Bill about sanctions!

In her Budget contribution on December 1, 1993, the hon. Member for Barataria/San Juan, Dr. Baboolal, stated that the Legal Aid and Advisory Act would be amended to include domestic violence victims. Nothing has been done to date. That is not important to the Member; the Member sits in Cabinet and says what is more important is wrecks. I hope nobody thinks that I am talking about Rex West; I am talking about sanctions. If the Member cared anything about women, legal aid and advice are extremely important to women—

Dr. Baboolal: Madam Speaker, that Bill is before the drafting committee, and as soon as it is ready it will be brought to the House. I have no power over what happens in the drafting division.

Mr. Panday: The point I am making is, that Bill should be at the top of the list.

Dr. Baboolal: I, too.

Mr. B. Panday: Oh! Exactly, now the Member has made the point. The Member says that as far as she is concerned that Bill should have been on top; but as far as the PNM is concerned the Bill that is on top is a Bill to deal with sanctions. Thank you very much. You can come over on this side.

Dr. Baboolal: Madam Speaker, I meant that it should be a priority in the drafting stage, and we are trying to make it a priority.

Mr. B. Panday: The Member agrees with me.

Dr. Baboolal: No.

Mr. B. Panday: When a woman is battered by her husband, she is often thrown out of the house; she then is obviously a human being on the verge of destitution. She cannot afford to hire a lawyer, so she needs the help of the state with regard to the Legal Aid and Advisory Act. That is extremely important. Women whose husbands have abandoned them and are not paying maintenance for them; single parents trying to sue the fathers of their children, generally speaking, have no money. I have spent half my life helping them in my legal capacity. But everybody is not like some people's girl friend who could get a house and money when they get pregnant. Everybody is not so lucky. I agree with you, have both of them. There is a calypso by that name: "Both ah Dem".

3.30 p.m.

Yes, Minister, despite the fact that you agree that this matter is of high priority you come here and support the Government in introducing a Bill which is of so little consequence to the women of this country.

Madam Speaker, these are the points which we believe it is our duty to raise with the Government and we hope that they will respond in a manner that will be conducive to our support of this Bill.

Thank you very much.

Mr. Hedwige Bereaux (La Brea): Madam Speaker, I rise to make a very brief intervention in this debate on the Bill to provide for the implementation of

economic sanctions imposed by regional or international organizations of states, or association of states, of which Trinidad and Tobago is a member.

Additionally, this Bill also seeks to give the Government of Trinidad and Tobago, through the Cabinet, authority to implement sanctions if it is of the opinion that a grave breach of international law, international peace and security has occurred and has resulted or is likely to result in a serious international crisis.

The question on the imposition of economic sanction—this Bill has its genesis in the United Nations Charter. I want to quote portions of the Charter:

"to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind;

to reaffirm faith in fundamental rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small."

What this Bill seeks to do is where a country, a nation—which is defined "a foreign state"—so acts in a manner that an international organization believes that its action is not in keeping with international law, international conventions, or human rights, and passes a resolution requiring that economic sanctions be placed on that state, Trinidad and Tobago, being a member of that international organization, would be required to also place sanctions on that particular offending state.

The Bill defines "foreign state" as follows:

"'foreign state' means a country other than Trinidad and Tobago, and includes-

- (a) any political subdivision of a foreign state;
- (b) the government, and any department, of a foreign state or of a political subdivision thereof; and
- (c) any agency of a foreign state or of a political subdivision thereof."

It is obvious that this is a very important Bill and we have to look at it very carefully because under clause 4 of this Bill, Trinidad and Tobago can:

- "(b) by Order, cause to be seized, frozen or sequestered in the manner set out in the Order any property situated in Trinidad and Tobago that is held by or on behalf of:
 - (i) a foreign state;
 - (ii) any person in that foreign state; or

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- (iii) a national of that foreign state who does not ordinarily reside in Trinidad and Tobago."

Trinidad and Tobago, as a country, believes in the independence of nations and the right of nations to conduct and control their business. When I say "business," I mean the relationship between a state and its citizens. Against this right—wherever there is a privilege, there is a responsibility—there is the responsibility of all states, notwithstanding the cultural, social and religious diversities, to observe the norms of international law and international conventions.

Too often today in international relations we hear of things like genocide, unprovoked military attacks on countries, ethnic cleansing and a number of things like that. In the strict and serious sense of the word, there are Bosnia, Rwanda, the overthrow of governments; and in all these cases there is usually a tendency by one state or another in order to correct that kind of behaviour, to resort to military action. In order to prevent and to pre-empt military action, the route of economic sanctions has been chosen. Article 41 of the United Nations Charter says:

"The Security Council may decide what measures not involving the use of armed force, are to be employed to give effect to its decisions, and it may call upon members of the United Nations to apply such measures. These may include complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio and other means of communications and the severance of diplomatic relations."

Madam Speaker, it is true that in Trinidad and Tobago, under section 44 of the Customs Act, Chap. 78:01:

"The President may from time to time by Order prohibit the importation, carriage coastwise or exportation of any goods whatsoever, and any such Order may prohibit importation, carriage coastwise or exportation until the revocation thereof, ..."

In this particular reference, "President" means the President as advised by the Cabinet.

The objection was taken by the Member for Couva North, that in clause 4 (1) there was some sinister motive; there is really no basic difference in constitutional law between "President" in clause 4 (1) and "Cabinet" lower down in the same clause. It means President as advised by the Cabinet, in this instance.

The important element in respect of why Trinidad and Tobago must have in place legislation as proposed in this Bill is that Trinidad and Tobago is a member

of the international community. Whereas we agree that states are entitled to conduct the business of their country in a manner which they choose, sometimes that may include treating their citizens in a manner that may not be accepted; it might be legal in their own country but it may not be accepted in the international community.

3.40 p.m.

I give you the example of South Africa. Apartheid was legal in South Africa, but yet the international community considered apartheid to be contrary to the norms of basic human rights. As a result of that, substantial proportions of the international community imposed sanctions upon South Africa, the effects of which I shall discuss shortly. What the international community says is: You can behave as you want, but unless your behaviour reaches a certain standard, we reserve the right not to do business with you.

What Trinidad and Tobago is seeking to do by this proposed legislation is to say to the international community: one, we believe that when we agree to something in an international organization we must put laws in place to ensure that we fulfil our commitment. Two, and more importantly, I think, is that not only are we sending that signal to them, but we are also signalling the world that we recognize certain standards and are prepared to stand by them in an international forum and take the necessary steps even if, at times, they cause some economic dislocation in our own country. The reason for that is that when other countries come to deal with us they want to make sure that we have a standard of behaviour that is consistent with what is accepted internationally.

More importantly, you may notice that a number of persons from time to time complain about their children. They say, "I don't know where this boy learn to "tief." But, usually, while the parent is saying that, he brings home pens from the office to give his children. The child has learnt to steal from his father, mother, or big brother. So, too, we in this country have a population that is rich in its diversity and a culture that is rich in its plurality. But, as Shakespeare says:

"From that same quarter where comfort seems to come, discomfort swells."

Mr. Maraj: Yes man, Shakespeare!

Mr. Sudama: Do not misinterpret Shakespeare.

Mr. H. Breaux: And even our very rich diversity contains the seeds of our own destruction, so we have to be careful to send a powerful signal to members of our own society that there is a certain kind of behaviour which we will not tolerate, and we must do that by example.

Miss Nicholson: Example! I like it.

Mr. H. Bereaux: This is a Bill which, according to section 13 of the Constitution, must have a three-fifths majority, because it offends sections 4 and 5 of the Constitution.

In my humble opinion, I believe that this Bill is one which all Members of this honourable House and of the other place should seek to support, and I will tell you why. We have seen in this country an attempt to remove the duly elected Government by force—

Miss Nicholson: You were part of that?

Mr. H. Bereaux: No, Madam, please. I have great respect for you. That is an insult.

Miss Nicholson: No, not you—across there.

Mr. H. Bereaux: What I am saying is: we must make sure that all our citizens know that there is a certain type of behaviour which is not accepted. There must be no attempt to have a Bosnia or a Haiti in Trinidad and Tobago, notwithstanding the fact that we are as diverse as Bosnia or Haiti.

The attempt has been made to point out that we may well be able, under the Customs Act, to take all the steps required by the international community resulting from our commitment to international organizations. It is not possible to do that under the Customs Act for several reasons. The Customs Act addresses the matter of goods, but today there are several items of trade which do not come under the heading of goods, in particular, technical data, financial services—and I am quoting from clause 5 (c):

"the transfer, provision or communication by any person in Trinidad and Tobago or by a Trinidad and Tobago citizen outside Trinidad and Tobago of any technical data to that foreign state or any person in that foreign state;"

And I go to (e):

"the provision or acquisition by any person in Trinidad and Tobago or by a Trinidad and Tobago citizen outside Trinidad and Tobago of financial services or any other services to, from or for the benefit of, or on the direction or order of that foreign state..."

There is a whole area of activity that cannot be covered under the Customs Act.

There is also another and more cogent reason why we need to have legislation of this nature. We are talking about a foreign state and we know that under the Foreign Immunities Act—I may not have the name of the Act correct—diplomats and a number of people working in foreign embassies in Trinidad and Tobago are immune to prosecution. They have diplomatic privilege.

In addition, there are several agencies of foreign governments and even companies owned by foreign governments, although conducting commercial activity, accustomed to claim sovereign immunity. We know the story of Aramco which continually claims sovereign immunity when faced with litigation abroad. There are some companies in Trinidad, too, that have been able to do that.

Now, look at what can happen. There can be a foreign company, or agency, in which that foreign state either owns part or all of its shares, and there is a situation where the country, under the Customs Act, if we had only the Customs Act, sought to inflict sanctions upon another country. That foreign agency or company, because of its immune status, its privilege, would be able to subvert our laws without us being able to deal with it under the Customs Act. The way in which this Bill is drafted, it would be able to prevent that loophole or, as my Friends tend to say, that lacuna, from happening.

3.50 p.m.

In fact, this Bill will assist in preserving the territorial integrity of Trinidad and Tobago. We know the story of countries against which international sanctions are in existence, using other countries, particularly Third World countries, as trans-shipment ports. We had the situation in Antigua and we had it all during the South African boycott—several countries were used. This Bill would close that kind of loophole.

I know that a number of persons will say, and it has been said that sanctions in certain cases, bring more hurt and more harm to the poor in the countries upon which sanctions are imposed, they do no good because it takes a longer time to get things done and, in addition, it hurts the poor.

In Trinidad and Tobago there is a common belief that is buttressed by many people, that there can be success without sacrifice; that there can be progress without pain. But that is not so. That is the greatest fallacy we have had. If a country or if a clique within a country has the population under siege, and the international community, because of the behaviour of that clique, seeks to put pressure on that clique through economic sanctions, I believe, as I think the international community believes, and the consensus generally is, that it is better

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for the people of that country to endure some pain for a short while in order to eradicate the evil completely.

In addition, there are those who say that economic sanctions will not work. I do not believe that anyone could fail to agree that had it not been for the sporting isolation, and the harsh economic conditions which were brought to bear on South Africa, we would ever have seen a South Africa in which all persons of full age were able to go to the polls.

I am the first person to agree with the Member for Couva North that whenever one looks at a Bill that provides for stopping trade, and taking away the rights of persons, we have to look at it carefully. There is need for protection of all those who might be disadvantaged and there is need to ensure that the Act is applied evenhandedly, and that there is no exercise of arbitrary power by the Executive.

I submit that the amendments made in the other place were indeed robust. For instance, the amendment to clause 6 where previously it said:

"The Minister may, on application in writing issue"

That was amended to read:

"Where an Order made under section 4 is in force in respect of a foreign state, the President may, for the purposes of relieving human suffering in that foreign state, or on other humanitarian grounds, by Order, authorize the Minister to issue to any person in Trinidad and Tobago or any Trinidad and Tobago citizen . . . a permit to carry out a specified activity . . ."

Not only is the Minister's or the President's order circumscribed, but it is also slanted to assist on humanitarian grounds those persons who are likely to be disadvantaged by the imposition of sanctions.

Additionally, a comment was made on the severity of the sentences that flow from a breach of this Bill. When one is speaking of the breach of sanctions, that breach is usually followed by substantial profit. Nobody goes to break sanctions for a few dollars, and persons will not be deterred from breaking sanctions by a slap on the wrist of a \$50,000 fine. That will not happen. Because, just to put oneself in the position to break sanctions, one has to be doing it on a large scale. These fines are really maximum fines and the judicial officer can always limit the size of the fine based on the nature of the offence.

Madam Speaker, in addition to that, as another safeguard, clause 10 of the Bill says:

"Notwithstanding the provisions of any other written law, proceedings for the prosecution of an offence against this Act shall not be commenced without the consent in writing of the Director of Public Prosecutions."

It is not as though a police officer or somebody has arrested the sanction breaker and he is taken to court. No. The Director of Public Prosecutions, the chief person who deals with the prosecution of offenders in Trinidad and Tobago, will be the person who will look at the entire infraction and determine whether this particular matter should be brought to court.

4.00 p.m.

As I indicated, this Bill is more than just an act to appear to be in concert with what the international organizations are doing. It has a service to Trinidad and Tobago inherent in its composition, and that service is to let the international community know that Trinidad and Tobago stands by its commitments; that Trinidad and Tobago is prepared to take such economic steps, notwithstanding that it may cost us—and there is nothing in life that comes free—in order to ensure that internationally accepted mores and standards of behaviour are kept; that, notwithstanding that we are small—and not an economic giant—we are willing to do whatever we can to support the general and economic sanctions.

Additionally—and I want to emphasize this—it is also an act which would assist in preserving our territorial integrity by putting a tool in the hands of the Government whereby it would prevent other foreign states—persons with sovereign immunity and companies entitled to claim sovereign immunity—from using our shores and our resources to break sanctions set by international organizations.

Finally, it would send what I consider to be a most powerful message to persons within our community, that we stand by certain standards and we would set the example. I think that this entire House, and this Parliament, should support this measure. Of course, there are certain reservations which have been voiced and, although I believe that the fears are misplaced, I can understand them.

Madam Speaker, as I indicated, I support the Minister of Foreign Affairs on this Bill.

Mr. Gideon Hanoomansingh (*Pointe-a-Pierre*): Madam Speaker, I should like to thank you for the opportunity given me in this honourable House to

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contribute to this debate. I should like to thank all the Members who welcomed me to the House and who wished me well; and those who did not, to wish them well.

I should like to assure you, Madam Speaker, that in the course of my contributions I shall try, as much as I possibly can, to deal not with personalities, but with the business of the House and the people's business at that. In that pursuit, I will employ all resources at my command to contribute to the legislative agenda with decorum and dignity, and all I ask for is the co-operation of Members on both sides of the House.

I can almost anticipate, Madam Speaker, an anxiety on your part to lend co-operation and guidance to me as we pool our resources for the benefit of the people of Trinidad and Tobago through this Parliament. I know sometimes it will be difficult, even somewhat incomprehensible, for Members to understand my point of view, but whatever they are, may I assure you that they would have had the blessings and collective thoughts of the party I represent.

Madam Speaker, I will seek your leave to read from a prepared text, this being my maiden contribution to the House, because I feel that it is important for me to place on record, in this great learning exercise—

Madam Speaker: Leave is granted to the hon. Member to read his speech.

Mr. G. Hanoomansingh: Thank you, Madam Speaker.

I have heard reference to South Africa on sanctions in that country, and the effect of those sanctions, and I am wondering to what extent those sanctions really had the effect when one considers, on one hand, the notions of the white minority regime in South Africa, the onslaught that took place after the people of that country had decided that they had had enough; and that they were on a collision course that, obviously, would have meant destruction for them.

I have also heard reference made to the role of the United States, or the possible influence of the United States, in the legislative agenda of this Parliament. I think it would be foolhardy of any of us to believe that that is not true. When we consider that there is something called manifest destiny that still exists, championed by the United States, I do not think that any of us can really decide that is not the case.

The hon. Minister of Foreign Affairs said that nations do not necessarily want war, and I have no doubt that this is in the case of Trinidad and Tobago as well. He said that the rigidity of ideological division no longer exists, but to support the

point I am making about manifest destiny, obviously, that is also true because today the United States stands as the lone world power. As in the case of Haiti, we have seen what has happened. We have seen the manipulation of Haiti by the United States as far as Haiti is concerned. We have seen all the broken promises. Why should we not understand and accept that, indeed, economic sanctions will be, perhaps, the most effective weaponry to rid that country of its problems?

On the other hand, the Bill gives me a rather fortunate opportunity to contribute to a debate that is so fundamental to international relations today. I say this against the background that ever since the imposition of economic sanctions on Southern Rhodesia in 1966, this mechanism has been increasingly employed as a means of restoring order, peace and democracy in the world. It is curious to me, therefore, that some 28 years after, we in Trinidad and Tobago are addressing a Bill of this kind in a rather slipshod manner.

One would certainly have thought that given the political aberrations that have developed over the past three decades or so, and the deviant behaviour of nation states—countries which have acted outside the norm of the United Nations Charter, so to speak—the issue of the implementation of economic sanctions would have received a prominent position on our legislative agenda, at least, after independence.

Am I to assume that this Bill is a belated attempt to deal with one of the major legislative sins of omission committed by this Government in the realm of foreign policy legislation? If, indeed, that is so, it is a clear indication and reflection of the low priority which this Government has attached to foreign matters.

4.10 p.m.

Madam Speaker, during this debate I shall try to establish clearly that the Government has abdicated its responsibility to deal with urgent foreign policy issues which are no less important than internal domestic ones.

I am of the view that this Bill is certainly legislative window-dressing, and I say that because it really gives Cabinet the power in exceptional circumstances when there are breaches in international security and peace, to impose economic sanctions against a foreign state.

What we must deal with is not necessarily the Bill as such, since many pieces of legislation are passed in this House to adorn the statute books. What is critical in my view in this kind of legislation, is the ability of the state to ensure effective enforcement which is really where the focus of the debate ought to rest. This point

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is being made against the background of Trinidad and Tobago's record on the imposition of economic sanctions. Since the early 1960s we have introduced economic sanctions, as I said before, on Southern Rhodesia, which is now the Independent Republic of Zimbabwe, against Southern Africa, and in more recent times, and right here in the Caribbean against Haiti.

The Minister of Foreign Affairs must tell this honourable House how effective have those sanctions been, if they were. Why are we consuming so much important parliamentary time on a Bill which will not in any way influence this reality? Perhaps, the Minister should give his opinion as to whether the records will show that sanctions were, in fact, successful. No doubt intentions were well meaning in some cases, but what is also important is if the enforcement was unsuccessful or did not meet with the full expectations of the Government—then I agree this is what this Bill should be addressing.

This brings to my mind the need for a full ventilation of Government's policy towards the imposition of sanctions on countries in the Caribbean in the 1990s. The point of importance is whether Trinidad and Tobago has a consistent informed foreign policy posture on economic sanctions in the region.

I was awaiting some kind of statement from the Minister of Foreign Affairs on the subject of Haiti and Cuba in the context of the embargoes which have been imposed on these countries. I thought that this Bill would have given the Government the opportunity in the first instance to present an analysis of the manner in which the imposition of sanctions by Trinidad and Tobago has been effective in weakening the power of the military in Haiti. Something tells me that this Bill is an attempt to divert attention from the ineffective manner in which sanctions have worked in Haiti because of our management incompetence. If the Government assumes that my accusation is outlandish then, the Minister of Foreign Affairs is responsible to account to this honourable House with respect to the following matters.

What legislative mechanism was used to effect the sanctions against Haiti. He did say the Customs Act. By extension, I ask the question: Was the mechanism not appropriate? When did economic sanctions on Haiti take effect, the very day in October, 1991 when the OAS passed its resolution? I venture to suggest that given the lethargy of the Government, the imposition of sanction by Trinidad and Tobago did not go into effect weeks or even months later. And, this is why I am placing so much emphasis upon enforcement of sanctions as the matter and substance of import.

The third issue is for the Minister to provide this House with a breakdown of the goods and services from Haiti entering this country. We need to know the levels of trade that were transacted between this country and Haiti during the period prior to the imposition of sanctions and 1994. It is important for us to objectively assess whether the imposition of sanctions was properly enforced.

We all know that there are loopholes in monitoring the transportation of commodities originating in western hemispheric nations. I would not be surprised that trade from other countries, via Trinidad and Tobago ports, ends up in Haiti. Members may think that this is mere conjecture. We only need revisit the issue with the methanol tanker at Point Lisas not too long ago. And, that after all heavenly assurances were given that all was well.

I thought that the Member for San Fernando West would have given this House a status report on the effectiveness of Trinidad and Tobago's economic sanctions against Haiti. I would have to assume, based on latest pronouncements of the Minister committing Trinidad and Tobago troops, if there is need for it, to assist the military in Haiti, that sanctions have failed. If so, it may very well be that the enforcement mechanisms have failed. Hence, we are equally culpable as, maybe, other countries in the western hemisphere. This is why we need to know from the Minister the effectiveness of the enforcement of the economic sanctions. Perhaps, the cavalier manner in which the PNM treated with the Haitian refugee issue is reflective of the lack of vision and diluted commitment to the Caribbean.

Haiti has observer status in some of the institutions of Caricom, and this Government talks about its commitment to Caribbean development and integration. It will no doubt recommit itself to the emptiness at the Caricom Summit in the Bahamas. Yet, it has so blatantly abdicated its responsibility to that impoverished nation.

I felt a sense of emptiness when the hon. Minister of Education, acting as the Minister of Foreign Affairs, told the nation that the Government was not approached by the Haitian footballers who were almost stranded here seeking asylum to the United States. Obviously, the acting Minister did not expect the footballers to hop a taxi and go down to his office. The people were here in a different culture, crying out in the wilderness. The most decent act would have been for the Government to offer some courtesy by at least listening to their claim.

Caribbean governments need to extend the hand of friendship to dispossessed Caribbean peoples. And extending courtesies to the Haitian footballers would

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have been a chance for the Government to recover from its apparent inhumanity towards the refugees in 1991 when the Robinson administration extended the hand of welcome, the present Government being then in Opposition.

This brings me to Trinidad and Tobago's policy position with respect to the United States imposition of its embargo on Cuba since the early 1960s.

I thought this debate would have presented the opportunity for the Government to explain whether Trinidad and Tobago currently supports the United States imposition of trade restrictions on Cuba. You may recall, the role which this country along with Jamaica, Barbados and Guyana played in 1972 in ending the hemispheric embargo against Cuba. That was when the United States imposed trade restrictions on Cuba when Fidel Castro took over the leadership of the country in 1959. Today in Cuba the economic and social plight of the people is well documented.

As Cuba attempts to manage its transition from a socialist state-centred economy to a market-oriented export driven one, is it not important for Government to assist the people of Cuba in their valiant effort at social, economic and political reconstruction? What we need to do today is to rekindle the flames of 1972 by making it unequivocal that the sanctions imposed upon Cuba by the United States have become obsolete and anachronistic and serve no one's interest in this day and age.

4.20 p.m.

There is a total collapse of the economy in that country. Sugar prices have dropped. There is a serious energy problem. Factories are closing down; unemployment is escalating. There is rampant poverty in Cuba. People lack basic food and medicines. People are dying in Cuba. Is it not sad that when Trinidad and Tobago had the opportunity to vote against the imposition of the embargo at the United Nations in 1991/1992, it abstained, rather than support the resolution by Cuba calling for the removal of the embargo and the Cuban Democracy Act?

In the vote taken at the United Nations General Assembly in November, 1992, it was only the United States, Rumania and Israel which voted against the Bill. Seventy-one countries abstained, and this was a major diplomatic victory for Cuba at the United Nations. What is important is the fact that the vote demonstrates that the United States stands virtually alone in its policy of unrelenting hostility towards Cuba.

Virtually the same situation occurred last year, and you know where Trinidad and Tobago stood. It again abstained. The point is that an anachronistic embargo

is being imposed on a sister Caribbean nation. The world is outraged, particularly in the context of the new world order which is being advanced by the United States, and Trinidad and Tobago takes a totally unprincipled stance and abstains on the resolution. This is why the Minister has to examine his conscience and that of his Government, whether the policy being advanced by this new PNM Government is the same as that being enunciated by another PNM Government in 1972.

I suggest to the people of Trinidad and Tobago that the present, so-called new PNM is retrogressive and backward; visionless, if you prefer, as compared to the progressive position taken by Dr. Eric Williams in 1972. But that should not be surprising. Dr. Williams had a vision of the world and an understanding of foreign policy which is totally lacking in the present administration. It is in this context that we need to hear from the Minister, when he winds up the debate, the foreign policy position of Trinidad and Tobago with respect to sanctions as they relate to Cuba and Haiti.

It has been my deliberate intention to raise in this humble way these points of relevance and substance of this Bill. I hope that the Minister and the Government will perceive my contribution as germane to the making of a foreign policy agenda for this country, insofar as the mechanisms for sanctions continue to be important in international relations.

I thank you very much.

The Minister of Consumer Affairs and Minister in the Office of the Prime Minister and Acting Attorney General (Sen. The Hon. Camille Robinson-Regis): Madam Speaker, I am pleased to be given the opportunity to participate in this debate on the Economic Sanctions Bill, to offer my support to the Minister in charge of the Bill, the Member for San Fernando West, the hon. Minister of Foreign Affairs.

In keeping with parliamentary practice, and speaking after the Member for Pointe-a-Pierre, I wish to congratulate him on his maiden speech. With time, I am sure he will improve and become even more relevant to debates at hand.

Economic sanctions, as Members before me have stated, have proved to be an international tool in the diplomatic arsenal of nations in the international community. It is a tool that has been used when nations do not want to go into direct battle with other nations. It is a tool which has been used in an attempt to make sure that nations keep within a particular standard and maintain certain mores with regard to their relationships with their citizens and, indeed, to the

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people who are trading with them and who form other parts of the international community.

We have heard the contention that perhaps Trinidad and Tobago does not need an Economic Sanctions Bill because the Government has been able on previous occasions to impose economic sanctions on nations without such a Bill, and reference has been made to section 44 of the Customs Act which forms part of our legislation.

I have noted these criticisms and I should like to state that the Customs Act, section 44 in particular, is limited in its application with regard to economic sanctions. Indeed, that section of the Act was not really designed for dealing with the type of activity with which the Economic Sanctions Bill before this House is intended to deal. When one reads the Customs legislation, it clearly points out that its main intent is to deal with trade and industry within Trinidad and Tobago.

The Customs Act, section 44, deals with the banning of products that affect the health of members of the community of Trinidad and Tobago; it deals with tangible products. The point has been made that it deals with physical products: the banning of swine products—and we have had instances of this—the banning of firearms which are disguised to look like stylographic pens. Indeed, that is the area within which section 44 of the Act is intended to operate. What this Bill seeks to do is to widen that area of operation. It gives a certain amount of depth and breadth to the type of sanctions which can be imposed once this Bill is passed.

The Bill before this House attempts to deal with intangible objects. It attempts to deal with financial and technical data, and things for which, indeed, as we seek to move Trinidad and Tobago forward into the 21st century, we must have the capability within our legislative arsenal to deal with—situations which may arise which may necessitate the need to put sanctions on a country or even members of our nation to ensure that breadth of data or type of trade can be limited or stopped if that is necessary.

4.30 p.m.

The Customs Act does not allow for flexibility, and it is imperative that there must be some amount of flexibility once economic sanctions are to be put in place. The Customs Act does not allow for any particular exemptions to be made and the Member for Couva North was very concerned about the situation where he said that we, as a Government, have been encouraging our businessmen to go

out and find market niches, and yet we are coming to the Parliament with a Bill that may seek to stultify that growth if economic sanctions are put in place.

If we are to retain a situation where the legislation that can deal with economic sanctions is only section 44 of the Customs Act, it is clear that that particular circumstance which the Member for Couva North spoke about, would indeed develop. However, with the Economic Sanctions Bill, the type of flexibility that the Bill, permits in terms of allowing the order to give exemptions in particular circumstances, that will allow for the particular situation not necessarily to develop with regard to businessmen.

Although economic sanctions may be imposed on a nation, given particular circumstances, the Bill allows for a certain amount of flexibility in terms of allowing businesses to be able to trade within a particular parameter.

4.32 p.m.: *Sitting suspended.*

5.11 p.m.: *Sitting resumed.*

Madam Speaker: I see the Acting Attorney General is already on her feet. Continue Minister.

Mr. Maharaj: "On her feet," I like the expression. *[Interruption]*

Mr. Valley: He knows nothing of health. He would not know the difference; he has never seen anyone on their legs or their feet.

Madam Speaker: Let us not get into a debate on legs and feet, hon. Members; please.

Hon. C. Robinson-Regis: Madam Speaker, as I was saying, the Customs Act does not provide for the type of flexibility that this Bill before the House would give, once it is passed.

Another issue raised by the Member for Couva North was the state's obligation to its citizens. We are indeed very much aware of the fact that the state has a major obligation to its citizens. The Government has never shirked this responsibility, nor has it in any way attempted to restrict its citizens: only when it becomes absolutely necessary.

There is no conflict of interests between that inherent desire of the state to take care of its citizens and the possibility that because another state is acting in a way which is not in keeping with the need to ensure that its citizens are well taken care of, it may become necessary for one state to impose economic sanctions

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against another to ensure that the errant state complies with what has been established as the norms of behaviour between government and its people and governments and governments. Indeed, the provision of economic sanctions may be seen as akin to emergency powers when a state or a government declares a state of emergency within its own borders. As we all know, this action is taken only in very extreme circumstances.

As a consequence of the recognition of this fact, clause 4 of the Economic Sanctions Bill clearly outlines the circumstances under which economic sanctions will be imposed on a state. In keeping with the need to ensure that there is speedy action in the imposition of economic sanctions, clause 4 has also outlined that the President—and as the Member for La Brea rightly said, in this context the “President” here means the “Cabinet”; the Cabinet makes the decision and the President makes the order, he signs the order—can act initially without the matter coming to Parliament.

In the amendment to this clause, which was approved by the other House, it was made very clear that if that action is taken and an order is made by the President to impose sanctions against another state, that order must be laid in the House within 14 days, and within a month after that order has been laid in the House, the order must be debated. We are clear that, in the case of just as a state of emergency, the matter is of such grave importance that there is need for the Parliament to become involved at that stage for the matter to be ventilated, and if there is need to continue the sanctions, it gets the approval of Parliament. That point needs to be made, because in some circumstances speed of action is important in terms of imposing economic sanctions.

We have been told also that perhaps economic sanctions do not work, and consequently, what is the need for a Bill that deals specifically with economic sanctions. As one example of how sanctions have worked—and we have heard of the South African situation, it takes time—but in terms of economic costs to South Africa, information gleaned on the impact of economic sanctions in South Africa revealed that in 1985 alone the loss to the economy of the South African economy was as high as US \$1.3 billion. That was just in one year, and economic sanctions had been in place against South Africa for over 20 years. So if in one year there was that kind of economic consequence, we can well imagine the toll that economic sanctions did, in fact, take on the economy of South Africa, and did, in fact, lead to the eventual breakdown of this deadly system of apartheid in that country.

In addition to that particular issue, it is clear that the clauses of the Bill which may perhaps bring some concern are clauses 8 and 9. Those clauses deal with the issue of search and seizure and amassing evidence in terms of bringing action against persons who have been acting in a way that is against the imposition of sanctions.

5.20 p.m.

Indeed, clause 8 of the Bill grants to the police and the customs, the authority to obtain evidence, to obtain through warrants and searching of buildings and vessels any evidence that would show that they have reasonable grounds for believing that a particular person or company has been acting in a manner that is against the imposition of the sanctions.

Clause 9 of the Bill also gives a certain amount of force to clause 4 which outlines the mechanism for imposition of the sanctions and clause 8, which I have just outlined, in that clause 9 permits proceedings in respect of any offences alleged to have been committed outside Trinidad and Tobago.

I stress this because we have talked about our businessmen moving out and in circumstances where there has been an offence committed outside Trinidad and Tobago that offence is deemed as having been committed within the borders of Trinidad and Tobago and, consequently, the person who has committed that offence can be tried within a court of law in Trinidad and Tobago. That is very significant! In a circumstance where economic sanctions are imposed and someone has been working in another country outside the borders of Trinidad and Tobago, but in contravention of those sanctions, he can still be brought to justice within the courts of Trinidad and Tobago.

One of the issues that have been raised with regard to the bringing of the order for sanctions to Parliament is whether an order should be allowed to continue over a three month period with just a simple majority of the Houses of Parliament. It is our intention to examine that situation and we have been talking about the possibility of bringing an amendment to the legislation which would allow for the amendment that has already been passed in the other place to be amended further to allow for a three-fifths majority of both Houses in keeping with the Constitution of Trinidad and Tobago. We have taken the point made by the Member for Couva North and, as a consequence, we have been in brief consultation with him and we have indicated that we are quite willing to make such an amendment, so that it is in keeping with the fuller provisions of the Constitution of Trinidad and Tobago and in keeping with the norms to which we are all accustomed.

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Clearly, any independent should be able to impose economic sanctions on its neighbours. It is necessary to ensure that we in Trinidad and Tobago have an even more comprehensive framework of legislation in keeping with our development not only within the Caricom region but within the international environment. Indeed, a Bill such as the one before the House will allow for the type of flexibility that is needed in our continuous growth in terms of our diplomatic relations between nations. The Bill is one which we see as necessary, and important to our continuous development.

Before I close I should like to address a point raised by the Member for Couva North when he spoke about the Environmental Bill not having come before this House or the other House by the end of June as was anticipated. I stress the word "anticipated" because, as he quoted from the newspaper report, the intention was to bring that Bill before the Houses of Parliament by the end of June.

Even though the Member has tried to claim that the Opposition is not indulging in obstructionist politics, we are clearly of that view. As a consequence, we do not want to come to the House with a Bill, as important as that Bill, with any clause that may give cause to the Opposition to say because that is in the Bill they cannot support it. They have claimed that they are interested in the Demerara lead poisoning situation; they claim that they are interested in the people, but they continually move along a path to try to stop this Government from moving forward, and we are not going to sit here and allow them to proceed along that course. We have seen certain clauses in the Bill, as was approved by the Cabinet, that may cause some difficulty—I stress, "may cause some difficulty"—and, consequently, we have decided to make a re-examination of that section of the Bill, and it will in fact be coming to the Parliament imminently.

Madam Speaker, in the Attorney General's Department, in particular the Chief Parliamentary Counsel's section, in terms of the prioritization of the Bills which are near to completion and which will be laid in this House shortly, the Environmental Management Bill is number one on the list.

I close by soliciting the support of the Members on the other side. We have put forward a very valid case why this Bill should be supported and I am sure that we will, in fact, get their support especially in light of the fact that the one point that they raised as being the issue that may prevent them from giving that support is being discussed and we are coming to agreement on that.

Thank you.

Adjournment

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ADJOURNMENT

The Minister of Industry and Trade and Minister in the Ministry of Finance (Hon. Kenneth Valley): Madam Speaker, I beg to move that this House do now adjourn to Friday, July 8, 1994 at 1.30 p.m.

May I inform the House that, as agreed previously, we would be discussing Private Members' business on that day.

5.30 p.m.

Problems in Schools

Mr. Chandresh Sharma (Fyzabad): Madam Speaker, the Motion on the Adjournment reads: Acute shortage of teachers, essential supplies and equipment in schools in the area of St. Patrick. I start off by congratulating the Minister of Education on the recent announcement of repairs to approximately 150—180 schools, costing \$17 million, to take place during the July-August school vacation; and, at the same time, the National Petroleum Marketing Company for its corporate contribution to the repairs of schools across Trinidad and Tobago.

One must recall that the Unemployment Symposium at Chaguaramas in 1992 attempted to identify the creation of jobs. But the only jobs we have seen coming out of that, so far, are a few jobs that have gone to well-known associates of the Government. I say that, simply because of the situation at the Vessigny Government School. That matter was raised in this honourable House and the Minister of Education then gave an undertaking that a new school will be built. To date nothing has been done. The same applies to the Palo Seco Government School and the Cedros Composite School.

Right now at the Fyzabad Composite School, for instance, there is need for 1,974 sheets of galvanize. I can safely say this to you, Madam Speaker, as you have had the good fortune of going to that school. A number of areas are leaking. It is a "dry weather" school, fortunately we are now still enjoying a bit of dry season and things can hold out for a short while.

The Minister also made an announcement that five new schools are to be built in the very near future. Why are we rushing to build these new schools when we are not taking care of the existing ones? I have made reference to secondary schools, but when we look at the primary schools the situation is much worse.

I intend to deal with this Motion, in the interest of time, in three areas—shortage of teachers, supplies, and the need for urgent repairs to and maintenance

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of schools. In most of the schools there is a physical breakdown. Only recently the Member for Princes Town raised a question about water in schools. St. Patrick was the most affected. Forty-two schools with a loss of 300 days when schools closed. In some instances the schools were kept open, hoping that the water would come. It never came and the children went on.

At the Siparia Junior Secondary School there is need for a regular supply of gas for the Home Economics department. The same applies at Pt. Fortin Junior Secondary. These schools were built 20 years ago, and in some cases, the lines are no longer functional. The laboratories are affected. But more than that, some of these schools are using 20 lb. LPG cylinders, which the Fire Services have indicated should not be used because of the danger.

In some schools where the School-Based Assessment plays an important role, and accounts for 25—30 per cent of the marks the student will obtain, those schools are affected. One of these is the Fyzabad Composite School. We are not only talking about vocational training—all the science subjects: physics, chemistry and so forth. It goes across the board. The same applies to woodwork, metal work, etc.

The question of furniture in schools seems to be a problem across St. Patrick. In some schools there are students moving from classroom to classroom with the furniture, which causes much inconvenience and, at the same time, interruption of other classes and loss of time.

Madam Speaker, you will recall there was a fire at the Cedros R.C. School more than a year ago. At present that school is housed at the Cedros Composite School, so that you have small children having to mix with boys and girls much older than themselves, which is creating much inconvenience. I recall that the PTA of the Cedros R.C. School had indicated their willingness to assist in building that school by supplying labour and, perhaps, some materials. To date, the Government has not responded. Here is a situation where the community is prepared to assist in building a school, and nothing has happened.

On the question of teachers, sometimes I feel that the PNM wants to rename Trinidad and Tobago "Hollywood" because of the number of acting appointments. In one school in my constituency, the Siparia Road Presbyterian School, there is the case of the principal acting for the last seven years. In a number of other schools there are acting vice-principals acting as principals. There are also schools with no principals. The same applies to Naparima College, Penal Junior Secondary, Pleasantville Senior and Junior Secondary, San Fernando Government. What happens when there is a school with so many acting

appointments that the school cannot get off the ground? Across Trinidad and Tobago there are 12 acting principals in Presbyterian schools at this time, 15 in the SDMS schools, about 10 in the Government schools, 17 at the Roman Catholic schools and two at the Vedic schools. This is something that needs to be addressed immediately.

There are more than 10,000 teachers in Trinidad and Tobago, approximately 70 per cent being female, so at any given time there are a number of teachers on maternity leave, which is their right. They must enjoy that benefit. But those vacancies are hardly ever filled and when they are filled, it is usually only for a week or two before the teacher returns, so one can imagine the loss of time. In addition, there are teachers who, again, have to take their benefit and go on sick leave, extended sick leave, no-pay study leave and, even in cases of retirement, we are seeing a loss of teaching time.

One suggestion I should like to make to address this problem is a system of relief teachers, which obtains in Canada and the United States. For instance, if at short notice a teacher at a particular school is unable to come out, because of illness, or some development within the family, that principal would have the right, with prior approval, to call out a teacher so that students can be taught immediately, and no loss of time occurs.

A number of schools are without telephones at this time when there is a critical crime situation. In 1985 approximately \$911 million in recurrent expenditure was spent on education. In 1994 we have spent close to \$920 million. What does this tell us? In 1985, the US dollar was fetching \$3.60; today it is close to \$6.00, so there is less money to purchase the same amount of goods. One has to look at this in the light of a growing school population, both teachers and students.

More than that, on the question of supplies to schools, because of the system that obtains today, one may find a teacher having to drive from Cedros to San Fernando to collect four dusters; or a teacher leaving Erin to come to San Fernando to get a box of chalk.

5.40 p.m.

Also, we see the question of allocation of funds. To show an example; in 1986, the comprehensive school was getting approximately \$300,000 to offset expenses. Presently, what obtains is about \$70,000. It is extremely difficult.

We must pay tribute to all the principals, teachers and staff of these schools for making it work; but basic supplies like chalk, dusters, toilet paper, writing

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paper and soap are not obtainable right now. Only last Thursday, if I am correct, the 14-Plus exam could not take place because there was no paper available. At the Arima Secondary School there was no graph paper for the CXC Mathematics exam. The situation is very, very critical in these schools.

In recent times we have seen the introduction of computers in schools. That was mentioned in the UNC Manifesto on page 38—the introduction of computer education in primary schools. We have also seen the introduction of pan and harmonium. I have no quarrel with that. The point I am making is, there are no teachers to teach mathematics and science subjects, and the computer is being introduced.

I want to draw the attention of the House to an advertisement which appeared in the *Express* of November 16, 1992:

"Vacancies in the Teaching Service

- (i) Toco Composite
- (ii) Mayaro Composite
- (iii) Moruga Composite
- (iv) Matelot Community R.C.
- (v) Cedros Composite
- (vi) Fyzabad Composite
- (vii) Barrackpore Senior Comprehensive
- (viii) Tabaquite Composite
- (ix) Rio Claro Senior Comprehensive

In the following subject areas:—"

Fifteen subjects are listed.

The Fyzabad Composite School, at which there are a number of vacancies, submitted a document to the Minister of Education since 1992. That school originally started off as a comprehensive school and later became a composite school and should have a staff of 90-plus teachers. Today, there are about 75. A number of schools have a teacher shortage. I know of a number of persons who have applied in response to this advertisement but who are still waiting for acknowledgements or some other kind of response from the Ministry of Education, or whoever is responsible.

For this particular advertisement, the applications should have gone to the Permanent Secretary, Ministry of Education. At other times it would have gone to the Teaching Service Commission, but the fact remains that there are a number of schools with teacher shortages and they cannot continue this way. One must take into consideration that times are extremely difficult in terms of economic and other matters and people are making tremendous sacrifices to send their children to school. Children are sent from schools because of no water one day; no chalk the other day, no teachers the following day. We cannot continue in that way.

One must further recognize that 30 per cent of our population is under the age of 14, when they should be at school, so we are talking about 300,000 people at any given time requiring education. With the present situation, that is not happening.

I have made the case for the SBAs as they relate to the CXC Examinations. This starts off for students in Form IV so that when the school does not have lab facilities, the students still have to obtain SBA marks which account for between 25 and 30 per cent, so when they write CXC two years later, they are at a total disadvantage. I hope the Minister will draw this to the attention of the CXC authorities.

There is absolutely no maintenance in terms of plant and equipment. I am not talking only about the physical structure here—the equipment in the schools; the typewriters for the business studies unit; the stoves and what have you in the home economics department. When one talks to MTS which have a number of contracts with these schools, they indicate that it is not within their power to repair same and the principals just cannot find money for it. So it is in every school.

In many schools I have discovered in recent times that students have had to pay for everything. With the recent examinations, students have had to contribute moneys for photocopy paper. It may appear to be a small sum but it is a continuous exercise. Remember, there are no school buses for these children. Maxi-taxis are not provided in our area. In the case of La Brea, for 112 students, there is one 12 seater maxi-taxi. One can see the urgency.

I do not wish to anticipate the reply of the Minister of Education, but it is important that whatever comes out must be relevant and very effective at the same time.

In identifying all these major problems at the schools, I want to close off by indicating the willingness of the PTAs of most of these schools. I have visited

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almost all the schools I talked about. At the Pleasantville Senior Comprehensive School, which happens to fall in the constituency of the Member for San Fernando East, an entire block has been closed off. Also, at the San Fernando Senior Comprehensive School which falls in the constituency of the Member for San Fernando West. It is happening in a number of areas. These blocks were closed off since 1992 in one case, and in the other case, the San Fernando Senior Comprehensive School, in September of 1993.

With the recent Common Entrance results, which were made available a few days ago, we are seeing the need for post primary classes, but there are a number of schools without the facilities to start the post primary classes. Also, at the KPA School, 38 students wrote the Common Entrance and 34 were placed. Is a class going to be started with four post primary students? At another school, there were 12 not placed.

There is a venue in Fyzabad which housed the former telephone exchange. The community is prepared to lend money and time to convert that into a primary school but immediate response is needed. During July/August, that can be addressed almost immediately.

When one has the experience, only then can one feel the pain that these children are going through. The time has come when we must really work together and if it requires co-operation and assistance, I can give assurance of that. If it requires a march from Cedros—from all of St. Patrick—I am prepared to join in that as well.

I want to ask the Minister to address this in a most meaningful way, taking into consideration that this is the Year of the Family. We are talking about the future of our young children in Trinidad and Tobago and I now await his reply.

Thank you, Madam Speaker.

The Minister of Education (Hon. Augustus Ramreakersingh): Madam Speaker, having heard the Member for Fyzabad, I have great difficulty in matching all the areas he went into and the actual Motion that was put. But, nevertheless, I think he is well-intentioned, so I will respond appropriately.

The educational division of St. Patrick has 54 primary schools and 12 secondary schools. In fact, in terms of the transition rate from primary to secondary school, the educational division of St. Patrick ranks highest.

Before I get into some of the specific areas the Member raised, may I refer to Vessigny and Palo Seco. Vessigny was to be refurbished and we did that. I spoke

in this House some time in 1993 about the situation with Vessigny and Palo Seco and a dispute over the designs and the plans which went back several years but which has finally been resolved. But I do not want to get into that too much at this time.

Let us look at teachers' facilities, the CXC Examinations and the consequences of certain things on students' performance. Teachers: It is very interesting that the hon. Member, in talking about the vacancies at the level of principals and vice-principals, gave certain figures with the vast majority being in the assisted schools. One has to understand that the Boards of the assisted schools have both a certain responsibility and authority in the selection.

5.50 p.m.

Additionally, there is a situation that arises, not only in St. Patrick, but in every educational division. When, for example, someone is promoted from the position of principal to school supervisor, that means moving from one service to another—from the teaching service to the public service. Unless—and I am seeking to correct that—the Public Service Commission makes an appointment of supervisor, the Teaching Service Commission cannot appoint the principal because technically, a vacancy does not exist. So that crossing of service creates a problem.

In terms of teachers, if we take the period April 1993 to the beginning of the last term in 1994, my information is that at the level of the primary schools, there are 164 vacancies, of which 163 were filled—that is at the level of the primary schools. However, when we put all the primary schools in St. Patrick together, what we see is that in some schools there is under-staffing and in others, over-staffing. It has to do with the movement of students—the changes in student population. Discussions are taking place with the denominational boards to sort out that problem and to have some redeployment. I expect that the situation would be quite satisfactory in time for September, 1994.

In terms of teachers on study leave or no-pay leave over the last two years, I have insisted that no one be granted such leave unless arrangements are made for a replacement to be put in immediately, even if it means delaying the start of that teacher's leave.

In the case of the secondary schools; over the comparable period 1993/1994, there were 78 vacancies; 63 of which were filled. A considerable number of the 15 relate to physical education, art and craft and music, where we have had considerable difficulty in recruiting people. Advertisements went out in

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March/April, and we have not been as successful as we would have liked because in the field of music, for example, the applicants do not, by and large, meet the existing entry requirements. Discussions are taking place between the Ministry of Education and the Director of Personnel Administration about adjusting the qualifications in certain areas because we simply cannot find the people.

Again, we expect that by September—the start of the new academic year—we should, more or less, have come to terms with that, but I should also mention another measure which will have some effect in having vacancies filled more quickly. In February this year the Ministry of Education, after consultation with the Teaching Service Commission, authorized the principals of government secondary schools to interview teachers from the merit list prepared by the commission whenever they have vacancies and to make recommendations. Among other beneficial consequences would be a faster filling of vacancies.

Supplies: I think we must recognize that we are in financially stringent times and we have not been able for some time, to have all we want, when we want it. However, in terms of supplies, each primary school in this country received a science kit this year to assist in the teaching of science. We are putting into place a new system of purchasing materials for the primary schools which will be based on the divisional structure, so that Cedros will not have to come to Port of Spain or go to San Fernando.

As part of the process of decentralizing the management of the system, we will also be doing bulk purchasing of supplies at divisional level, which will have the effect of our money going a little further. I should like the hon. Member for Fyzabad to know that some premises have been located for the St. Patrick Education Division office. It is a building in Fyzabad and we are sorting out the final details so that we can start putting it in order—part of creating a more effective management system to govern the schools so that some of these problems can be handled more effectively and expeditiously.

The CXC and the School-Based Assessment: Recently, CXC in the science areas, introduced new areas for School-Based Assessments. All the countries of the Caribbean are having a problem. At present, we are in discussions with the CXC authorities to see how that matter can be sorted out. The changes that have been introduced demand much equipment and supplies, including consumables and every country of the Caribbean is having a difficulty. We are trying to work that out with the CXC authorities so that students would not be disadvantaged, nor would the quality of the examination or education be compromised.

Overall, in terms of maintenance, St. Patrick, like every other educational division will benefit from the repairs and refurbishment which are going on now—and, which, in fact, started earlier in the year—but the more substantial pieces of work have been left for the vacation period in order not to disrupt school.

Some secondary schools will also be attended to, and perhaps, I could mention Block C of Pleasantville Senior Comprehensive School. This block has been abandoned for about seven years. What I have been able to do so far—although it is not in the Fyzabad region—is to have the piling done. A contract has been awarded and work will start immediately as school ends for the further repairs of that block.

We have a programme of repairs. We are not able to do everything at one time, but we have been assigning priorities. I have no doubt that as we move into September, 1994, while the situation with physical facilities may not be 100 per cent, the situation will be considerably improved from what it is now and we have reasonably adequate facilities in order to proceed with our work.

In the case of the Cedros school, one does not just build a school like that. Preliminary work has to be done—plans, designs and so forth—but the Cedros Government School is one of the schools we have in mind during our negotiations with the World Bank for an education loan for replacement.

6.00 p.m.

Yes, there are problems. We are attending to them. We will be attending to them, and as a result of the new management structure which we hope to have in place by the end of December, we would be able to approach many of these problems much more quickly and much more effectively.

I thank you, Madam Speaker.

Hotel Construction Loan (Tax Exemption)

Mr. Trevor Sudama (*Oropouche*): I think you will sigh a little more after you have heard me.

Madam Speaker, I stand here this afternoon to raise a matter and to perform my function as a Member of this House and of this national assembly. One of my roles here is to monitor the actions and activities of the Executive. One of my functions is to try to save the Government from itself, that it be not led into

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temptation, and that it be delivered from evil. As you are well aware, unrestricted power, unrestrained power and unmonitored power tend to corrupt.

Madam Speaker: Is that the preamble?

Mr. T. Sudama: That is my preamble. I am telling you the reason why I raised this issue here today. This is a fact of life in the world and in the history of politics of unrestricted power. Therefore, my role is to put the spotlight on executive action where I find that something is amiss; where there is an appearance of irregularity, then, it is my duty to highlight it. I also raise this question in view of the experience we have had with PNM governments of the past and the present. These PNM governments have been known to mix business with pleasure and with self-interest.

I have been in this House long enough, and I have experienced the motivations and the actions of Members of PNM governments in the past. I dare say in the case of the Member for St. Ann's East, he mixes business, pleasure, self-interest and added to that is romance at the expense and interest of the people of Trinidad and Tobago.

Mr. Manning: That has nothing to do with you. You do not know how to spell the word.

Mr. T. Sudama: Do not test me. If you want to test me, we will discuss that outside this Parliament.

Mr. Manning: Empty vessel. You are more hot than sweet.

Mr. T. Sudama: Is the Member speaking from experience? I read the *Gazette* very carefully and its various publications, and I find that something is really not right. This is why I have brought this Motion here, to talk about the issuing of an order by the Minister of Finance, an order under the powers exercised by him under section 37 of the Hotel Development Act in which he exempts from tax on an approved loan in the sum of \$37 million from the Bank of Nova Scotia Trinidad and Tobago Limited to Grafton Beach Resort Limited for the purpose of hotel construction, expansion and the purchase of fixtures.

I stand here, and I am not engaged now in personalities. This is not a Motion against the owner of Grafton Beach Resort. This is a Motion to do with the propriety of the actions taken by the Minister of Finance. This is a Motion having to do with the Minister in his personal relations with the owner of Grafton Beach Resort and whether he had gone through the required procedures in exercising his

power under the Hotel Development Act. This is what I am about. It raises a number of questions which I will come to.

But let us go in some sequence. The first question: Is the Grafton Beach Resort Limited an approved hotel? Is the project on which they have been engaged an approved hotel project? I have seen no order issued and signed by the Minister of Trade and Industry or by the Minister of Tourism stating that an order has been issued under section 11 of the Hotel Development Act. I have seen no such thing.

Before an order is issued under section 11, one has to go through a procedure under the Hotel Development Act, as stated in Part II from section 6 to section 10. That is, the people who own the hotel have to submit an application. I want to know whether such an application has been submitted. Upon receipt of the application, the Minister of Tourism—formerly it was the Minister of Industry, Trade and Tourism—would require certain information and plans. The Minister may require that the evidence be satisfactorily submitted to him in respect of any matter relevant to the application, that is, the proposed hotel project; ownership of the hotel, lands to be used in connection with it, the estimated expenditure on the hotel project or the source of the funds thereof. He must have all this information beforehand. If he is satisfied, then he may grant an interim approval.

An interim approval is merely an indication that on the preliminary evidence this project may qualify. After that interim approval has been granted, then the plans, specifications and other details, having been given to the Minister, as soon as practicable, he will determine for the purposes of this Act the estimated amount of capital expenditure on items for the hotel project. After he has got all that and after the project has been completed then the Minister issues an order under section 11, which states:

"(1) When any hotel project has been completed substantially in accordance with the conditions of the interim approval granted in respect thereof, the Minister shall, by Order...declare the hotel in respect of which the hotel project was carried out to be an approved hotel for the purposes of this Act.

6.10 p.m.

(2) An hotel Order made under subsection (1)—

- (a) shall be in such form and contain such particulars as may be prescribed;

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- (b) shall specify the tax benefits granted to the hotel owner or to the hotel operator;
- (c) may impose continuing conditions to be observed by the hotel owner or the hotel operator in default or observation ..."

My contention is that no such order was issued under section 11 of the Hotel Development Act. My further contention is that this project is not an approved project under the terms of the Hotel Development Act, and that when the Minister of Finance exercised his power under section 37(1), which reads as follows:

"...the Minister of Finance, may by Order exempt from tax the interest on an approved loan, for a period of ten years or the period of the loan, whichever is the lesser period,"

he was rather precipitate in his action, when the hotel itself was not an approved project by virtue of an Order issued by the Ministry of Trade and Industry or by the Ministry of Tourism.

When one issues an order under section 11, the order must specify the conditions under which the benefits are to be given. For example, the order is subject to the following conditions:

- (1) The hotel operator shall opt at all times to manage and operate the approved hotel in a proper and efficient manner and in accordance with the Hotel Development Act.
- (2) The hotel operator shall promote, in the operation of the approved hotel, the use and sale of products produced in Trinidad and Tobago.
- (3) The hotel operator shall not practise, or allow to be practised in the operation of the approved hotel, any discrimination on the grounds of race, colour, class, creed or religion in the acceptance and treatment of guests, and so forth.

Without an order prescribing these conditions to be satisfied, the Minister of Finance rushes ahead and gives an exemption of any tax to be paid on the interest on the loan. My question here today is: Why has the Minister's action been so precipitate? Is this because he and the owner of Grafton Beach Resort are chummy and that friendship between them has motivated him to manipulate or circumvent the procedures established under the Hotel Development Act? That is one question which must be addressed here today.

I am told that the Minister can choose his drinking partners, or for that matter his sleeping partners, and that is not a matter of concern to this House. What is of

concern to this House is that regardless of who one's partners are, when one has to enforce the law and regulations, one does so without fear or favour and with regard to satisfying one's responsibilities under the Act.

One can be friendly with anybody. It does not matter, really, if it means removing a brief from one company and giving it to another. If it means giving benefits under tax exemption to one's friends, it does not matter, provided, of course, that proves that one has been acting in accordance with one's powers and that one has not overridden one's powers in doing so. That is why I said at the beginning that my role here is to scrutinize governmental action to determine that there has been no irregularity.

Figuratively speaking, I smell a rat in this whole thing. Something appears to be amiss. Why this hurry? Why this need to anticipate and not to follow the procedures required by law? Even if there has been interim approval given, there has been no final approval given to this hotel project. Why has the Minister rushed off to exercise his power as Minister of Finance? Even if he has the power as Minister of Tourism, then that power is exercisable in advance of the exercise of his power as Minister of Finance. That is my contention here today. Even if he has the power to exercise that as Minister of Tourism, he ought not to have done that as Minister of Finance.

The second issue I want to raise is whether the project has been completed. That exemption is given on the completion of the project. The Act is very clear on this. Section 11(1) says:

"When any hotel project has been completed substantially in accordance with the conditions of the interim approval..."

Has that project been completed in conformity with the conditions? If not, the question that we have to ask is: Is there a relationship between the owner of Grafton Beach Hotel and the PNM Government in a capacity which is causing them to manipulate the rules and regulations? Is there a smell of corruption and irregularity about this whole order which has been issued?

Our problem is that under the system which we operate, we allow Ministers very much discretion under the various Acts we pass. There is no system to bring under scrutiny the actions of Ministers when they exercise their discretion; therefore, I ask that an inquiry be held so that these matters would be aired and dissipated. We have no other power. That is the only thing that we on this side can ask for. There are no standing committees to look at the actions of any ministry on

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an on-going basis. This is one of the great inadequacies and weaknesses of the Westminster model, as practised here.

Ministers are given powers, they exercise those powers for five years, without scrutiny, and then you hold an election which may be determined on other issues, quite apart from the performance of a government. In the meantime, we have no such examination and Parliament cannot and does not, under our present system, play that role.

I have asked a number of questions: whether he has issued an order under section 11; whether the project was completed before he granted the exemptions and now, thirdly, the size of the loan.

6.20 p.m.

This is a project for \$37 million. Thirty seven million dollars for the repair and expansion of a hotel? This must be a five-star hotel! The size of the loan is something that one has to look at. Was this loan justified? Did one get estimates and so forth to justify approval of exemption for a loan for \$37 million? I would like to know what was the current asset value before this expansion development took place at the Grafton Beach Resort—what was it worth—\$5 million, \$10 million? And if in relation to what it was worth then, you are granting exemption tax benefits to a loan of \$37 million, surely, some questions have to be asked. What is the nature of this expansion? Or, is it that a portion of that loan would be used for purposes other than hotel expansion?

We can only know these things if a committee of enquiry is set up to look into this matter. I am saying this against the background of the special relationship that the Government and the Minister of Finance enjoy with the owner of Grafton Beach Resort. That is why I say, that every time I come here and I perform my role as a Member of this House, as a scrutineer over executive action, the Government gets worried and resorts to all sorts of destructions on the other side
[Interruption]

Mr. Manning: Nobody is listening to you. You get what you deserve.

Mr. T. Sudama: You will never determine what I deserve; it is not within your power to do so.

Madam Speaker: Please let us stick to the debate.

Mr. T. Sudama: I have raised three questions so far, I now want to raise a fourth and a fifth, and then ask that this matter be put to a committee of the House for enquiry as to whether:

- (a) the procedures under this Act have been observed;
- (b) the Minister of Finance exercised his authority precipitately in this matter;
- (c) in that exercise of authority, by circumventing or manipulating the regulations as the case may be, he was motivated by a concern of his special relationship with the owner of Grafton Beach Resort?

Madam Speaker: Was it three questions that—?

Mr. T. Sudama: No, no, about five questions, Madam Speaker.

Madam Speaker: But you have already proposed three?

Mr. T. Sudama: Yes, if you want me to reiterate—*[Interruption]*

Hon. Member: Merely for the sake of emphasizing.

Madam Speaker: Hon. Members, please try to get this debate on stream, this is a debate on the adjournment.

Mr. T. Sudama: I am posing these questions in the light—

Madam Speaker: You have proposed three questions and you said you had two more.

Mr. T. Sudama: That is right. I want the Minister to answer whether an order has been issued under section II of the Act. As far as I am aware, having read the *Gazette* there has been no such Order. I have asked a question with respect to the status of the interim approval. An interim approval does not allow him—in the absence of an order issued under section II—to exercise his powers under section 37 of the Act.

I am asking a question on the size of the loan, which seems to be inordinate, given the Grafton Beach Resort's asset value and so forth. I am also asking, when this decision was taken to grant the exemption, whether the hotel was a completed project. It is only on a completed project that the owners and the bank can avail themselves of the facility of an exemption from tax on the interest payable on the loan.

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Fifthly, has the special relationship which may exist between the Minister of Finance and the owner of Grafton Beach Resort motivated him or the Government in taking the course of action taken in this matter.

With these few words, let me say that I have brought the Motion, not out of any personal motivation, I have—

Madam Speaker: Please do not engage in any further preamble.

Mr. T. Sudama: I am not engaging in preamble, I want to reiterate, because they will say that I am attacking people personally in this House. *[Interruption]* I am not doing so, I am doing my duty as a parliamentary representative in the public and national interest of Trinidad and Tobago.

Thank you very much, Madam Speaker.

The Minister of Finance and Minister of Tourism (Hon. Wendell Mottley): Madam Speaker, I think this House would be considerably assisted if this matter were put into some kind of perspective. The fact is that the Hotel Development Act, Chap. 85:02, was assented to way back in August, 1963. It was introduced for a specific purpose: to encourage hotel construction. The fact is that only when one has hotel rooms constructed can one really deliver to the population and to the economic welfare of the country at large the benefits that the tourism industry presents.

The Act was wise and a good piece of legislation and it was specifically directed to encouraging hotel construction. It is relevant now, especially at this time when there is a renewed tourism thrust and we have to build over the next few years at least an additional 3,000 hotel rooms in Tobago and in Trinidad.

The way the Act works, it is really the banks that get tax exempt interest from loans made for this particular purpose. The way the hotel constructor benefits, is that essentially, because of the tax exempt nature of the interest that the bank earns, the bank is enabled to pass on savings to the hotel constructor, through lower rates of interest, and therefore cheaper cost of capital. That is what encourages hotel construction.

Under this Act—which has a long history in Trinidad and Tobago—a number of hotels both in Trinidad and Tobago benefited. From the information provided to me, both from the Ministry of Finance and the Ministry of Trade and Industry, the first one to benefit was Allied Inkeepers of Trinidad and Tobago back in 1974; then in 1976 Kapok Hotel and Restaurant Limited benefited; 1981, Holiday Inn; 1984 Farrell House (1975) Limited was a beneficiary; and then in 1989 Grafton

Beach Resort benefited under this Act. That was the first time Grafton Beach Resort was constructed in Tobago.

Following that, in our term, Kariwak Village Limited, in 1992; Palm Tree Village Limited in 1992; and then in another application to which the Member is referring, Grafton Beach Resort which, having built 100-odd rooms in 1989, are now expanding and building a further 80 rooms. They have applied again in 1994 and since then we have also given approval to Conrado Beach Resorts, 1994.

6.30 p.m.

Mr. Sudama: Would the Minister give way to a question, for my own edification? Is this loan in respect of the expansion done in 1989 where 100 rooms were added to Grafton Beach Resort, or is it in respect of what they are doing in 1994?

Hon. W. Mottley: In respect of 1994. Conrado Beach Resorts, 1994, has applied and been granted; and most recently, now being processed is another application from Turtle Beach Hotel, all under this particular piece of legislation.

Madam Speaker, with respect to the Motion now before the House posed by the Member for Oropouche, the Minister of Finance by virtue of section 37 of the Hotel Development Act, granted exemption from tax on the interest on an approved loan obtained by Grafton Beach Resort Limited for the purpose of constructing, equipping and refurbishing the Grafton Beach Resort. Immediately after the order was published it was realized that the action was premature, in that such action was subject to the project being declared an approved hotel by Order of the Minister of Trade and Industry. In this regard, hon. Members should note the following:

The benefit conveyed by the Exemption from Tax Order is available to the hotel owner. In fact, Grafton Beach Resort Limited has been granted interim approval under section 8 of the Hotel Development Act in respect of the Grafton Beach Resort. That is in response to the Member's question.

The initial hotel project has been completed—that is the initial one back in 1989—and action is in train to grant final approval. There were certain things that the House of Assembly had to do. Such action will result in the project being declared an approved hotel by order of the Minister of Trade and Industry. Subsequent to the publication of the Exemption from Tax Order, action to finalize this matter has been accelerated.

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As previously intimated, the Exemption from Tax Order was issued under section 37 Part IV of the Hotel Development Act, as governed, however, by section 30, which reads as follows:

"30. Where in an hotel Order under Part II any hotel, whether a new hotel or otherwise, has been declared to be an approved hotel the provisions of this Part apply with respect to that hotel notwithstanding the Income Tax Act or any other law."

As reference to section 30 is made in section 37; it is quite easy for action to be pursued without cognizance being taken of section 30. This, in effect, is what happened and caused the premature issue of the order. In order to avoid a recurrence of this problem, we propose to amend the Hotel Development Act.

But the matter has to be put in perspective. There was an original hotel; it is essentially completed. There is an addition of 80 rooms; it is well under construction. It is not a figment of the imagination. In fact, from what I understand, walls are up, rafters are beginning to go up, electrical wires are being drawn and this is a substantial addition to the project.

With regard to the particular matter raised about the size of the loan of \$37 million. I am only recently in the portfolio of Minister of Tourism, but at a conference in New York recently, it was clearly recognized that three-and-four-star hotel construction is in the order of US \$100,000 per room. Ritz Carlton, which is at the top of the line, and which group we have been wooing for hotel investment in Trinidad and Tobago, has for its five-star properties construction costs of US \$250,000 per room. If one takes the 80 rooms multiplied by the minimum standard of US \$100,000, one will see a value just short of TT\$50 million. Therefore, the \$37 million for the loan is not out of keeping with this, especially since I understand that the Grafton Beach Resort extension is being completed to standards in excess of the original construction.

Mr. Sudama: Would the Member give way to a question? I am confused about the three-star, four-star and five-star. Could the Minister tell me specifically, with respect to the Grafton Beach Resort, what is its status and what kind of figure would be put on the construction of one hotel room?

I am not asking about the United States and elsewhere; I am asking about Grafton Beach Resort in Tobago, and in light of that whether this loan was justified. Give me some TT dollars.

Hon. W. Mottley: Madam Speaker, I am not the banker to the project. I have given international standards and any construction in Tobago is to an international market clientele, so it cannot conform to any and every kind of local standard one may want. I am telling the Member for Oropouche that US \$100,000 per room for hotel construction in Trinidad and Tobago is a standard with which the industry will not find difficulty, and it is far below, if one goes to the highest standards.

The bankers to the project, who have to satisfy themselves on these matters—and not the Minister of Tourism—would better address the details of the question being raised by the hon. Member.

Thank you, Madam Speaker.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 6.35 p.m.

WRITTEN ANSWER TO QUESTION

Local Government Bodies (Vehicles and/or Heavy Equipment)

The following question was asked by Mr. Mohammed Haniff (Princes Town) earlier in the proceedings:

113. Would the Minister state:

- (a) How many vehicles and/or heavy equipment are attached to each local government body?
- (b) The number of vehicles and/or heavy equipment there are under the various categories?
- (c) How many of these vehicles and/or heavy equipment were on the register during the years 1990, 1991, 1992 and 1993?
- (d) How many of these vehicles and/or heavy equipment were licensed during the years 1990, 1991, 1992, 1993 and to date for 1994?

Pursuant to his reply to question 113 earlier in the proceedings, the Minister of Works and Transport and Minister of Local Government (Hon. Colm Imbert) caused to be circulated to Members of the House the following statistics:

*Written Answer to Question**Friday, July 01, 1994*

MINISTRY OF LOCAL GOVERNMENT
MUNICIPAL CORPORATIONS-VEHICLES/EQUIPMENT INVENTORIES

REPORTING DATE – MAY 31, 1994

CORPORATION	FLATBED TRUCKS	DUMP TRUCKS	PICKUPS JITNEYS JEEPS	OVER LOADERS	BULL DOZERS	GRADERS	WATER TENDERS	ROLLERS	WHEEL TRACTORS	BACK HOES	UNI-MOGS	CESSPOOL EMPTIERS
Port of Spain	15	9	14	1	1	-	-	4	-	3	1	-
San F'do	9	5	20	-	-	-	-	1	1	1	1	2
Point Fortin	1	6	8	-	-	-	-	3	3	2	1	2
Arima	6	2	7	1	-	1	1	-	-	-	-	-
Chaguanas	3	3	4	-	3	1	-	4	3	4	1	8
Diego Martin	1	4	5	-	1	-	-	4	2	2	2	1
San Juan/ Laventille	3	11	6	-	1	1	1	5	2	3	2	3
Tunapuna/ Piarco	8	9	9	-	1	1	1	5	2	4	2	3
S/Grande	4	7	3	-	-	1	-	1	4	3	2	3
Couva/ Tabaquite/ Talparo	2	3	3	-	1	-	-	4	6	2	-	4

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CORPORATION	FLATBED TRUCKS	DUMP TRUCKS	PICKUPS JITNEYS JEEPS	OVER LOADERS	BULL DOZERS	GRADERS	WATER TENDERS	ROLLERS	WHEEL TRACTORS	BACK HOES	UNI-MOGS	CESSPOOL EMPTIERS
Mayaro/ Rio Claro	9	5	9	-	2	1	1	9	5	3	1	3
Penal/Debe	-	2	1	-	-	-	-	3	4	2	-	2
Princes Town	9	2	5	-	3	1	-	6	6	3	2	8
Siparia	2	5	3	-	1	1	-	3	4	3	2	4
Total	72	73	97	2	14	8	4	52	42	35	17	43

REPORTING DATE – MAY 31, 1994

CORPORATION	WRECKERS	ROLLTOP GARBAGE	COMPACTORS	TRAILERS	BRUSH CUTTERS	COMPRES-SORS	GENERA-TORS	WELDING PLANTS	CONCRETE MIXERS	FORK LIFTS	DOG CATCH UNITS	TOTAL
Port of Spain	-	5	21	2	-	2	-	-	-	-	-	78
San F'do	-	-	5	-	-	-	-	-	-	-	-	45
Point Fortin	-	1	1	5	1	-	-	1	-	1	2	38
Arima	-	-	9	-	-	-	-	-	2	-	-	29
Chaguanas	1	4	-	1	-	-	-	-	-	-	1	41
Diego Martin	-	-	-	5	1	1	1	-	-	-	-	30

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CORPORATION	WRECKERS	ROLLTOP GARBAGE	COMPACTORS	TRAILERS	BRUSH CUTTERS	COMPRESSORS	GENERATORS	WELDING PLANTS	CONCRETE MIXERS	FORK LIFTS	DOG CATCH UNITS	TOTAL
San Juan/ Laventille	1	-	-	5	-	-	-	1	-	-	-	45
Tunapuna/ Piarco	1	4	4	4	-	1	-	-	2	-	1	62
S/Grande	1	-	-	7	-	1	-	-	-	-	-	37
Couva/ Tabaquite/ Talparo	1	4	-	3	-	-	-	-	-	-	-	33
Mayaro/ Rio Claro	-	2	-	3	-	-	-	-	-	-	-	53
Penal/Debe	-	1	-	3	-	-	-	-	-	-	-	18
Princes Town	1	2	-	9	4	1	-	-	-	-	-	62
Siparia	-	1	-	5	1	-	-	-	-	-	-	35
Total	6	24	40	52	7	6	1	2	4	1	4	606

NOTE: REDUCED FIGURES REFLECT BOARD OF SURVEY CONDUCTED AFTER 94.03.31