

Leave of Absence

Friday, August 05, 1994

HOUSE OF REPRESENTATIVES

Friday, August 5, 1994

The House met at 1.45 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 Arouca South (Hon. John Eckstein).

CONDUCT IN THE PUBLIC GALLERY

Madam Speaker: I wish to draw a matter to the attention of persons sitting in the public gallery.

Reports have been made to me that during tea breaks and other periods when the sitting of this House is suspended, persons in the public gallery insult Members of Parliament. Remember that this is a privilege that has been granted to you to observe and listen to the proceedings in Parliament.

Should such conduct recur, I would definitely have the police officers clear the public gallery. I should not like to do this, so I am advising members of the public that during the tea breaks and other periods when the House is suspended, all due respect be given to Members of Parliament, and they be allowed to do the job that they have been put here to do without insult and harassment.

This is the last time I will be warning members of the public. Please try to control yourselves.

PAPERS LAID

1. Report of the Auditor General on the accounts of Trinidad and Tobago Export Credit Insurance Company Limited for the year ended December 31, 1993. [*The Minister of Finance (Hon. Wendell Mottley)*]
2. Report of the Auditor General on the accounts of the Small Business Development Company Limited for the year ended December 31, 1993. [*Hon. W. Mottley*]
3. Report of the Auditor General on the accounts of Investment Recoveries Limited for the year ended March 31, 1993, and on other selected audit activities. [*Hon. W. Mottley*]

Papers 1 to 3 to be referred to the Public Accounts (Enterprises) Committee.

ORAL ANSWERS TO QUESTIONS

The following questions stood on the Order Paper:

**Shortage of Surveyors
(Lands and Surveys Department)**

121. Could the Minister of Planning and Development state:

- (a) The number of surveyors who are at present attached to the Lands and Surveys Department of the Ministry of Planning and Development?
- (b) Whether there exists a shortage of land surveyors at the department?
- (c) If such a shortage exists at the department, how is this affecting the operations of the department?
- (d) If he is aware that survey work at Ablack Trace, Calcutta Road No. 2 is being delayed as a result of a shortage of surveyors at the department?
- (e) What he intends to do to ensure that surveying works which need to be done throughout the country will not be delayed? *[Mr. R. L. Maharaj]*

**Sewer Systems
(Tobago)**

130. (i) Is the Minister of Public Utilities aware that:

- (a) Through WASA two public sewer systems were designed by the engineering firm ADeB Consultants for Tobago?
- (b) One system was to cover the town of Scarborough and environs and the other to cater for the hotel corridor between Plymouth and Crown Point?
- (c) A contract was awarded to Dive Masters for the construction of the Scarborough Sewer System in 1989 and that the plant was commissioned in 1991 but to date, remains non-functional?
- (d) An interim package treatment plant was constructed at Sangster's Hill to treat sewage from the Scarborough Public Library, Scarborough Shopping Mall and First Citizens Bank, pending permanent connection to the Scarborough Public Sewer System?

- (e) The interim package treatment plant at Sangster's Hill has been non-functional for quite some time and that raw sewage flows into Rockly Bay, thus posing a serious health hazard to unsuspecting bathers?
- (ii) Would the Minister tell this House what are his plans to deal with this critical problem? [*Miss P. Nicholson*]

**Sewer Treatment Plant
(Tobago)**

131. Is the hon. Minister of Public Utilities aware that because of the serious threat to the marine environment along the south western coast of Tobago, posed by a string of poorly functioning or non-functioning package treatment plants at Crown Point Airport, Crown Point Hotel, Tropikist Hotel, Sandy Point Condominiums, Bon Accord and Buccoo Housing Developments, and Mount Irvine Bay Hotel, the Government of Trinidad and Tobago signed an agreement with the IADB in December, 1988, which provided funds for:

- (i) A central collective system and tertiary treatment plant for south-west Tobago?
- (ii) Completion of the Scarborough Sewer System?

If the answer is in the affirmative, can the Minister tell this House:

- (i) What was the total amount of funds available under this agreement?
- (ii) How much has been accessed to date?
- (iii) How much has been allocated to the two sewer systems that were designed by the engineering firm ADeB Consultants for Tobago, and how has it been utilized? [*Miss P. Nicholson*]

**Solomon Hochoy Highway
(Non-functioning Street Lights)**

132. Could the Minister of Public Utilities state:

- (a) What machinery is used to determine that street lights have stopped functioning?
- (b) Whether he is aware that the street lights along the Solomon Hochoy Highway, especially between the Couva and Claxton Bay area, have not been functioning for months now?

- (c) What steps are being taken to ensure that this problem is addressed expeditiously? *[Mr. M. Haniff]*

**Street Lights
(Rural Areas)**

137. In view of the commitment given in the 1994 Budget Speech that part of the proceeds from the divestment of state enterprises will be allocated to the provision of street lights in rural areas, could the hon. Minister of Finance state:

- (a) Whether any funds have thus far been released for the provision of street lighting?
- (b) To which agency/agencies such funds have been released?
- (c) If no funds have as yet been released, to which agency/agencies it intends to release funds when they become available? *[Mr. T. Sudama]*

Expenditure on Road Repairs

138. Could the Minister of Works and Transport provide the following information:

- (a) The total expenditure on road repairs and improvement on the Naparima/Mayaro Road between the 20.5 kilometre mark and the 25.5 kilometre mark (approximately 3 miles) from the beginning of 1994 to date?
- (b) The total expenditure on road repairs and improvement on the S.S. Erin Road between the 1 mile mark and the 4 mile mark from the beginning of 1994 to date?
- (c) The total expenditure on road repair and improvement on the La Fortune-Pluck Road between the 0 mile mark and the 3 mile mark from the beginning of 1994 to date?
- (d) The total expenditure on road repairs and improvement on the San Francique Road between the 0 mile mark and the 3 mile mark from the beginning of 1994 to date? *[Mr. T. Sudama]*

The Minister of Education (Hon. Augustus Ramrekeringh): Madam Speaker, I should like to inform Members that today we shall be able to take

question No. 114 on the Order Paper, and we seek one week's deferment for all the other questions.

Mr. Maharaj: Madam Speaker, I know that the hon. Member for St. Joseph is acting today and I do not really want to blame him, but most of these questions have qualified since the month of June. One question has qualified since April of this year. I wonder, since Parliament is likely to come to an end in the next few weeks, whether we could ensure that these questions are answered in one way or the other, even if it means suspending the Standing Orders so that the questions would not lapse.

Hon. A. Ramrekersingh: I take the point that the questions would have qualified at a particular time and they appear in a particular sequence. I can give the assurance to this House that in respect of the questions for which I have asked for a deferment, almost all are at a very advanced stage of preparation.

Questions, by leave, deferred.

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

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

Would the hon. Minister 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 there are 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?

The Minister of Works and Transport and Minister of Local Government (Hon. Colm Imbert): Madam Speaker, the total number of vehicles and/or equipment on the register of the Ministry of Works and Transport and those licensed during the years 1991 to 1994 is as follows:

Year	Vehicles Registered	Vehicles Licensed
1990	583	223

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Year	Vehicles Registered	Vehicles Licensed
1991	580	214
1992	566	158
1993	617	159
1994	617	153

The breakdown outlining the various categories of vehicles and equipment and the annual distribution of vehicles and equipment among the various divisions and districts is available in written form for the hon. Member and I shall pass it to him within the next few minutes.

Mr. Haniff: My question indicated "in each section of the Ministry of Works". If the Minister is prepared to provide the details in writing, fine, but I have noticed that this is the second time that I have asked for information on sections and he provides a total which does not give me the opportunity to distinguish what is happening in the various sections.

Hon. C. Imbert: Madam Speaker, as I said, the detailed breakdown in each division and district is available in written form and will be passed to the Member shortly, as was done on the other occasion.

ORDER OF BUSINESS

The Minister of Education (Hon. Augustus Ramrekersingh): Madam Speaker, it has been mutually agreed that with your leave we shall proceed today with Bill No. 2, under "Bills Second Reading", and then Bill No. 1, Finance (No. 2) Bill. In other words, we are just reversing the order.

Leave granted.

1.55 p.m.

PROTECTION OF WRECKS BILL

Order for second reading read.

The Minister of Works and Transport and Minister of Local Government (Hon. Colm Imbert): Madam Speaker, I beg to move,

That a Bill to secure the protection of wrecks in the Territorial Waters of Trinidad and Tobago and the sites of such wrecks from interference by unauthorized persons and for related purposes, be now read a second time.

The purpose of the Protection of Wrecks Bill is to lay claim to historical wrecks, to secure the protection of such historical wrecked vessels and the sites of such vessels from interference by unauthorized persons; and thirdly, to prohibit the approach of unauthorized persons to dangerous and abandoned wrecked vessels.

The legislation specifically pertains to wrecked vessels discovered in the waters of Trinidad and Tobago. The need for this legislation arose after the discovery of two cannon and other archaeological artifacts in 1991 when excavation works were ongoing for the deep-water harbour at Scarborough. The find at that time supported available historical records which indicated that several ships of European Flag had been sunk in the coastal waters off Trinidad and Tobago over the last several hundred years.

The records indicate that many naval battles were fought in the waters around Tobago in particular and Apodoca's fleet, specifically, was burnt in Chaguaramas Bay. Such wrecks are of archaeological and historic importance to the entire world. They are also of primary economic significance to the citizens of Trinidad and Tobago.

With respect to the two cannon found at Scarborough Tobago during the construction activities for the harbour, and the control of unlawful removal, this matter was directed to the Ministry of Works and Transport in January 1992, by the Ministry of Agriculture, Land and Marine Resources, based on a recommendation coming from the Tobago House of Assembly. The Tobago House of Assembly had determined that persons were unlawfully removing artifacts from the wrecked vessels found in the Scarborough Harbour.

The particular cannon have been identified as being of French origin and estimated to be of value in excess of \$2 million. The Ministry of Works and Transport was requested to take steps under the provisions of the Marine Preservation and Enhancement Act, Chap. 37:02, to designate the Scarborough harbour a protected site for promotion of scientific study and research. However, this Act proved to be inadequate for the purpose of securing the wrecked vessels in question, and generally did not allow the Government to deal with the matter in a satisfactory manner at the time.

The Ministry, subsequently, has recognized that these wrecked vessels contain substantial value in terms of artifacts, as many date back through the fifteenth and nineteenth centuries. It was, therefore, felt that matters relating to the rights of property in such wrecks should be clearly defined so as to protect the legitimate interests of the citizens of Trinidad and Tobago.

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As a result, the legislation before the House today was drafted and it effectively addresses the issue of property in naval archaeological wrecks, and the administration of these wrecks, so as to secure the national interest. It was also felt that given the dangers associated with certain wrecked vessels, it might be necessary to prohibit the approach of persons to dangerous and abandoned wrecked vessels.

In drafting the legislation the ministry relied on precedents in other countries. For example, we examined similar legislation from the Bahamas and the United Kingdom. These countries have a long history of seeking to protect and preserve the rights of property within historical wrecks and wrecks of archaeological importance.

The other issue of specific concern is the claims that may arise from persons wishing to claim ownership to the property and the artifacts found in the wrecks, and the grey areas which might surround the right of several or joint parties pursuant to the discovery of a wreck. As a result, the legislation before this House—it was amended in the other place—specifically provides that the property in an abandoned wreck—and I shall come to the meaning of an abandoned wreck in due course—is vested in the state and the claims of all persons to an abandoned wreck are barred. I merely mention that; I do not wish to bring the debate in the other place into this House.

I might also say, that some other amendments which arose included making the export of artifacts found in abandoned wrecks an offence, and also dealt with making it mandatory for persons who discover wrecks to notify the authorities within a reasonable time.

The definition of abandoned wreck in this Bill is:

"...any wreck which has remained continuously upon the seabed within the limits of the waters of Trinidad and Tobago for a period of fifty years or more;"

That 50-year time frame is very important. One would realize that 50 years ago the world was engaged in World War II, and I am advised that during World War II the Gulf of Paria was a principal route of relatively safe passage for merchant vessels. However, towards the end of the war, between 1942 and 1943, there was much activity by German submarines in the area, and it is estimated that at least 31 merchant vessels were sunk by German U-Boats in Trinidad and Tobago territorial waters.

The cargo on these vessels is assumed to contain bullion, precious metals, gold, silver, copper, aluminium and other valuable cargo. Therefore, one can see that in view of the fact that there are several wrecked World War II merchant ships in our waters, the value of the cargo in these vessels could be of tremendous significance, this is why the 50-year time period has been put in.

As one goes further back there were several important naval battles in our waters in the 1700s related to the American War of Independence, where the French used the opportunity of the American revolution [*Interruption*]. As I was saying, during the American War of Independence in 1776 and thereafter, the French used the opportunity of the American revolution to launch an attack on British interests in the Caribbean. As a result, there were several naval battles between the French and the British in Trinidad and Tobago waters, and a number of French and British ships were lost during that period.

Thereafter, there were other encounters when Admiral Lord Nelson was campaigning in the Caribbean during the French Napoleonic wars around the early 1800s. In addition, in the sixteenth century the French government gave French privateers a legal right, which was called Letters of Mark, which enabled French pirates to attack Spanish shipping vessels and retain a portion of the cargo.

The reason for this diversion into history, Madam Speaker, is to indicate that it is estimated that within Trinidad and Tobago's territorial waters there are a number of wrecked vessels which may have cargo of tremendous value. Not only World War II vessels but vessels relating as far back as the sixteenth century and so forth.

2.05 p.m.

Madam Speaker, may I make it absolutely clear that one of the purposes of the Bill is to allow the Minister to grant a licence to persons who may wish to carry on archaeological excavations to recover cargo in wrecked vessels; there is no intention to allow persons to recover and keep for their own purposes any artifacts of historical significance.

The intention is that if a person wishes a licence to carry out an archaeological excavation to recover property from an abandoned wreck, a cargo that is not of historical or archaeological significance such as cargo of aluminium, copper or bronze or any other metal which has commercial value, the person would recover the non-historical cargo and use the sale of that cargo to recover the cost of the expedition. The Government does not have the technology and the resources to get involved in archaeological expeditions of this type. The intention is to grant

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licences to persons, who will recover property, all archaeological artifacts will be the property of the state.

There are serious charges if one breaches the provisions of the legislation. One would be subject to a fine of \$50,000.00 and three years imprisonment. This is in the amendments made in the other place to clause 14; one can see the penalties are quite severe. The intention is to get into an arrangement with a person or organization to carry out the expedition. They would hand over all the artifacts to the state and the state will enter into an arrangement with them to share the proceeds of any other cargo they may find, which may have some value. Without this legislation, it would be virtually a free-for-all, and, as happened at Scarborough, Tobago, persons raided, they plundered the wrecks that were found in the waters around Tobago and got away with a lot of valuable cargo, the state and its citizens receiving no benefit.

What we are seeking to do here, is to set a legal framework to allow these archaeological excavations, to prescribe certain offences, to place certain fines and so forth, and thereby allow archaeological expeditions to proceed.

I beg to move.

Question proposed.

Mr. Raymond Palackdharrysingh (*Caroni Central*): Madam Speaker, today we have had a rare treat from the Member for Diego Martin East: a man who cannot clean a drain is now a pioneer in the salvaging of wrecks. All of a sudden this Lilliputian has grown into a giant; he has been taking on tremendous work; apart from that, the historical concerns about the waters of Trinidad and Tobago and the treasures therein, particularly the treasures of wrecks.

In spite of the Minister's historical overview of the matter, it is very disappointing that he did not locate this legislation in the context of the law of the sea and what the implications are for Trinidad and Tobago. Within recent times, it is very clear that the world community has been able to define new relationships with respect to territorial waters and exclusive economic zones. More than that, it is clear that Trinidad and Tobago is a very peculiar case in this sense, because it is a twin-island state it is regarded as an archipelagic state. That is crucial and if one could locate this piece of legislation within the context of the new international standards, one would see very obviously that some of the postulates enunciated by the Minister seem to be mere redundancy.

What is in the territorial waters of Trinidad and Tobago and anything involved therein ought to be the property of the state of Trinidad and Tobago. Then there is the Venezuelan factor: The Minister mentioned that the Gulf of Paria was quite an important area with respect to shipping, especially during the war years, but he has not mentioned disputes that may arise over wrecks lying in the Gulf of Paria. Our claims may infringe upon the rights of Venezuela—what is the mechanism for dispute resolution in that case?

The body of water between Trinidad and Venezuela is merely seven miles wide and since Trinidad cannot claim all that seven miles, I think a median line has to be drawn between Trinidad and Venezuela. Therefore, in cases of conflict, what is the process for resolution? That is a critical question that needs to be asked. I am wondering why the need for this piece of legislation, especially in light of the fact that the world community has now accepted, through the law of the sea, territorial limits as sea up to twelve miles off the coastline. That is an important issue and the Government needs to state its position in that respect.

2.15 p.m.

Madam Speaker, I cannot understand the Minister trying to save wrecks from the sea when he cannot even save or clean a drain or river course in Trinidad and Tobago.

This legislation seems to be patterned, basically, after the United Kingdom legislation. The United Kingdom legislation does not give a time limit of 50 years. This is very interesting because while the Minister has tried to justify 50 years or more as the time when this Bill would apply to wrecks, what happens if a wreck is discovered which has been there for 49.9 years? We would not be in a position to do anything about it whatsoever. Therefore, this arbitrary and absurd time limit seems not to make any sense whatsoever.

In any event, I do not think that the Minister has justified this, by saying that during wartime many ships sank and, therefore, since the Second World War occurred during that period, that is the justification. I find that extremely weak. If they look at the UK Act they would see that the United Kingdom did not stipulate any time limit especially with regard to wrecks.

How come this Bill is so important at this time in the country's history when sections 323(2) and 341 of the Shipping Act, No. 24 of 1987 gives the Minister power to appoint a Receiver of Wrecks, whose duty is to take charge of wrecks reported to him? The Receiver can initiate the prosecution of anyone plundering the wreck or obstructing the Receiver in any way. The Act also imposes a duty on

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anyone who finds a wreck to deliver it or report it to the Receiver. The Shipping Act might be more in conformity with what is required because it applies to vessels wrecked now and could be applied to older wrecks discovered some time ago. Why is this piece of legislation before this House when already there are provisions by which the issues of concern to the Government could be dealt with?

The other thing of note is that this Bill gives the Minister of Works and Transport and Minister of Local Government power to declare an area an abandoned wreck. He has tried to define this abandoned wreck precisely in terms of its historical and archaeological value and he attempted to make a case for other wrecks that might have been commercial in terms of their content—iron, copper and so forth. This restricted area is going to be defined merely at the Minister's discretion.

The Minister has indicated to us what sort of competence he has to guide him in terms of restricted areas and how he would come up with that. That seems to be of some concern because it makes for very arbitrary action on the part of the Minister and it gives him the power to designate an area around a wrecked vessel a prohibited area, because something carried in the wreck is a potential danger to life and property.

There are other things far more dangerous than wrecks lying there 50 years and more. When the American warships come into our waters with all their dangerous properties on board—toxic waste and so forth—I wonder if sometimes we think about declaring those areas dangerous. That has to be something of a joke in this piece of legislation because prohibited area, especially as a potential danger to life and property, has not been explained by any sort of examples in the past.

Madam Speaker, a wreck will be advertised in the newspapers as being discovered. What sort of claim can one expect in this situation from the owners? That seems to be merely for academic reasons. People who might have lost these ships or vessels might be residing in far away places, for example, Nova Scotia or Liverpool. How would they source that information from Trinidad newspapers?

There is a great claim by the Minister that archaeological and historical findings ought to be preserved for future generations. Let him say to us why his Government has not proclaimed the National Trust Act, 1990 which was assented to on December 1, 1991. Why not?

Is the National Trust Act not important? Has it not dealt, in even a much more comprehensive way, with the natural heritage of Trinidad and Tobago, and,

therefore, if it was proclaimed, under some of its measures the Government would have been able to carry out some of its posturings that the Minister of Works and Transport and Minister of Local Government seems to be indulging in today in this House?

The Minister has to explain why this Act is not proclaimed. It seems to me that it is the pattern of this Government not to proclaim certain Acts. I do not know whether it is militating against its own interest, but if this House passes a Bill, it ought to be proclaimed law. Therefore, I do not understand why the Government is stalling the proclamation and implementation of such pieces of legislation.

2.25 p.m.

When we look at *Sunday Newsday* of July 10, 1994, we see the headline: "National Treasures in Danger," and there is absolutely no commitment by the Government to provide even meagre resources to protect some of these treasures.

We have seen that the Government is deliberately causing the national Museum to be run down and it must explain why it has treated the National Museum that way. A piece of treasure that, for years, has been an inspiration to many—particularly the young people of the country; school children come from all parts of the country to visit the museum—and there is no concern for the proper functioning of that institution, or the preservation of some of the museum pieces.

Madam Speaker, let me quote a part of this article from *Sunday Newsday*, July 10, 1994—

"Sources told *Newsday* that the country and its Museum's image abroad is threatened because the Ministry has stalled in reappointing technical staff whose contracts have expired. Friends of the Museum fear that the institution may find itself in an embarrassing position within the next few weeks when consultants from the European Economic Community (EEC) arrive to train museum staff to operate some \$1 million worth of equipment given to the museum by the EEC and discover that there is no staff to be trained.

An additional \$2 million worth of audio-visual and other equipment from the Japanese Government to assist in the diorama for Fort Andreas are lying idle for the same reason.

Newsday understands that the Ministry has not renewed the contracts of any of the museum's substantive staff, which includes a researcher, buildings

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manager, chief of security, secretary to the curator, among other technical staff to operate the equipment."

So, while the Government is bringing legislation with a big hue and cry for the discovery and preservation of natural artifacts of historical and archaeological value, it has no concern about things already in train. This, therefore, gives one the impression that because the Government does not know what to do, or where to go from here, it is merely finding a diversion from the more pressing problems of the day.

The Minister spoke about two cannon—I think he called them bronze or copper cannon—which, I believe, the French were claiming at sea. But if the French are now claiming those cannon, it means that the Government was aware of the cannon somewhere in the waters of Trinidad and Tobago and made no attempt to retrieve them, but only at this point raise an issue.

Not only have we been told that the cannon have been removed, but it has also been brought to our attention that there are other things that have been plundered and they have been purchased from those who have found them and some of these artifacts are now in places like Florida, and so forth.

Clearly, funds, machinery and resources are needed for retrieving and preserving all the artifacts here for future generations, but I do not think that the legislation deals with this type of thing. It is a wishy-washy piece of legislation that does not indicate what is going to be done after the retrieval in terms of treatment, preservation, display and, of course, building its importance and meaning into the national psyche. These situations leave much to be desired, and which the Government must rectify.

When one looks at it—of course, we are now aware that there are amendments coming from the other place, but even in those amendments—we do not seem to have very clearly in our minds what we would like to do. For example, in the new clause 6, it says that it is going to prohibit the export of any wrecks to other places. But wrecks sometimes do not exist merely as a complete and undivided whole. If that clause is to remain the way it is, then one can remove cannon or other national treasures and send them away.

That amendment, therefore, ought to be changed to include "any wrecks, or part thereof, should not be exported" That is of some concern, because if other things can be exported, so can portions. Who would take a whole wreck if the valuable part of it could be got in a very economical way without having to go through the expense of other things?

These are some of the issues we wish to raise. At this point we do not think very much is going to happen about wrecks and so forth. We merely see this piece of legislation as enabling the Government to mark time, because it is not in a position to deal with some of the other critical issues in the country today. It wants to give the impression that it is in control.

I merely want to make reference to the Law of the Sea Convention, which deals with measures to prevent, reduce and control pollution of the marine environment, including the coastline; the interference of the ecological balance of the marine environment, with particular attention being paid to the need for protection from the harmful effects of activities such as drilling, dredging, excavation, disposal of waste, construction and operation or maintenance of installation pipelines, and so forth.

I am yet to hear the Government indicating within these broad parameters, even in terms of excavation, dredging or salvaging, what are some of the safety measures that are going to be employed in carrying out activities in the sea. It is painful to see that the Government would have to grant licences to other people to access the artifacts. If these treasures are so important to the national, historical and archaeological perspectives of a Trinidad society, I am wondering why the resources are not provided for the state to take the initiative to pioneer these works. The Government should make it known that it is in charge, and is leaving no stone unturned to prevent anyone from deceiving the Government about what is there.

2.35 p.m.

Madam Speaker, Government's posture about not having the resources to do this only shows that it is not really seriously concerned about these wrecks. As a matter of fact, it might be a mechanism to give the Minister discretion so that when he grants a licence, perhaps, things might go the way he sees it—especially on his own behalf.

We do not see any great hue and cry for this piece of legislation, and we do not really know how important it is for us as a country to make a big fuss about this, especially in the light of Government's failure to proclaim Acts and enforce existing measures. This merely seems to be a red herring to give the Government some breathing space in the way it mismanages this country.

Thank you very much, Madam Speaker.

The Minister of Works and Transport and Minister of Local Government (Hon. Colm Imbert): Madam Speaker, I would now respond to some issues raised by the Member for Caroni Central.

Firstly, let me deal with an issue which the Member raised towards the end of his contribution. He questioned an amendment that came from the other place which makes the export of a wreck an offence. He also indicated that persons would not seek to export an entire wreck, but would surely try to plunder the artifacts—such as the cannon and so forth—and take them away. Therefore, this clause was defective and should be amended to include cargo.

I refer the Member to the said amendments—it is clear to me that the Member has not read the amendments—which is not unusual. If one looks at the definition of a wreck, one would see that it includes cargo, equipment, stores and other objects, flotsam, jetsam, laggan and derelicts found in the waters or on the shores of Trinidad and Tobago. I believe that description adequately covers any conceivable item found in any conceivable abandoned wreck in Trinidad and Tobago. I suggest that Members read legislation before asking for unnecessary amendments.

In addition, the Member questioned the relevance of the legislation specifically with the existence of the Shipping Act. This legislation came about because it was determined that existing legislation was not adequate to deal with the problems that arose specifically with the discovery of the abandoned historical wreck in the Scarborough harbour. In introducing the Bill, I made reference to the Marine Preservation and Enhancement Act under which the ministry attempted to establish the Scarborough harbour as a protected site in order to protect the historical artifacts in the wrecks found there. I said that legislation was found to be inadequate.

So, too, Madam Speaker, the Shipping Act is inadequate and it was found necessary to have a specific piece of legislation—as many other countries in the world already have—to deal with the property in abandoned wrecks.

Might I also say that with regard to the law of the sea, it defines certain rights of sovereign states, but it does not adequately address the question of the rights to property in abandoned historical wrecks. The Member spoke about disputes with the Venezuelans with regard to property line in the Gulf of Paria.

There are a number of different boundaries when one deals with the Law of the Sea. The 12-mile limit is defined as high seas under the law of the sea and if there is no adjacent state which has a 12-mile boundary which overlaps our 12-

mile boundary, then the high seas around Trinidad and Tobago are those waters within a distance of all 12 miles of the land areas of Trinidad and Tobago. That is the definition of the high seas.

However, when the distance between two adjacent states is less than 24 miles, there has to be an agreement on the marine boundary between the states. Since the distance between Trinidad and Tobago and Venezuela is less than 24 miles at a certain point—as a matter of fact it is approximately seven miles—the law relating to high seas cannot apply in this instance. There must, therefore, be an agreement between Trinidad and Tobago and Venezuela for the demarcation of the boundary line both at the sea-bed level and at the water level, which demarcates the Venezuelan waters and Trinidad and Tobago waters. The Member for Tobago East would be very aware of this because during the former administration there was an attempt to demarcate the boundaries between Trinidad and Tobago and Venezuela.

Might I also say that there are other boundaries. There are the territorial waters, which include the waters within the archipelagic state and the exclusive economic zone which is that zone encompassed within a distance of 200 miles from the nearest landmarks. When one looks at the marine areas surrounding Trinidad and Tobago, one sees that the largest territorial boundary is the exclusive economic zone. That is 200 miles away, unless another exclusive economic zone of another sovereign state, such as Grenada, Barbados or Venezuela, overlaps our 200 mile exclusive economic zone; and then, one has to have an agreement on the boundaries of the exclusive economic zone.

The widest limit therefore, is the exclusive economic zone of 200 miles, and then one comes down to the territorial waters which are the boundaries of the archipelagic state. We are not a twin island state, we are a country which has much more than two islands so we are properly defined as an archipelagic state.

As one comes down, one reaches the boundaries of the high seas. So, one has exclusive economic zone limit, archipelagic state limit and then high seas limit. As I said, one has to have an agreement with its neighbouring states with regard to these boundaries. If one does not have an agreement, then there will be disputes which are sometimes settled by the International Court of Justice or sometimes they are not settled at all, as is the case between Guyana and Venezuela where there is an ongoing dispute with regard to their boundaries and territorial waters.

The Act refers to our “territorial waters”. There is a certain definition about “territorial waters” in international law which involves agreement with our

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neighbouring states. Therefore, the term refers to the agreements we have with all our neighbouring states. That should deal with the question of our marine boundaries.

2.45 p.m.

I had a little difficulty in determining whether the Member was in favour of the legislation. I gathered eventually that the Member was in favour of the legislation. May I say, one had to pick a time limit to determine what an abandoned wreck was because there are always going to be claims of rights to property. If one puts no time limit to determine what is an abandoned wreck, remember, in the amendment to clause 4, which speaks about property "The claims of all persons to an abandoned wreck are barred and the property in such wreck is hereby vested in the State." Then we are saying that with regard to all abandoned wrecks over 50 years old, any person who may have had rights to property, their rights are now forfeited. One cannot put an indefinite period at this point.

If someone had a vessel which sank in the Gulf of Paria last week, if one sets no time limit then, under this legislation, immediately, property in that wreck would become the property of the state. One cannot deprive people of their property unjustifiably. Therefore, it was necessary to put a time limit, after which, we believe, anything that we find in our territorial waters should become the property of the state.

One expects that after a period of 50 years the persons would have exhausted all recourse to recovering the property in their vessels. That is why there is a time limit, and that is why one cannot leave it wide open. The 50-year limit was chosen very carefully because it coincides with the Second World War, and, we believe there is much valuable cargo in those sunken vessels.

To the question of claims by persons, the French government did initiate discussions with regard to claims of property in those vessels in Scarborough. There was quite a serious initiative by the French government with regard to who owned the two cannon and the artifacts that were found. It is really necessary to establish the rules in this case as regards what belongs to Trinidad and Tobago and what does not; which abandoned vessels belong to the state and which do not; and within which legal framework a person can claim or cannot claim. So, that is another reason for this legislation.

We do not want a repeat, if we discover more valuable abandoned vessels in Tobago—because Tobago was the site of many naval battles—that the Spanish or

British government would come to claim its cargo. As far as we are concerned, anything that has been there for more than 50 years belongs to the citizens of Trinidad and Tobago. We are definitely seeking to plug any loopholes there may be, because there are loopholes in the Law of the Sea. I can tell the Member for Caroni Central that there are loopholes within the Law of the Sea with regard to property in abandoned wrecks. This legislation is seeking to plug those loopholes to ensure that no foreign government can claim property that by right should belong to the citizens of Trinidad and Tobago.

I do not believe that there is much more that I can clarify. I have dealt with all the relevant issues: territorial waters, the Law of the Sea, why the 50-year period, existing legislation. This Bill really relates to the marine environment; it relates to the seabed, ships and vessels, to property within the marine environment. Therefore, the other issues the Member raised about the preservation of the artifacts and the display of such, what would happen to these artifacts, is not really a question for this Bill. This Bill states quite clearly that the property is vested in the state; thereafter, the existing legislation such as the Museum Act and other legislation will become relevant. Once it is the property of the state the governing legislation which deals with property of the state would take precedence.

All we are doing is setting the legal framework where, if we discover an abandoned wreck, and there is valuable cargo in it, we could retrieve it and thereafter it becomes the property of the state, and the other laws then take over after that with regard to the preservation, disposal, and so forth. I hope that clears up the issue about why this Bill does not deal with the Museum. It could not. This is merely dealing with abandoned vessels and the designation of areas of the seabed, and having made the statement that the property is vested in the state, other law takes precedence.

Finally, let me say that far more developed countries than Trinidad and Tobago such as the United Kingdom, countries with far greater resources, with more advanced technology, have legislation of this type. They have recognized that there is an element of risk as there is with oil exploration. There is an element of risk in any archaeological expedition of this nature. One does not know what one would discover. When one drills an exploration well for oil, one does not know whether one would strike oil. Therefore, the great expenditure associated with drilling for oil is taken up by companies with millions of dollars at their disposal; they take the risk. I am using that as a parallel with this Bill.

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Other countries have recognized that it costs money to undertake these archaeological expeditions and one may find nothing. Therefore, they have set the legal framework; a person who comes in at his own risk and at his own expense will carry out these expeditions; if he finds nothing, that is to his account, that is his problem. However if he discovers a valuable wreck then the Government and the country will determine how the cargo and value in that wreck should be shared for the citizens of the country. That is why we need this legislation. This country does not have the resources to get involved in archaeological expeditions which may yield no result at the end of the day.

Madam Speaker, with those words I beg to move.

I thank you.

Question and put and agreed to.

Bill accordingly read a second time.

Bill committed to a committee of the whole House.

House in committee.

2.55 p.m.

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

Madam Chairman: I think Members would appreciate that we are dealing with the amendments as they are incorporated.

Clauses 3 to 5 ordered to stand part of the Bill.

Clause 6.

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

Mr. Palackdharrysingh: Madam Chairman, I would like the Minister to explain whether his explanation of "wreck" including cargo, equipment, stores and other objects would adequately cover all that is anticipated to be found in wrecks, therefore, whether the suggestion that I made about an abandoned wreck or any part of it is not still meaningful.

Mr. Imbert: As I said, the definition of "wreck" includes cargo, equipment, stores, and other objects, flotsam, jetsam, lagan and derelict found in the waters or on the shores of Trinidad and Tobago. When the word "wreck" is used in clause 6, it is used in the context of the definition of cargo, stores, equipment and so on.

May I also state that flotsam, jetsam and lagan are words which refer specifically to pieces of a vessel or wreck that have fallen into the sea during a battle or wreck and have dissipated or floated away and are washed ashore. I am satisfied that this definition includes anything that would have been in the wreck, on the wreck and broken off, or any other article that was in any other way connected with the wreck.

Madam Chairman: I knew the Member was concerned about cannon being part. He specifically mentioned cannon. According to that it would be included in the definition of “wrecks”.

Question put and agreed to.

Clause 6 ordered to stand part of the Bill.

Clauses 7 to 14 ordered to stand part of the Bill.

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

House resumed.

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

FINANCE (NO. 2) BILL

Order for second reading read.

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

That a Bill to amend the Income Tax Act, the Corporation Tax Act, the Miscellaneous Taxes Act, the Customs Act, the Fiscal Incentives Act and the Value Added Tax Act, be now read a second time.

The Bill before us is intended to implement a number of minor changes to several fiscal statutes.

Clause 2(a) amends the section of the Income Tax Act which deals with the business levy on individuals. Its effect is to give to the Board of Inland Revenue the power to require a person to provide particulars of his income to the Board, and to attend and produce books or other documents relating to that income. Failure to do so would be deemed an offence. This is a power which the Board already has in relation to Income Tax and we are merely seeking to have it extended to give the Board the necessary powers to deal in relation to the business levy.

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Clauses 3 and 7 of the Bill seek to confer the same powers on the Board in relation to Corporation Tax and VAT.

Clause 2(b) of the Bill seeks to amend the Income Tax Act in order to give effect to a measure which I had announced when the 1993 Budget was presented. At that time, it was made clear that the \$12,000 deduction for repairs to owner/occupied properties and residences would not be applicable after the 1993 year of income. In other words, it would not be applicable for the year of income 1994 and onwards. Clause 2(b) therefore withdraws this benefit for the current year of income and onwards.

Clause 9 of the Bill makes clauses 2, 3 and 7 retroactive to January 1, 1994 to give effect to this change.

Clause 4 seeks to amend the Miscellaneous Taxes Act to impose an import surcharge on imported vegetable oil and rice from non-Caricom sources, falling within the description set out in the Tenth Schedule which is in clause 4(b) of the Bill.

We had previously announced our intention to divest the National Flour Mills and to encourage wide public ownership especially in this company in domestic ownership. This company is scheduled for divestment hopefully next year and represents one of the major plans for divestment in the domestic economy, with shares to be held hopefully and very largely by a wide cross-section of the public of Trinidad and Tobago.

For many years the National Flour Mills had a monopoly in the supply of flour and rice to the nation. However, once the company is divested into private ownership, it would have to compete on the open market, in the same manner as other privately owned companies. We are particularly concerned about rice and vegetable oil since they were removed from the negative list. Therefore, we are contemplating the imposition of a surcharge on imported rice and vegetable oil to give the company some time to adjust in a transition over a non-monopoly situation.

3.05 p.m.

The rate of import surcharge on imported vegetable oils will start at 25 per cent in 1994, and will gradually be reduced to zero in 1998. The rate on imported rice will start at 20 per cent, and will be reduced to zero as well by 1998. By that time, we hope that the company would have effectively transited through its non-monopoly situation.

Clause 5 of the Bill seeks to amend the First Schedule to the Customs Act, in order to introduce a commodity code for goods which are declared to be for trans-shipment. This amendment is being sought by the Customs Division in order to facilitate the smooth operation of the computerization programme.

Clause 6 of the Bill seeks a minor amendment to the Fiscal Incentives Act. In its present form, the Fiscal Incentives Act does not allow a company which has been granted relief from corporation tax under that Act, the benefit from an initial allowance under the Income Tax (Aid to Industry) Act until after the expiration of the tax holiday period.

We have removed the prohibition by the repeal of section 23, so that a company which has other income, not exempt from corporation tax, would be able to benefit from the initial allowance in respect of capital expenditure under the Income Tax (Aid to Industry) Act.

This is only one in a series of measures which we shall bring to this House in the next few months aimed at harmonizing our fiscal incentives in order to bring them on par with those available in other countries which are competing with us for foreign investments.

Clause 8 of the Bill is intended to validate an order amending the Eighth Schedule to the Customs Act, which was published on January 26, 1994, but due to an oversight was not laid in Parliament within 30 days as required by section 6(A)(5) of the Customs Act. The failure to lay the order within 30 days from the date of publication was an omission by the Chief Parliamentary Counsel. We regret this, but I wish to add that no mischief has occurred as a result of it. In any event, Parliament is now afforded the opportunity to debate the particular measure.

The Eighth Schedule of the Customs Act, which became law in July 1992, granted certain tariff preferences to goods imported from Venezuela pursuant to the Partial Scope Agreement between Venezuela and Trinidad and Tobago, which was signed in August, 1989.

Hon. Members would be aware that this Partial Scope Agreement with Venezuela was an event which significantly advanced the economic trading relationship between neighbouring Venezuela and ourselves. Now there have been subsequent Caricom initiatives with regard to Venezuela and, most recently, an extension whereby Caricom signed an agreement with Colombia in which there was, initially, non-reciprocal trading preference arrangements extended to Caricom, including Trinidad and Tobago.

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I am pleased to report that as a result of these arrangements, and especially the Partial Scope Agreement, there have been significant increases in trade between Trinidad and Tobago and Venezuela. In 1988, for instance, the value of exports from Trinidad and Tobago to Venezuela was \$46.2 million and, thereafter, in 1989, it went up to \$96.3 million; in 1990—\$176.9 million; in 1991—\$233.6 million. It fell somewhat thereafter in 1992, largely as a result of the Venezuelans getting their DRI plants in production and the cessation of the import of some of these materials from Trinidad and Tobago.

However, I can report that in six months alone, in 1994, the value of exports from Trinidad and Tobago to Venezuela is in excess of \$100 million. It is clear that if this trend continues, 1994 would see record exports of Trinidad and Tobago goods to Venezuela. These exports are in quite a varied range of items: some steel items, but they go into items like automotive batteries, confectionery, disposable diapers, sanitary napkins, metal furniture, metal furniture parts, and so forth. So that, the Eighth Schedule to the Customs Act, which became law in July, 1992 and was granted certain tariff preferences to goods imported from Venezuela, pursuant to the Partial Scope Agreement between our two countries, and signed originally in 1989, is having the desired effect.

With the further reduction of the rates of customs duty in the Common External Tariff, it became necessary to reduce further the tariff preferences in the Eighth Schedule with respect to Venezuelan imports, since under the Partial Scope Agreement we agreed to reductions in the tariff rates to specified products on a percentage basis. The order, which was published on January 26, 1994, sought to reduce the customs duty on the Venezuelan imports listed in the Eighth Schedule.

The Customs Act provides that the Eighth Schedule may be amended by order of the President which must be laid in Parliament within 30 days, and is subject to a negative resolution of Parliament. The order was duly made and published in the *Gazette*, but was never laid by this omission which I pointed out earlier. Clause 8 of the Bill, therefore, seeks to validate the order.

These are the amendments now before the House, and with this I beg to move.

Question proposed.

Mr. Trevor Sudama (*Oropouche*): Madam Speaker, before I start my contribution on the Bill before the House, let me bid the hon. Prime Minister goodbye. I suppose he leaves in anticipation of what I am going to say, since he does not want to groan in this Parliament. One of these days I shall give him the

story of the elephant and the tiger, and why the elephant had to groan. However, I shall withhold it today as he will not be here.

The Minister of Finance is very efficient when it comes to words; he does not like to use many words for one reason or the other, at least in this House. Maybe outside this House he is a very wordy and garrulous Minister of Finance. In his usual fashion, he has informed us that these are minor changes being sought by this Bill. I should like to inform him that these are minor changes with major import which we will debate here today. This is the Finance (No. 2) Bill of 1994 and what we have in this Bill are matters of fundamental concern to the economy of Trinidad and Tobago.

Here we are in the middle of this session in a situation where the economy is in crisis; where the fiscal accounts are in major crisis. I thought that one of the first things he might have done—although he is not required to do it—was to come to this House and tell us what is the position with Government revenues—with which this Bill deals—and update us, as a responsible Minister of Finance, on where we are going.

3.15 p.m.

I want to level with the people of Trinidad and Tobago with respect to the prospects for the rest of the year, and I want them to participate. As the Minister of Finance promised in the introduction of the 1994 Budget—we have a new vision, we want everybody to participate. How can you have people included and participating if they are not told what is the situation, or what is the crisis?

We have come to realize that this is a Government of secrecy, and it has developed that element of the Westminster system to a fine art. It is, do not tell the people anything, and certainly do not come to this House, which is a representative Chamber of the people of Trinidad and Tobago where, I am told, we must have a certain level of parliamentary behaviour and use parliamentary language. That is superficiality, Madam Speaker. Members ought to deal with substantive matters, and because we are not in a position to bring matters of Government's administration here, we have not really been able to deal with substantive matters.

In my own way, as a representative, it is my duty to raise some of these fundamental questions which relate to the economy and to the finances of the country. In doing so, Madam Speaker, I know that I am singled out as a Member who makes trouble in this House—

Madam Speaker: How did you come to that conclusion?

Mr. T. Sudama: I read in the newspapers and elsewhere that I am the Member of Parliament who tries to bring some measure of disruption to this House. I have often wondered if I were not in this House, this might have been such a lovely tea party held here every Friday. *[Interruption]* My presence here in some way disrupts this tea party; that is the view of Members here. But that is how I am and at this age I do not think I am going to change.

If we put these revenue measures in some sort of context, I would like to find out, in view of the income tax measures which we are going to amend here, what is really the shortfall in revenue as at this point—the half-year point—in our accounts. How are we going to deal with that short-fall? What is the Government's expectation as regards that shortfall?

All these measures—business levy, the concessions we are giving, the fiscal incentives—have an impact on the quantum of Government's revenue. I inform the Minister that when I read the Auditor General's Report for 1993, I saw where the Auditor General said that the Government's calculation of its revenues was way out. Actual revenue collected for the year 1993 totalled \$9,006,438,612.72 which was \$475,327,204.27 less than the revised estimates.

When they come here to pass finance Bills, on what basis are they doing so? Are they merely pulling figures out of a hat to come and present to this House as a matter of formality? Where are we with respect to revenue shortfalls today? I also want to advert to the fact that when we look at the estimate of the revenues from oil companies—we have the projection for taxes, incomes and profits for the year 1994. The 1993 estimate was \$920,525,000. Revised estimate for 1993 was \$713 million; over \$200 million shortfall as a result of the revision of the 1993 estimate. For 1994, the estimate goes up to \$897,300,000; \$184 million over and above what was the revised estimate for 1993.

My question to the Minister of Finance is: How realistic are these figures presented to us? We cannot have an update during the year to tell us where we are. If the Minister gives a speech somewhere outside this House he may give those figures, but he does not come here to update us.

I was reading a report today that Trintoc's net losses for 1993 amounted to \$180 million; Trintopec's losses \$45 million—losses with respect to the refinancing of the Trintomar project and so forth. All these losses have to be taken into account and yet we are projecting in this 1994 Budget phenomenal increases in revenue from incomes and profits from oil companies. I merely used that as an

illustration to tell this House and the country what we do in this House. What do we really do, when we cannot deal with the fundamental substantive problems relating to the measures before us, particularly in this case relating to the finances of Trinidad and Tobago and its implications for the economy?

In June 1994, I asked the Minister why income tax refunds to taxpayers for the income year 1992 and previous years have not yet been issued. The Minister responded that there was a breakdown in a computer—that the computer at the Ministry of Finance was old—and that was the reason refunds were issued. This computer must have been there a long time, and in previous years the refunds were issued; but in 1994, suddenly, the computer becomes a problem with respect to the issuing of refunds.

I asked the Minister specifically: Could the Minister tell this House whether the inability to issue income tax refunds for 1992 and the years before has been due to the inadequacy of funds available to the ministry, in other words, was due to a revenue shortfall? The Minister gave me the assurance that that was not the case. He said it was a genuine case of processing. There were serious problems with the very outdated computer system. But this outdated computer system was there a very long time, why are we only now having the difficulty with income tax refunds?

I am submitting to this House that the real reason is that there was a serious and critical revenue shortfall which the Government refuses to acknowledge publicly, and that is one of the reasons we are in this difficulty today.

3.25 p.m.

Madam Speaker, that of course, raises the other question of scrutiny by this Parliament of executive action and executive responses. Responses are given in this House, but we do not have the machinery, nor the facility to scrutinize, examine and analyse those responses and the actions of the Executive. That is a very, very serious impediment to this House carrying out its functions.

Merely to come here to say we have some minor changes and we want to approve this as quickly as possible, will not satisfy, at least this Member for Oropouche; it may satisfy others, but, certainly, it would not satisfy me with respect to the performance of that ministry and Government.

The Minister did speak about the divestment of National Flour Mills, in the context of the divestment strategy of the Government. The purpose of this divestment is to have an additional source of revenue, quite apart from income

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tax, taxes and profits on incomes, taxes on goods and services and so forth—an additional source of income. That income is a substantial element in the current fiscal operations of the Government. We have no accountability in this House as to how the proceeds of the revenues are being dealt with. No accountability! They are going to divest National Flour Mills, and we will be none the wiser as to how much we really divest it for, and to what category of persons that divestment was made.

We are told that we want to have the widest ownership of shareholdings and so forth. If that were the case, why were not all the other divested companies offered to local investors, and if they could not take it up then the offer could have been made to foreign investors, providing that the investment itself made economic sense? We are not satisfied in this case. We are not saying that they ought not to divest state enterprises, but the criteria for divestment have not been laid down satisfactorily in this House, and we get mixed signals coming from the other side. May I quote the Prime Minister in a speech of the 11th December, 1992. He was talking about the Government's getting into the economy. Now they are getting out of the economy: I quote:

"Some of these companies operated in a manner which served the requirements of the country from which they had come, rather than taking sufficiently into account the economic realities of the countries in which they are hosted."

I want to know if the same assumptions underlay this divestment to foreign investors who are coming and taking over the Urea company, Fertrin and Methanol; BWIA is up for sale. You name it, they are selling out.

The question is: Are these considerations being taken into account?

When we talk about this issue of divestment there are so many questions that we have to ask. May I quote him a bit more. He said:

"We come to the conclusion that the state alone is in no position, purely on the basis of its own effort, to create enough economic activity that will provide the jobs that country like Trinidad and Tobago desperately requires."

I have no problem with that. Having said so, what then is the role of the state?"

"What I am saying is that the position adopted by the Government of Trinidad and Tobago is the best position, in our judgment, that gives the best

opportunity to achieve what we are seeking to achieve by way of economic activity and in particular, job creation."

How many jobs have been created since 1992 to the present? In fact, when I come to talk about the import surcharge, I shall put that into perspective. Jobs are not being created in this country. Jobs are being lost on a daily and hourly basis, simply because the Government has gone ahead with its trade liberalization policies. It has accepted *carte blanche* a policy dictated by Washington without looking at the particular needs of the economy of our country.

I have to say a little more about this divestment issue, but let me on the question of the accountability, report what the Auditor General had to say.

He listed under the term 'Extraordinary Receipts'—Sale of state enterprises; Fertrin, Urea, two methanol tankers—we do not know under what conditions and terms they were sold—Printing and Packaging Company, Neal and Massy Holdings; deposit re sale of shareholding in Arawak Cement Limited. The total came up to \$522 million. The Auditor General went on to say:

"In some instances the revenue reflected on the Statement of Revenue was not in agreement with amounts shown on the Statement of Receipts and disbursements. Reconciliations were not seen."

How am I to know, sitting in this Parliament, that there has not been some sort of irregularity involving those who are negotiating to sell off these companies, when the Auditor General said that there are, in fact, discrepancies? We have no accounting system—no accounting mechanism. I have a newspaper report here which says:

"Jamaican Government, billions short after divestment.

"The Jamaican Government has announced an unexpected shortfall of several billion Jamaican dollars from a divestment programme which involved the sugar industry and the national airline, Air Jamaica.

The situation has been described by Bruce Golding, Chairman of the Public Accounts Committee, as "totally unacceptable" and an "affront to taxpayers."

Totally unacceptable! That is the price you pay for secret government, where the government does what it wants with the property of the people of Trinidad and Tobago.

Madam Speaker, I do not get up and speak here because I want to speak; I do a lot of speaking otherwise. I get up here to carry out my duty as a watchdog for

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the people of Trinidad and Tobago. *[Interruption]* We have pothounds but on the other side. *[Interruption]* I would not go further with the Member for Barataria/SanJuan.

Let me go in a sort of sequence: let me talk about the reduction of the allowance for repairs to homes removed with effect from 1993, which is one of the measures before us. I do not know whom this Government is fooling. May I quote the Minister of Finance in his 1992 Budget Speech:

"In order to stimulate the construction sector as a means of reducing unemployment, it is proposed to re-introduce an allowance for home owners who spend on repairs to their owner-occupied residences. They may claim tax relief on the amount spent, up to a maximum of \$12,000.00 per annum."

3.35 p.m.

One year later on page 27 of the 1993 Budget Speech, our goodly Minister of Finance came to this House and said:

"(d) With respect to the home maintenance allowance, we had originally approved a home maintenance allowance of \$12,000 in our 1992 Budget presentation. In retrospect, Madam Speaker, we recognize the history of abuse associated with such allowances and we have therefore developed certain new proposals which we feel would be more effective in attaining the original objectives we sought to achieve with the home maintenance allowance. Consequently, Madam Speaker, the 1993 financial year will be the last year against which this allowance can be claimed."

If there is a history of abuse, that started a long time ago. We had this repair allowance for years. In 1992 when he was submitting his 1992 budget he did not know that an abuse existed. Suddenly, in 1993, he discovered that there is a history of abuse with respect to this particular concession.

My feeling is that this was a sop to the electorate to benefit some people; who, of course, benefited. All along the Government knew that this was subject to abuse. It was a deliberate attempt to bring about a relief to benefit certain targetted people possibly as a result of election promises made. For no other reason! There was absolutely no rationale for introducing this measure, saying in one breath that it will stimulate the construction sector and then coming one year later and saying there is a history of abuse.

The abuse did not start in 1992. It is this pattern of governmental action that we are querying. They come here to try to hoodwink the population—totally incapable of governing; total fiasco as far as government is concerned. I have never known a Government more in shambles than this one under the direction of the hon. Member for San Fernando East. In my three terms in this House, I have never known a more confused lot than we have today running the affairs of the country.

Significantly, in the 1994 Budget Speech no measure was introduced to say that this concession will be removed with effect from 1994. Somebody is probably writing his Budget Speech and the Minister is just overseeing things, in the sense that that person does not know what he or she is doing. Why should we have a major oversight being made in the 1994 Budget? As I said, the manner in which this concession was introduced and the period for which it was introduced as a tax allowable expense for home repairs leads one to the greatest suspicion as to the motivation behind its introduction.

I want to go to an amendment which is before us, and which states:

"(b) in section 10 -

(i) by repealing subsection (3) and substituting the following subsection:

"(3) Subject to subsection (5), where land and improvements thereon-

(a) are used by or on behalf of the owner; or

(b) are used rent free by the occupier,

for the purpose of a residence, there shall be allowed a deduction of a sum not exceeding twenty-four thousand dollars in respect of interest paid on a loan or overdraft wholly and exclusively used in respect of the land and improvements as if it were a deduction for expenses incurred in the production of income."

Is this concession in lieu of the repairs to house allowance? I do not know. It is rather confusing. What does land and improvements mean in this context? If I have a house and land and some improvements are made both to the house and the land and I borrow money to make those improvements, would that be tax deductible? If I make improvements to the house only, would that be taxable? If that is the case, who would benefit from this? Only those people who are able to borrow money to effect the improvements.

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If I have my own money and I want to effect improvements, I would not be covered by this; I would only be covered if I borrow money. If that is the case, why is the Government discriminating?

Mr. Mottley: Madam Speaker, would the Member state specifically to which clause he is referring so that I may reply properly.

Mr. T. Sudama: I am referring to clause 2(b) of the Bill which states in relation to section (10):

- "(3) Subject to subsection (5), where land and improvements thereon—
(a) are used by or on behalf of the owner, or"

Land and improvements thereon! There is a house on that land.

"... for the purpose of a residence, there shall be allowed a deduction of a sum not exceeding twenty-four thousand dollars in respect of interest paid ..."

If one did not borrow money and has interest to pay then one would not be availing oneself of this concession. If that is the case—and this is with respect to house repairs, as well—why is the Government discriminating? The Government said that there is abuse! If there is abuse, obviously, something is wrong with the tax administration system. One is required to send valid bills when one repairs one's house. If one did repairs to one's house and one did not borrow money, why should one suffer discrimination? Why is the Government pushing people into the hands of the banks, their friends? That is the only way one can get this concession.

Over what period are we going to get this relief? Will the Minister come next year and say that this is being abused so he is cutting it out? People are borrowing to effect improvements to land and so forth on the expectation that they would get this concession; would the Minister come the following year and say that he did not really realize that there is so much abuse so he is cutting out this concession? He cannot deal with fundamental problems affecting people's income in this very haphazard and shoddy manner. There must be a more substantive basis for making laws and regulations.

If the Government is trying to stimulate construction activity, then it is minimizing the number of jobs it would create, because this facility is available only to those who are able to borrow from the banks—a limited number of people. It is extended up to \$24,000 in interest, and this would be an incentive for very rich people to avail themselves of this. Of course, it is from zero to \$24,000,

but it is those who have access to the banks, those who are credit worthy who would be able to borrow the larger amounts.

One can see that this legislation favours one sector of the home-owning community, and that is the better off sector. I am saying that if this measure is a substitution for what the Government has removed as an allowance for house repairs, there are certain disadvantages, and we ought to look into that.

3.45 p.m.

Now, we come to the issue of the business levy. In changing the system, the Government wants all loopholes covered, and I have no problem with that. Once a law is in place it ought to be observed, but what I am querying is the rationale for the levy itself and the effects on the small business sector.

The Government is charging a levy at the rate of 0.25 per cent on gross sales or receipts. Previously, this was applicable only to companies and so forth, now everybody trading must pay this business levy. The critical thing is that the levy is on gross sales. Whether one makes a profit or not, one must pay that levy and hand over this 0.25 per cent to a profligate Government for it to do with as it wishes.

The small businessman in a declining economy is under severe strain. This is the sector that Government is asking to create employment—the small/medium business sector. If the Government is going to deal effectively with the unemployment situation in Trinidad and Tobago, this is the sector it has to target.

But instead of giving them incentives and allowing them to have some breathing space, the Government is putting more and more pressure on them, on small people who are trying to eke out a livelihood. They have to pay the levy, and meet their other expenses. In order to pay for it, they have to increase their prices. If they cannot do that what, in effect, the Government is doing is causing many business closures.

This is such a confused Government. The other day I heard someone saying that it is the small scale sector that is going to help us to solve the unemployment problem. Some Minister got up and said so.

Miss Nicholson: The Deputy Governor of the Central Bank.

Mr. T. Sudama: The Deputy Governor of the Central Bank—very independent minded technocrat whose advice, I understand, is not being followed because there is a big quarrel going on in the Central Bank between the Deputy

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Governor, the Governor, and the Minister of Finance. I do not want to go into the whole fiasco of the First Citizens Bank. But that story has to be told some day.

The Government has very good advice—and it is not the first time—we have been advising from this side. It is in our manifesto, and we have been making policy statements from time to time as to the role that the small business sector should play in our economy. We want to open up this economy, this is why we are under such enormous attack from the vested economic interests in Trinidad and Tobago—

Mr. Maharaj: Parasitic oligarchy!

Mr. T. Sudama: —which are, of course, behind the ruling regime. We are under enormous pressure because we have a commitment to the small business element to allow them the opportunity to make their proper contribution to the development of the country.

Madam Speaker, you know on which side we are when we get up in this House; but they are on a side to put them out of business!

Mr. Maharaj: Oligarchy parasites?

Mr. T. Sudama: They are going to impose this levy just for the possible revenue of \$3 million.

When a cost-benefit analysis is taken, is that \$3 million worth having, at the expense of the bankruptcies that will ensue, the job losses and the reduction in business activity at that level? Is it worth it? And if not, why is the Government doing this? Whose interests is it pursuing through these measures? On every count, I see the Government totally misguided with respect to the pursuit of rational economic and financial policies.

I now come to the import surcharge. You have to understand the context in which this import surcharge is being applied. It is being applied in the context where we have agreed with the World Bank, the IMF, the IDB, the gurus in Washington, that we have to liberalize trade, and so forth. We have to liberalize everything. I said at a meeting that the Minister of Finance even went further in the import liberalization effort, but I would not repeat it in this House.

Mr. B. Panday: No respect for "locally produced."

Mr. T. Sudama: What this 0.25 per cent levy on imported rice is going to be is merely a sop for a short period. On the basis of Government policy, our rice industry is earmarked for liquidation.

Mr. B. Panday: Oh yes! Good point!

Mr. T. Sudama: When these people have no other form of sustenance, what does the future hold for them? I can understand the attitude of Members of that Government because we had a Minister of Industry and Trade—

Madam Speaker, do you know where they grow rice? In the lagoon areas of Trinidad. The Minister of Industry and Trade in this House said:

"While we know the Member who represents the constituency of Oropouche, I do not think anybody expected that he would spend so much time in the lagoon, and in the filth in that constituency."

Madam Speaker: See my plea for proper language.

Mr. T. Sudama: Yes, Madam Speaker, but it is just that when he said so, you did not say anything.

Madam Speaker: My plea for language.

Mr. T. Sudama: Yes. My friend, Errol Pilgrim, has recently become an expert on parliamentary language. I think he has fled the Chamber, but I will deal with him. In his parliamentary report—he spends a whole programme on me, you know, about my capacity for language and vocabulary, and so forth. May I tell him that I may be short on vocabulary but I am very tall on integrity, which is more than he can say for those on the other side. He is an agent of that regime, this Errol Pilgrim.

Madam Speaker: Will you get back to the debate, please.

Mr. T. Sudama: Yes, I shall come back to this matter, Madam Speaker. I am going to deal with them individually. [*Interruption*] Errol Pilgrim, he is a *TTT* man and *TTT* is an agency of PNM propaganda.

Mr. S. Panday: He has come back.

Mr. T. Sudama: Oh, he has come back, well I wanted him to hear.

Mr. B. Panday: Speak of the devil.

Madam Speaker: Will the Member continue with the debate. Leave Mr. Pilgrim aside.

3.55 p.m.

Mr. T. Sudama: Madam Speaker, I spoke for 75 minutes in this Chamber on integrity in public life and he did not put one word of it on the television

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programme, because it did not suit their purposes! For 75 minutes I raised fundamental issues with respect to parliamentary democracy, the conduct of people in public life and not one word was reported, but here is this report about me that I said somebody lied in this House, that becomes the subject of—

Madam Speaker: Would the hon. Member not go into the past. What is past is past. Can we please proceed with the debate now.

Mr. T. Sudama: Yes, Madam Speaker. It is just that I am trying to clarify what is parliamentary language, because I have had to speak here for a long time—

Madam Speaker: The hon. Member cannot clarify what is past. It does not form part of the debate today.

Mr. T. Sudama: Madam Speaker, I do my very best with parliamentary language.

The point I am trying to make is that if Ministers have such a view of people who live and work in the Lagoon, would Government policy be to improve their lives? At the subconscious level it comes out. The Minister of Industry and Trade was so antagonized that what was within him came out in this parliamentary Chamber—talking about filth in the Lagoon.

Madam Speaker, these people in the Lagoon produce rice. They have no other option for livelihood; that is why they go into this very hard, back-breaking kind of work for very minimal incomes.

If one forms part of a regime which is going to take away that livelihood of these people, the questions one has to ask oneself are: What are these people going to do? What other areas is the Government directing them into where they can use their agricultural skills in order to make a livelihood? Then, if there are inefficiencies and they cannot compete, what are the reasons for this?

What would the Government do to improve those people's lot with respect to infrastructure, water management, the supply of adequate seeds, amalgamation of land holdings and the use of machinery that would put them on a better footing to be more efficient and competitive?

That is not the approach of the Government. Government's approach is to open up the system and "who dead, dead!" Who get killed is not the Government's concern; it is following instructions from its benefactor in Washington to liberalize this economy.

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I quote from an article on page 40 of the *Sunday Express* of September 5, 1993, which states:

"There are more than 5,000 rice farmers in Trinidad and Tobago and their fields now produce some of the most expensive rice in the world..."

It says this is due to sheer inefficiency. I proceed:

"Unprocessed paddy sells at 89 cents a pound. Compare that to the 60 to 70 cents a pound paid for processed rice from Guyana."

No doubt this is true, but I have argued in this House—

Madam Speaker: The speaking time of the hon. Member has expired.

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

Question put and agreed to.

Mr. T. Sudama: Madam Speaker, I have pointed out in this House the fact that Guyana could sell us processed rice for \$0.60 or \$0.70 per pound has to do with their level of wages. The rice farmer is not responsible for the wage and price structure in Trinidad and Tobago, so he takes that. It is given to him and, on the basis of that, he then produces at that price. Obviously, things had to change, but Government policy should not be applied in such a way that these fundamental changes are going to be made overnight—or even if they are given a few years to secure their livelihood or find alternative means of sustenance. One does not do that. It is callous, brutal and vicious, on the part of the Government to be so insensitive to what is going on in this society, especially in a situation where in the manufacturing sector and other areas of agriculture people are losing jobs daily. Thousands of jobs are being lost and the Government is not sensitive to the state of the economy and is pursuing a policy which is going to make the situation worse.

Not one word in the media about these critical issues, but there is talk about parliamentary language! Most of the issues of the state of the economy—unemployment, poverty, the status of pauperization, vagrancy and crime—have their roots in the condition of the economy. If the Government does not treat with the fundamental problems, it is not going to deal with these other alarming social problems with which we are faced. Apparently, the Government does not understand these simple words of advice, even if they come from the Member for Oropouche.

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Apparently, this is what this writer has indicated.

“He said that unless something drastic was done, and soon, the death of the local rice industry was right around the corner.

‘We just can't compete,’... The only thing that has kept the industry alive... was the rice subsidy, which state-owned NFM...”

National Flour Mills—

“can no longer afford. And he said all Government policy indicators point to the subsidy soon being removed.”

I asked the question:

Is the Government going to keep the price of \$0.89 per pound paid for paddy and make it available to the rice farmers of this country? I got a response that that was a subject under Cabinet study—this was about six months ago. This Cabinet takes a long time to study. Maybe, as I said, their heads are a bit hard and they cannot come up with a response. It is not that the Government does not want to come up with a response; it is going to implement its policy to liquidate the rice industry before it comes to this House to give a positive response. That is the way it operates.

"The removal of all subsidies to agricultural products over a three-year period forms part of the conditions attached to US \$100 million loan the Government has negotiated with the Inter-American Development Bank."

So, one sees where the pressures are coming from for the removal of subsidy without recourse to the consequences of that removal.

"...If the rice subsidy is removed that would be trouble with a Capital T. Every single rice farmer will go out of business."

Even if the Government feels that the economy should be restructured in such a way that we would have no rice industry, I want the Government to tell me what these people are expected to do.

What are the alternatives? What incentives are being offered for them to go into other areas? Where is the infrastructural development which will enable them to go into other areas of agriculture so that they can switch their means of livelihood? The Government has absolutely no concern about that. It has no policy. I do not think the Government even thinks about how people are placed in this very critical situation of anxiety and uncertainty with bleak prospects for their economic future.

This import surcharge is going to be reduced progressively; by 1998 it is going to be zero. That means, of course, that by 1998—even if this year there is 25 per cent protection—it is going to be zero protection, and between now and 1998, I can assure you, there will be no rice industry here. If people do plant rice at all, they would have to go back to a subsistence basis.

This Government, by its policy, is going to reintroduce subsistence level living in Trinidad and Tobago. That is what we were accustomed to in the old colonial days. Those days are going to return under this regime which is absolutely without ideas, non-caring, totally insensitive to the plight of the poor defenceless small man.

I understand the Minister of Agriculture, Land and Marine Resources was invited to attend the rice farmers' meeting, but for some reason he did not go. Maybe, he did not put a high priority on meeting rice farmers. I do not know why he did not go. But it gives you an indication. And all I can go by is their behaviour: what they say and what they do with respect to their sincerity.

4.05 p.m.

Another clause of this Bill deals with fiscal incentives and what they are going to do to improve such incentives, where an initial allowance on capital expenditure in addition to all the other allowances will be given to firms which are in the business of manufacturing an approved product. I want to know whether an approved product includes an approved service as well as a physical good. If it also includes a service then I would refer once more to the hotel industry. I want to find out whether that initial allowance on capital expenditure will be available over and above all the other allowances and incentives given to the hotel industry.

Madam Speaker, do you recall that I raised a Motion in this House with respect to an allowance to Grafton Beach Resort? I raised it in the context of how Government uses the provision of fiscal incentives to benefit its friends. But up to today I have not received an answer, although the Minister of Finance got up to respond. I have a concern about the abuse of fiscal incentives to assist friends, supporters and bank rollers of the party. The question I raised, to which I did not get an answer: If a hotelier avails himself of the exemption from tax on interest on loans, to set up or improve a hotel, whether it had to be a project approved by the Ministry of Trade, Industry and Tourism.

When I looked through the *Gazette* I never saw any order by the Ministry of Trade, Industry and Tourism stating that Grafton Beach Resort was an approved

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hotel. Long before that was done, my Friend the Minister of Finance, rushed ahead and gave that tax concession where the bank would not charge interest on any loan it made up to the tune of \$37 million. So, if they were not taxed on the interest, then they could have afforded that facility to Grafton Beach Resort at a much lower rate of interest, and that is where the concession finally works itself to.

Therefore, it is Grafton Beach Resort—Mr. Ishwar Galbaransingh who is the owner—that finally gets the benefit. I have no problem with that. It is just that the association between Galbaransingh and the Minister is a very close one. Again, there is nothing wrong with that if his application is above board. The fact that Ishwar Galbaransingh turns up at this very exclusive Washington wedding to be best man or he at least attended, even if he was not best man—again I have no problem with that. My question is, why was this done and hurried in order to facilitate Ishwar Galbaransingh of Grafton Beach Resort—without going through the procedures as laid down to approve it as a project, and then to apply the concession which the Ministry of Finance has the power to apply? Maybe everything is above board.

If there is a committee of this House looking into the background to the grant of that concession, and the committee reported everything was above board, then I would have no problem whatsoever. Ishwar Galbaransingh could be the Minister's brother for all I am concerned. What we have in Trinidad and Tobago is suspicion that the law is used to facilitate some and to discriminate against others.

If we are going to have open government and if we are going to have a proper functioning of parliamentary government, then we ought to have a change in the system so that these matters can come up for examination. I would be satisfied, and all of us in this Chamber would be satisfied that the Government is proceeding above board, it is proceeding in a rational manner, its integrity is without question, and we are in a functioning parliamentary democracy.

All that happens when you raise an issue in this House is that a Minister responds and that is the end of the matter. Do not talk about the media. They have a way of ignoring serious business in this House. Of course, their view is that this is a place for "kicksing." That is the general view of the media on what takes place in this House. I have no quarrel if that is their perception. As I mentioned before, the media in this country have no capacity to discern what is important and fundamental and what is not. Their level of superficiality seems to be ingrained. That is part of our problem. As well, it is one of the indicators of our

underdevelopment, the role and the manipulation of the media in this country for certain purposes. They are incapable of taking an independent stand on anything.

I have spoken about fiscal incentives. I have no problem with that. The Minister got up and talked about fiscal incentives. He said he is trying to bring more foreign investors into Trinidad and Tobago, and that you have to give them all the incentives. Yes, we need foreign investment, but the question we have to ask always—at what cost?

At the cost of NUCOR, where the price of gas is being subsidized and selling your utilities at much lower rates? They pay no taxes, and at the end of the day they may create 50 or 70 jobs. That is the price you have to pay for attracting foreign investment? Your fiscal incentives will have to be such? They are repatriating the resources of this country and you get nothing in the long run, very limited employment, one or two jobs and that is about it. There has been very limited employment with a few jobs. The negotiation with foreign investors and of fiscal incentive should be a matter under review by this Parliament, to ensure that there are no deals being struck to the private benefit of people.

4.15 p.m.

There was this firm of lobbyists that was supposed to explain our fiscal incentives and attraction as a place of investment in America, at a cost to this country. I remember the hon. Minister of Finance and Tourism made a statement to this House. He said that they were going to explain all our incentives, fiscal and otherwise, and that Trinidad is a paradise on earth so people must come here. I ask: How much foreign investment, apart from NUCOR and a little in the energy sector, has the Government been able to attract to this country? With respect to NUCOR Government had to pay a high price. The energy investors in gas would have come here anyway.

There are all kinds of pretexts to set up. The Minister said:

"In the 1993 Budget presentation reference was made to Neill and Company, a United States firm that was contracted as lobbyists for the Government of Trinidad and Tobago for a period of one year commencing on September 2, 1992.

Neill and Company is a firm of economists, international affairs specialists and lawyers specializing in government relations. This company was chosen after carefully investigating and considering a pool of well qualified firms. Neill and Company has the experience of representing Governments of Egypt,

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Pakistan, Taiwan, Kenya, Morocco, Jordan, Jamaica, Cameroon, Cote D'Ivoire, Guinea and Kuwait, in addition to representing several multinational companies needing assistance with the United States Government agencies in order to obtain funds for projects in developing countries."

This was on the basis of a very well qualified firm. It is only afterwards we heard that a certain lawyer with whom the Minister is on familiar terms worked for Neill and Company. The contract was taken away from this very qualified firm when this very same lawyer moved to Holland and Knight. We are wondering whether in the exercise of public and governmental power, private interests are not the real beneficiaries, whether private interests are not involved here.

They want to have lobbyists to attract foreign investors. It is costing money, only to be told that one of the employees of these firms got married to the Minister of Finance. That could be purely accidental. We do not know.

Mr. B. Panday: Marriage is never accidental.

Mr. T. Sudama: Maybe it is a marriage of convenience.

At a meeting at St. Helena, the Prime Minister said that this is a Government that believes in God and marriage.

Madam Speaker: The Member has four more clauses to deal with.

Mr. T. Sudama: Madam Speaker, I just want to clarify that point. When the Prime Minister said that the Government believes in God, somebody told me that maybe it is the god of corruption. He said that the Government also believes in marriage; maybe it is marriage to drug lords. I do not know.

Madam Speaker: I think this debate could do without that remark, hon. Member. Let us move on.

Mr. T. Sudama: Corruption and its application with respect to fiscal incentives is a matter which we have to discuss.

If the Minister is asking the taxpayers of this country to forgo a lot of money in terms of fiscal incentives, we would like to know that the benefits are accruing in substantial measure to the taxpayers of this country. When fiscal benefits are applied and given to their friends, and they do not care whether the country benefits, then this must be a matter of concern to us. The manner in which a firm of lobbyists is secured or changed at taxpayers' expense, must be of concern to this Parliament and the taxpayers of this country.

I am very much concerned with the manner in which things have been proceeding in the Ministry of Finance. There is a lot of “ole” talk. We know there is crisis and nobody is making any public statement about it to alert the population, and prepare them to expect further harsh measures in the future. All the Government is inviting in this country is social unrest.

On the issue of trade liberalization, the President of the Caribbean Development Bank said that the Caricom countries involved in structural adjustment programmes with the World Bank were being required to remove any trade protection. It is not a question of freeing up the market. They are under pressure for trade liberalization dictated elsewhere. The question of opening up the market, let market forces decide and market mechanism is an afterthought.

He also said that there was no way our economies would survive that experience without serious dislocation. That would cause serious social upheaval in the region. They are ignorant of and insensitive to this fact. It is not the Member for Oropouche who said so, let me remind them, for they would jump on me and say that is lagoon politics and I am inviting trouble in the country. It is the President of the Caribbean Development Bank who made this dire prognosis.

Mr. B. Panday: I feel the Member for Barataria is from the Blue Lagoon.

Mr. T. Sudama: There is a film about the creature from the Blue Lagoon.

As I said, I am raising these questions in order to alert the Government to what are the likely results of pursuing its trade liberalization policy. The fact is that they should take stock now to have this amended, so that we do not have these dire consequences about which many people are talking and writing.

The objection to value added tax assessments is the very same argument that I raised.

Madam Speaker: The Member has three more minutes.

4.25 p.m.

Mr. T. Sudama: Madam Speaker, value added tax assessment will come under the same rubric as making an objection to income tax assessment. That is, one has to pay the assessment up front, or provide security for that assessment. Whatever the Inland Revenue Department assesses a person at, he pays upfront or provides bank security. After the assessment, if it is reduced, then they will refund the money at such time as they think they can, with six per cent interest from the date of determination of the person's objection. So, if the objection takes 10 years

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to be determined, I should like to know from what date they will pay interest, because six per cent is a nominal rate of interest.

We have argued that it is a violation of people's rights to ask them to pay this assessment upfront while their objections are under scrutiny. That gives an indication of the administration of the Inland Revenue Department. Why are they taking so long to adjudicate people's objections? Surely, they cannot treat all objections in the same way—whether income tax or value added tax. There may be frivolous objections; there may be other more substantial objections. Should they not have criteria laid down to distinguish between the objections? Why should a person with a *prima facie* case have to go through the same procedure as someone with a frivolous objection who is just playing for time?

There is this inability of administration to be specific, to work out rational rules and regulations for the benefit of people. There is a certain mentality among Government and public servants in their relationship with the public, which says: "Look here, we are ruling. We will determine the law." And people out there have to "catch".

We are objecting to this. We feel that it is against the fundamental rights of people. I do not want to go into the whole question of fundamental rights and the Constitution and how one may do things which are in essence a violation of people's rights. I shall leave that to the hon. Member for St. Augustine who deals more amply with questions on the Constitution. Is there not a possibility, by going rough-shod in this manner, that people's rights are trod on, forcing them to do things which they ought not to do, which are not just and fair to do, particularly with regard to this question of paying before one's case is determined?

The validating Customs Order was not laid in Parliament within the time specified. I cannot imagine that a whole Government administration, a whole ministry, has allowed this to just slip through. We come here time after time to validate the misdemeanours of people in the public service, and we want to know what type of supervision exists in this public service.

I have dealt with this matter in a fairly comprehensive way because this is a significant Bill before us which deals with matters of finance and the economy. I hope that my contribution will be of some benefit to Members on the other side.

Thank you very much.

4.29 p.m.: *Sitting suspended.*

5.10 p.m.: *Sitting resumed.*

Mr. Krish Jurai (Nariva): Madam Speaker I was a bit hesitant to rise, because on such an important piece of legislation I thought we would have had more contributions coming from the other side. I am afraid that they would not rise because this is a measure that is putting a burden on the small people of this country in the form of increased taxation, but I will deal with them.

The People's National Movement often refer to their manifesto as their bible and say that they are guided by it. I want to begin my contribution on the amendment to this Bill by quoting from the PNM's manifesto. Under "Small Business" it says:

"The PNM reaffirms its commitment to widening the categories of persons engaging in business activity. Small business development must be a central policy instrument for dealing with urban and rural unemployment.

Small businesses must be encouraged and protected by providing incentives designed to enhance the expansion of their operations and activities.

The PNM is committed to assisting this sector through the provision of soft loans and a wide range of extension services such as management, accounting, engineering, legal expertise and human resource development."

The amendment Bill before us today is totally in contrast to what the PNM have committed themselves to in this manifesto.

I am going to deal with the business levy and a few of the issues in the Bill. The purpose of this amendment is to empower the Board of Inland Revenue to administer the business levy. As you will recall, Madam Speaker, the business levy was amended by the Minister of Finance in his 1994 Budget to include self-employed persons and sole traders.

The people with whom we are dealing are the small people who are trying to eke out a living in these trying economic times. I want to refer to the "doubles" man, the "snow-cone" man, the "bene balls" lady from Tobago. Those are the types of people this Bill is designed to attack. I find it to be a very unfair tax, to place an additional 0.25 per cent tax on the gross sales of these income earners without having any thought as to whether they are able to cover their cost; whether they are able to meet the cost of their raw materials; whether they are able to meet the rising cost of electricity and water rates etc., is unreasonable. But here we have the Government charging 0.25 per cent upfront on their sales. This has nothing to do with whether one makes a profit.

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The small man is burdened with income tax, purchase tax, customs duties, excise tax, motor vehicles—and my Friend the Member for Diego Martin has introduced a new road improvement tax. The small man also has to pay value added tax, health surcharge, and now another burden has been placed on him. I find this tax to be a very regressive one: I think it is vexatious and is a punitive measure on the small man. I read the manifesto earlier on, because the Government says it is interested in promoting the small businessman in this country.

The Government is putting pressure to bear on the small businessmen of this country. The Minister of Finance will certainly say that the 0.25 per cent is not much money, but that depends on what sort of figures one is dealing with. If one is dealing with \$1 million, it is something like \$2,500, but if one is dealing with the small businessman, who is making perhaps, a few hundred or a few thousand dollars, however small the amount is, it is an additional burden on him. *[Interruption]* You would not know what I am talking about.

This additional strain on businessmen will have a regressive effect, particularly on the small businessmen, especially where the Government has opened up the economy under the pretext of trade liberalization. The small manufacturers, the self-employed person, the sole traders are really under pressure from foreign competition.

Foreign goods are being dumped into this country indiscriminately. The Parliament passed the Anti-dumping and Countervailing Duties Act some two years ago and to this day the regulations to give effect to that Act have not come into effect. The door is wide open for dumping to take place at the expense of our small manufacturers. The big ones may survive but the small ones certainly cannot; we are seeing on a daily basis that small businesses are going under.

When the Government through the Minister of Trade and Industry came to this House with legislation to debate the application to Nafta, I warned the Government and the Minister that this country was ill-prepared at the time to submit an application to that organization Nafta. The Government however, came to this House in a huff and a puff and just told us to take note—as though we are going willy-nilly—we are going into Nafta. And it did. It did not take my advice. It wanted to score political points, and say yes, here we are going into Nafta. What has happened since? Today, it has been rejected, battered, badly bruised and has to sit quietly and lick its wounds; it has to put its tail between its legs.

I want to tell the Members on the other side that they will not be there in 1996, and the UNC Government will sensitize the nation to what is needed for this country to gain acceptance into Nafta. When I present that—*[Interruption]* You will not be here for sure, but you will read it in the newspapers—our application would be accepted.

This levy will have a negative impact on small businessmen. Certainly it will reduce profit, they may not be able to cover their cost, and eventually they will have to go out of business. And this certainly will add to the vast number of unemployed people we already have in this country. I think presently 19 or 20 per cent of the population is unemployed.

5.25 p.m.

I quoted from the manifesto, because here the Government is saying one thing, that it is interested in promoting small business, but on the other hand the measures they are taking are certainly going to be a deterrent to small businessmen and sole traders. If the economy is buoyant, it would be easier for manufacturers and small traders to pay the business levy, but at the moment where sales are low, costs are high, interest rates increasing, and the Government putting this additional pressure on the small man, he certainly would have to pay a price and that price may be going out of business.

Earlier on, the Government had promised this nation in this manifesto that it would allow VAT free import of raw materials. Also, when I posed a question to the Prime Minister during his Budget contribution, he said that he would consider removing the 5 per cent duty on raw materials. The Government has not lived up to its commitment and today, as I said, it is putting an additional burden on the small businessman, the sole trader and so forth. In addition, it is making a big fuss, because it is going to collect \$3 million in revenue.

On the one hand, it is hell-bent on squeezing the small businessman to the tune of \$3 million, but on the other hand, it is making overpayments to public servants in excess of a million dollars annually. The problem in this country is not so much the problem of money; it is the problem of running the country effectively, because the corruption under the PNM runs right through from the top to the bottom. You know that full well.

I am moving on to deal with VAT because the amendment Bill also deals with it. Again, I want to quote from page 14 of what they call their bible and it says:

"The PNM Government will exempt medicines, school books and a wider range of basic foodstuffs from the VAT net and protect the low income

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taxpayer from its application with the ultimate intention of lowering the rate of value added tax."

It is true that the Government removed the VAT on some prescriptive medicines, school books and a few basic items of foodstuff. What we have seen in recent times, is that the prices of these items have doubled and trebled in several cases, and the Government is doing absolutely nothing about it.

We have a Minister of Consumer Affairs who cannot control her own weight, so I do not know how she is going to control weights and measures that affect consumers.

Madam Speaker: That is not very kind to the Minister.

Mr. K. Jurai: Madam Speaker, there is a problem—

Madam Speaker: You see, exactly what I mean—will the Member take his seat. If the Member would like to give a 'picong', there are so many beautiful ways of doing so. Look at what the Member has been reduced to.

Mr. K. Jurai: I was only commending her, Madam Speaker; she looks lovely as she is.

Madam Speaker: These things are not right!

Mr. K. Jurai: Recently in the newspapers there was an article saying that supermarkets are ripping off consumers because of improper weights and measures. Because it affects every stratum of society, I think it is very important that I should take note of it. Since this PNM Government has claimed that it is a caring Government, I think that it ought to do something immediately concerning weights and measures in this country.

I was recently confronted by a number of parents who have complained about the rising prices and the high cost of school books. They have given me some prices here for school books. These prices are frightening. I am quoting here prices of books for Form III students:

Text Books	\$
French	73.95
Chemistry	93.90
Physics	85.00
History	76.00
Maths	76.35
Geography	54.50

I calculated these figures and, it would cost a parent a minimum of \$1,000.00 for purchasing school books for his child.

Although the Government has removed the VAT on school books, the prices have skyrocketed.

I remember the PNM Government had given a commitment that it would standardize school books which would have led to a reduction in cost. Lo and behold, more than two years have gone by and today we are yet to see this.

When I look at the Bill and I see the surcharge being imposed on oil, rice, maize and so forth, it is a staggering figure of 25 per cent. This, as the Member for Oropouche said, was paving the way for the sale of National Flour Mills which handles these commodities.

What are they going to do with the surcharge? If they have a special fund for collecting money for road repairs, the figures here, although they may not be significant, I am sure would be meaningful. Why not also develop a fund so that when these surcharges are collected they can be used for developing our coconut industry and thus reduce our imports? At the moment I am told that we are importing copra from Guyana, when we have a coconut industry which is severely depressed.

5.30 p.m.

This is a result of what took place some two or three years ago. If we are looking at trade liberalization, we need to develop our coconut industry. I am sure that the Members for Ortoire/Mayaro and Toco/Manzanilla will bear me out on this. If one drives along the east coast of Manzanilla/Mayaro one would see the severe erosion that is taking place and destroying the coconut estates. Hundreds of coconut trees are being destroyed daily. If we allow this to go on, very soon the Atlantic Ocean would be kissing the Nariva Swamp.

Mr. S. Panday: You hear language!

Mr. K. Jurai: Similarly, Madam Speaker, with respect to the rice industry. I thought that the Minister of Agriculture, Land and Marine Resources would have lived up to his commitment to the Nariva rice farmers some two years ago. He promised to irrigate 1200 acres of land for the small farmers using four water pumps. Well, the water pumps have been lying at Centeno for over seven or eight years to date. I do not know what is the cause of the delay; maybe the Minister would be able to tell us.

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In addition, I know the Minister would say that they are developing the roads in the Nariva Swamp, but I shall deal with that in a special Motion. At this point, may I say that the contractor who is doing that job does not have a clue about road building. He owns a few trucks and he has been given a contract which, I am sure, is worth millions of dollars; but he is making a total mess of it. As I said, I shall deal with that on a separate occasion.

With respect to the amendment to the Customs Act, to date, we have not seen the Revenue Protection Agency in place. This is something that the Minister of Finance said was one of the measures he would introduce to ensure that the revenue of the Government increases and that no illegal stuff is brought into the country. He said that he would establish stripping stations, and so on, to examine goods at the port of entry. Nothing has been done to this date.

I remember very clearly that last year operations at the Customs Department were held up for a few days; they said that they were designing a single entry form which would go into the computer to speed things up. One year has gone—maybe more than a year—and, to date, that form cannot be used because there are no computers at the Customs Department to accommodate those forms. How can you speed things up? There is a computer at San Fernando but only this morning I was told that it is out of order.

As I mentioned earlier, regulations dealing with the anti-dumping legislation are not in place and, because of the Government's open door policy, goods are being dumped indiscriminately in this country to the detriment of the small businessmen and sole traders.

Madam Speaker, I am calling on the Government to take note of what I have said. They have a habit of coming here and asking us to take note; today I am telling them to take note so that they may act positively to correct the deficiencies to which I have alluded.

Thank you.

Minister of Finance and Minister of Tourism (Hon. Wendell Mottley): Madam Speaker, the Member for Nariva, who looks like the Junior Shadow Minister of Finance—

Mr. K. Jurai: No, Sir! She is yet to come.

Hon. W. Mottley: The Member has not got that promotion as yet, I see! The Minister of Trade and Industry and Minister in the Ministry of Finance, and the

Minister of Agriculture, Land and Marine Resources have passed certain points to me which I shall deal with.

Firstly, I should deal with the questions raised about the common external tariff (CET). The surcharge is imposed and it will be phased out in time. The CET on refined or finished oil products is, in fact, 40 per cent; and on rice, 30 per cent. That is the base duty that remains.

In Trinidad and Tobago, we have to be aware of Guyanese rice production. We are not talking now about what may be happening in Thailand, the United States and so forth. We have to be aware of the efficiencies of Guyanese rice production, and we cannot protect the local farmer against the Guyanese farmer. The facts are that in Guyana the average cost of production of paddy is certainly under 50 cents; most of it is 24 or 25 cents, and the most efficient farmers at around 20 cents per pound. Right now we pay our farmers 89 cents per pound of paddy. That clearly gives you the problem that we face *vis a vis* the Guyanese farmer.

The Government has been taking steps to assist our farmers especially with improved seeds. We have also been working with them on agricultural access roads and improvements that we have made thereto, and a whole series of infrastructural improvements have been and are being put in to assist our rice farmers, generally. At the end of the day, we have to recognize that their only solution lies in gradually becoming efficient and we are providing them that time. It is clearly contemplated, it is over \$17 million, continuing for some time at least, in subsidy, to rice farmers and this is quite a considerable subsidy bearing in mind the other subsidies for cocoa, coffee, and so forth, just for one crop in our agricultural production.

I wanted to make that very clear so that it is clearly understood that the Government understands the predicament of the rice farmers. But the solution lies not in mollycoddling them until the roof caves in. They have to understand that within Caricom are Guyanese rice farmers with whom they ultimately must compete.

The other arguments being put by Members on the other side, both the Member for Oropouche and Nariva, concern what they regard as Government's tough attitude towards small business; it is being implied that in this measure before the House today the Government is imposing a business levy on small business.

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This was imposed a long time ago in the Budget. It is in force and all that is before this House today is a measure whereby the Inland Revenue Department can ask for books and so forth from these businessmen in relation to policing their collection of business levy. It is not a new measure being introduced today, as was being implied by the Member for Nariva. The Member for Oropouche was a bit more sophisticated; he was asking: Why have this levy at all in that it would yield only \$3 million and could lead to bankruptcies in small businesses and so forth?

5.40 p.m.

The view of the Government is that we want to bring down rates of taxes and the only way we can do that—with all the requests that are made to the Government for expenditure—is to have the tax net as broad as possible. It is generally recognized, worldwide, that a number of business people do not pay taxes at all, and that represents an unfair burden on those who do pay taxes, especially the salaried workers etc., because their income is declared and it is deducted at source. These small businessmen use benefits provided by the state, be it the police service, or whatever, and some tax is required.

The business levy is copied from a levy imposed now, increasingly, throughout Latin America, whereby some payment of taxes is being required, through this measure, on businesses. It is clearly implied that if they declare a profit and pay a corporate tax, then the levy is deducted from that, so it is not that they are hit twice. We believe this is an equitable levy, because it spreads the burden of taxation to a wider net of the population, rather than have it telescoping on a few. So we believe that the measure, as was imposed in the Budget, and which is not being debated now, is, nevertheless, a worthy measure.

The Member for Oropouche seems to have had some confusion in understanding the nature of the housing mortgage repair matter and how it is worded. It is not that this \$24,000 mortgage interest reduction is a new measure being imposed in substitution for the removal of the repairs. It is not that at all! Remember, this is the same old measure that has been long on the books where, if you have a mortgage on your house, that mortgage repayment is an amalgam of principal and interest repayments. The interest repayment is deductible on your income tax. This is all it is. It used to be \$36,000, it was reduced to \$24,000, and all we are doing is rewording it, so that it is clearly understood that the \$24,000 deduction for your interest remains. It is not a new measure by any means, and I think there was some confusion which I just wanted to clarify.

The Member for Oropouche also talked about the initial allowance and whether it included services. Madam Speaker, no, it does not. The Income Tax (Aid to Industry) Act refers only to plant and machinery and it definitely does not include services. I just wanted to clarify that.

Then, the Member for Oropouche, again, referred to a matter which he raised here previously under a Motion—the interest incentive granted to hotels. In reply to that Motion, I dealt exhaustively with the matter and pointed out that the particular incentive was long on the books. I do not have my notes here with me, but I think it went back to 1963 and several hotels have benefited from that measure: Holiday Inn, Turtle Beach, and Grafton Beach Resort, to which he made reference.

This was a concession that the Grafton Beach Resort got, granted by the last Government, not this Government in the first instance, for a hotel that had clearly been constructed in Tobago at Grafton Bay. Now that there had been a second expansion of the hotel, an application had been made, again, to the ministry and a similar concession had been granted. Since that concession was granted, there have been other applications to the ministry and more concessions granted.

I want to make it clear that Government is trying to encourage developers to go in this direction. It is clear, not hidden—not some secret incentive. It is Government's policy to encourage hotel construction. We want it and we are encouraging it. As a result of the initiatives of this particular developer—who has shown enterprise and is one of the first successful local hoteliers who have demonstrated that the hotel industry can be profitable in Tobago—surely, he is benefiting, but he is also earning foreign exchange and employing Trinidadians and Tobagonians.

The Government wants this and is encouraging it. It is not a secret, and I want to serve notice that we are very, very strong in pushing this incentive and we have a number of additional hotels—some of them quite large—which will take advantage of this particular concession, especially in Tobago.

One of them is a large local company which Members opposite, I imagine, would class among the oligarchy, and I guess when we do grant this particular concession, we will hear similar complaints about how we granted the oligarchy a concession. So I want to serve notice, in advance, that the oligarchy will benefit from this particular concession, [*Interruption*] so that we are not accused of anything underhand again, when it does happen. That is Government's policy, because taxi people get work, and all sorts of good things happen as a result.

Mr. Sudama: What about agriculture?

Hon. W. Mottley: Madam Speaker, I do not know. I hope that there might be some ecological attraction down in the constituency of Oropouche, that, in fact, the lagoon could have some particular manatee that would attract tourists; and the Member for Oropouche might actually come and make an application for a concession for a hotel down there—I would try to assist him.

Mr. Jurai: Madam Speaker, I just wanted the Minister of Tourism also to know that we have the manatee in the Nariva Swamp and the Ministry of Tourism is doing absolutely nothing to develop that industry.

Hon. W. Mottley: Madam Speaker, that is the point. The Ministry of Tourism does not put up hotels, and I hope that if the Member for Nariva comes with an application as a private citizen, I might be able to accommodate him as well.

Mr. Jurai: Thank you.

Hon. W. Mottley: So, Madam Speaker, I think that we have covered all the points raised by the other side. I, therefore, beg to move that the Bill be now read a second time.

Question put and agreed to.

Bill accordingly read a second time.

Bill committed to a committee of the whole House.

House in committee.

Clauses 1 to 7 ordered to stand part of the Bill.

Clause 8.

Question proposed, That clause 8 stand part of the Bill.

Mr. Sobion: Madam Chairman, there is a minor amendment to clause 8. In the penultimate line substitute the word 'in', instead of 'into'—"the publication of the Order 'in' the *Gazette*..."

Madam Chairman: This is a typographical error—not really an amendment.

Question put and agreed to.

Clause 8 ordered to stand part of the Bill.

Clause 9 ordered to stand part of the Bill.

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

House resumed.

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

5.50 p.m.

ADJOURNMENT

The Minister of Education (Hon. Augustus Ramrekeringh): Madam Speaker, before I move the adjournment, I wish to inform this House that at next week's sitting, on August 12, we shall be debating a Bill to amend the law relating to release from custody of accused persons in criminal proceedings and to make provision for legal aid for persons kept in custody and for connected purposes. It is the intention of the Government to take this Bill through all its stages on that day.

Finally, there are five matters listed on the adjournment, two of them will be taken today—Nos. 2 and 3 and I wish to propose that the other three remain on the sheet without the necessity for the Members reapplying.

I beg to move that this House do now adjourn to Friday, August 12, 1994 at 1.30 p.m.

Human Tissue Transplant Bill

Mr. Ramesh Lawrence Maharaj (Couva South): Madam Speaker, the purpose of the Motion is to urge the Government to enact the provisions of the Human Tissue Transplant Bill of 1989, which was put out for public comment by the NAR administration—I am not sure whether it was laid in Parliament—which makes provision for the removal of human tissues in relation to transplantation and matters connected therewith.

The Human Tissue Transplant Bill of 1989 makes provision for a person who attains the age of 18 years and is of sound mind, to give consent for their tissues to be made available for transplantation to other persons so that lives can be saved. That Bill makes provision for persons to give consent during their lifetime so that after their death their tissues could be used. It also makes provision for blood from a person to be used for medical and scientific purposes.

Basically, mine is a Motion to get some response from this administration as to what is its policy in relation to that matter and when it intends to implement that policy.

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From the information I have, I understand that the number of patients who need corneal transplant surgery in Trinidad and Tobago is increasing, and that it is now over 40 years since the first corneal transplant surgery was performed locally. I am also informed that it is estimated that over 300 patients now need corneal transplant, and this number is growing by 10 to 15 each year.

I am also informed that if this Bill is implemented, tissue banks would become available and, therefore, many of the needs can be met in Trinidad and Tobago. At the moment one has to depend upon tissues from abroad. I am also told that if this Bill is passed it would not only provide life, in respect of easing the conditions of blindness, but promote life and human dignity, and assist in the fight for life in terms of transplant in respect of kidneys, marrow and other tissue transplants.

I do not think I can say very much, except that from the inquiries I have made, it seems that if this Bill is enacted, there would be a legislative framework in place for the donation and transplantation of human organs and tissues.

I have been in touch with one Dr. Deo Singh, a member of the medical profession who has been in the fight to have this Bill drafted by the last administration, and now to be implemented by this administration. There is much support for this measure in that if this Bill is adopted by this administration, the non-governmental organizations would give support and assist in ensuring that there will be sufficient tissues and organs in the several banks which will be established in Trinidad and Tobago.

I am also informed by Dr. Singh that Orbis International, which is a well reputed international organization, expert in this field, is willing to assist our country in having these tissues and organs made available and having the technology to set up the banks in Trinidad and Tobago.

I feel a bit optimistic that this administration would not want to come in the way, and that it would wish to promote this objective.

Thank you very much, Madam Speaker.

6.00 p.m.

The Attorney General and Minister of Legal Affairs (Hon Keith Sobion): Madam Speaker, it is the intention of the Government to introduce, at an appropriate time, the Bill to make provision for the transplant of human tissue. The present administration began, in 1992, to review the Bill, which was prepared and circulated for public comment. To that end, a seminar was held in April 1992,

on anaesthesia and the neurological sciences, because it was found that much more information was needed to ensure that the Bill would be effective.

Since that time, a review has been done and, in January 1994, the Ministry of Health made certain suggestions for amendments to certain clauses of the Bill. There are, at least, proposed amendments to five clauses. Most of them are not really very material, but I may make reference to just two of them. One is that there should be provision for criteria to be established in relation to what constitutes brain death, and that that should be included as part of the Schedule. The other major amendment suggested was that there should be a procedure established to permit a coroner to make a consent order with respect to the removal of tissue.

Apart from those proposed amendments, there was also a suggestion that there should be two new clauses added to the Bill. The first deals with a provision which would restrict transplants between persons not genetically related. The second is a section providing for the keeping of information on transplant operations. Both those provisions are contained in the UK Human Organs Transplant Act, and we are seeking to develop provisions along the line of that legislation. There is one other matter which has caused some delay in having this Bill introduced in the Parliament: the enactment of the Regional Health Authorities Act. There are certain matters which the Ministry of Health is now looking into in order to determine the procedure established under the Human Tissue Bill with respect to how the Regional Health Authority impacts on that particular provision.

Madam Speaker, the Government recognizes the need for legislation of this nature, and once that review exercise to which I referred is completed, the Bill will be laid in Parliament. I regret I cannot, at this stage, give a firm time frame.

I thank you.

Fire Stations (Equipment Shortage)

Mr. Chandresh Sharma (*Fyzabad*): Madam Speaker, it is coincidental that my Motion follows the Motion of the Member for Couva South, because it complements exactly what he has asked. I am very glad that the response came from the Attorney General.

Basically, this evening, I should like to deal with the acute shortage of equipment and supplies at fire stations and, in particular, fire stations in South.

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Very quickly, I would like you and hon. Members to travel with me to some of these fire stations.

The Point Fortin Fire Station: It is in the borough of Point Fortin. Here, it is required to have two fire appliances and one ambulance. As it is, there is only one fire appliance. There is an acute shortage of manpower at this fire station. The physical condition of the station requires some urgent work to be done. In the area of stores, there are absolutely no supplies available.

Madam Speaker, you recognize that we are in the hurricane season and NEMA has recommended that all fire stations offering emergency services should have some supplies. At this fire station there is no ambulance and one fire service appliance, which is in need of repair.

The Couva Fire Station: The Couva Fire Station covers the Point Lisas Industrial Estate. The requirement for this particular fire station is that it should have what is called a foam applicator—an industrial fire appliance. Many of these industrial fires do not normally require water; rather, they require the application of foam. This station is without foam. One appliance and one ambulance service as far as Mayaro.

At Harris Promenade in San Fernando there are no appliances. There are hose layer vehicles which normally transport hoses in the event of a major fire. This station is without an ambulance and without an appliance.

It was recommended that the fire station near the San Fernando Bypass should have three water tankers. There is one at this time. There is one ambulance, when there should be two. Again, all fire stations I have visited within recent times are without general stores.

Some of the other areas which require attention are backpay for auxiliary fire officers and acting allowances for fire officers. In many instances while the COLA is approved, it is not being paid. A number of fire officers who have gone on refresher courses from time to time are now being called upon to pay for part of the course, which is very difficult and unfair to them.

We are now in the month of August. Up to the month of June, in the southern region, the value of fires which the fire service responded to was \$13 million and losses \$3,205,730. I will tell you why I mention this. During January to December, 1993, the fire services in South responded to a total of 2,000 calls valued at \$82,587,965, and losses suffered amounted to \$15,014,691. In a number of these instances the fire stations were unable to perform their duty because there was no equipment.

Madam Speaker, you know that this country has a problem with water. When I was a child, we operated bucket brigades. This cannot be done any more because in many instances there is no water. So, there is need for the fire service appliances moreso, the water tankers, so that at all times there would be an adequate supply of water.

Ten years ago, the Ministry of National Security undertook to install salt water mains, but this exercise did not continue in South Trinidad, for example, in High Street, San Fernando.

The service is called the Trinidad and Tobago Fire and Ambulance Service, so that there must be ambulances at all times. If we are to go with what the Attorney General has just said and measure brain death, it means the brain is being starved of oxygen. The appliances would sometimes have oxygen equipment. Here it is that there are no appliances and ambulances, so they cannot offer first aid.

In the case of accidents, I want to refer to this year, 1994. We have had approximately 90 persons dying on the roads: 10 children—very, very sad; 1993: 161 persons—18 children; 1992: 127—22 children; 1991: 148—26 children; 1990: 135—25, and we can go on. The point of this argument is that a number of these lives could have been saved if there were an effective fire and ambulance service in Trinidad and Tobago. This is extremely important. We have to look at the big picture.

6.10 p.m.

The question of unemployment has a bearing on this. While many parents are looking for work, their children are left at home. Because of the economic situation, they have gone back to the days of the chulha and the coalpot. In some cases the children cook, and the possibility of fires being started is higher.

The Chaguanas Fire Station which does not fall under the Southern Division has been completed since 1991, but it has not been opened to this day. Recently, I read where the Fire Services Association complained about the situation at Piarco. If we are going to be the hub area, you can imagine what would happen in the event of an aircraft disaster. My information is that the fire station at Piarco is not equipped to handle such a situation. *[Interruption]* I have not been to Tobago as yet, but I am sure that I could arrange that at another time.

Miss Nicholson: I invite you.

Mr. C. Sharma: Thank you.

On the question of appliances, I know that the Minister would say—and he would be correct—that the cost of appliances is very high because we purchase

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them from the United Kingdom. The same appliances are available at 35 per cent cost; so if an appliance is being purchased from the United Kingdom for \$1 million, the same could be purchased from the United States at 35 per cent cost. The only difference is that it would be left hand drive. More than that, we can build those fire appliances locally. It is basically trucks with in-built water tankers, in-built pumps and other gadgets which can be installed locally.

Recently, the fire officers in the Southern Division had a fund-raising event at the Gulf City car park. We must compliment all the fire officers in Trinidad and Tobago; this also includes the women because they now form part of the fire service. In San Fernando, a number of the fire officers are repairing the vehicles, but they need some assistance to purchase materials.

Recently, I was in a certain area where I saw a fire service vehicle parked at a private home. When I inquired, I found out that it was being repaired there; a body job was being done through the kind courtesy of the fire officers. The fire officers need the encouragement of the Government. To a large extent, a number of the fire officers are very skilled in a number of areas, so a lot of the repairs can take place.

The availability of an ambulance is extremely critical. We cannot bypass the recent death on Sunday of Faiz Mohammed, his wife and 15-month old child. We have to be extremely careful. These are difficult times and people need assurance.

Earlier today, when the Minister of Finance was replying, I took a note of the \$12,000 which is being removed; it means that more people would have to repair their homes with their money. There is no tax break any more. The \$24,000 interest on the loans is not accessible to about 200,000 home owners in this country. They need the assurance that their homes would be protected in the event of a fire, and the fire service could respond in an effective way.

These are the areas I raise with the Minister. I hope that the reply would be meaningful.

Thank you.

The Minister of National Security (Sen. The Hon. Russell Huggins): Madam Speaker, the Government is well aware of the situation in the fire service, and it is not as acute as the hon. Member sought to make it appear. There are some problems and the Ministry of National Security is seeking to remedy them.

Dealing with the fire service is not a simple matter and running a fire service is a very expensive operation. You do not purchase appliances from a shelf; it

takes about 13 months to build one. Because those fire appliances are not made locally, one also has the problem of spares when there are any major mechanical problems with them.

As a result, the Ministry of National Security is seeking to obtain a figure of \$37 million in its 1995 Estimates in order to satisfy some of the needs of the fire service. That is both the physical accommodation as well as appliance needs. I cannot give any assurance as to how much of the \$37 million I shall receive, but we shall persevere to obtain that figure or even more.

I think the Southern Division is well served with water-carrying vehicles. The only station in the Southern Division that does not have a water-carrying vehicle is the sub-station at Harris Promenade, but this can easily be supplemented by the water-carrying vehicles which are housed at the fire service headquarters at San Fernando.

The hon. Member made mention of the salt-water facilities. Those facilities have been laid—for example in Port of Spain—many years ago. It is unfortunate that because of several road works which have taken place over the years, at this point it is almost impossible to identify where many of those salt-water mains are. Sometimes the only time that you know that a main is leaking is when you actually see it coming through the road. We have sought to identify the exact route that the salt-water main takes, but it has not proved to be very successful. I fear that probably the only solution to the problem would be to re-lay an entirely new salt-water main.

Mention was also made of the Chaguanas Fire Station. I keep hearing reports that this fire station is complete. The station may appear to be complete, but it is not. As a matter of fact, there is an inadequate sewer treatment plant attached to that station which the Water and Sewerage Authority has refused to sign off. As a result, completion of the station has been delayed. It is expected that the station may be handed over to the fire service in October. I do not want Members to be misled into believing that when the station is handed over, it can go into operation immediately. That is not the case. We are seeking to have the problems with the sewer treatment plant corrected so that the handing over could probably take place well before October.

Mention was also made of the death of Faiz Mohammed over the weekend, but even with the best ambulance service in the world, I really fail to see what it can do if someone dies on the spot. I think this was the case of the deaths over the weekend. In 1990, I think that the fire service received about nine ambulances.

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When I took up office in 1992, like other Members, I too expressed great concern about these ambulances which were non-operational; some of them were totally destroyed by accidents, and in others, we had problems sourcing parts for them. It is really a problem area, particularly in terms of getting parts to repair these vehicles. As I said, we are trying to rectify the situation somewhat, in 1995. I am hopeful that when the issue is raised again, I would have a much brighter picture to paint.

Thank you, Madam Speaker.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 6.20 p.m.