

*Leave of Absence*

*Monday, May 01, 1995*

**HOUSE OF REPRESENTATIVES**

*Monday, May 01, 1995*

The House met at 1.41 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 St. Ann's East (*Hon. W. Mottley*).

**PAPERS LAID**

1. Report of the Auditor General on the accounts of Point Lisas Terminals Limited for the year ended December 31, 1994. [*The Minister of Trade and Industry and Minister in the Ministry of Finance (Hon. K. Valley)*]
2. Report of the Auditor General on the accounts of Point Lisas Industrial Port Development Corporation Limited for the year ended December 31, 1994. [*Hon. K. Valley*]
3. Report of the Auditor General on the accounts of Trinidad and Tobago Television Company Limited for the year ended December 31, 1994. [*Hon. K. Valley*]
4. Report of the Auditor General on the accounts and financial statements maintained by the Restructuring Support Unit (RSU) in respect of the Business Expansion and Industrial Restructuring Project for the year ended December 31, 1993 as required by section 4:01 of Loan Contract No. 3432-TR between the Government of the Republic of Trinidad and Tobago and the International Bank for Reconstruction and Development. [*Hon. K. Valley*]
5. Report of the Auditor General on the accounts of National Broadcasting Service of Trinidad and Tobago Limited for the year ended December 31, 1994. [*Hon. K. Valley*]
6. Report of the Auditor General on the accounts of the Legal Aid and Advisory Authority for the year ended December 31, 1993. [*Hon. K. Valley*]

*Papers 1, 2, 3 and 5 to be referred to the Public Accounts (Enterprises) Committee.*

(Papers 4 and 6 to be referred to the Public Accounts Committee)

7. Annual Report of the Legal Aid and Advisory Authority for the year ended December 31, 1993. [*The Attorney General and Minister of Legal Affairs (Hon. Keith Sobion)*].

#### JOINT SELECT COMMITTEE REPORT

#### Public Holidays

#### Presentation

**The Minister of Education (Hon. Augustus Ramrekersingh):** Madam Speaker, I beg to present the report of the joint select committee appointed by the Senate and the House of Representatives to consider the entire question of public holidays, and to note that appended to the report is a minority report.

#### ORAL ANSWERS TO QUESTIONS

**The Minister of Trade and Industry and Minister in the Ministry of Finance (Hon. Kenneth Valley):** Madam Speaker, the Government will be answering two questions on the Order Paper today and seeking a deferral of the rest. As you know, Monday is not the normal sitting. Cabinet meets on a Thursday which facilitates answering of questions on a Friday. If we were unable to answer on the last occasion we would not be able to answer today.

There are two questions that we can answer and I assure Members that we will do our best to answer the other questions on Friday. The questions asked require much research and that is one of the difficulties. In the quest to satisfy Members opposite in terms of the quality of replies, they have to wait a bit, and I hope they will understand. Questions No. 53 and 86 will be answered.

**Mr. Ramesh Lawrence Maharaj (Couva South):** Madam Speaker, before you put the motion, we have over the last few weeks been coming here and being assured that some of these questions would be answered. Most of the questions on the Order Paper have been lodged in 1994. They qualified in December 1994, and I think it is a scandal for the Government to ask for more time to answer these questions when we are now in May 1995.

The hon. Member said that only questions Nos. 53 and 86 will be answered. I have a list of all the questions on the Order Paper, the date they were lodged and the date they qualified. Some of the questions qualified in February 1995 and the others qualified in November and December, 1994. We are protesting very strongly.

Over and over, we have been hearing that next week, next two weeks these answers will be given. The fact that we can ask questions of the Government is an important form of establishing accountability of the Government. As a matter of fact, that is the machinery which the Government boasts about, the accountability of the Government to the Parliament of Trinidad and Tobago. Unless the Government can state that these questions would be answered by the next sitting—

**Mr. B. Panday:** We would stage a walk out.

**Mr. R. L. Maharaj:** These questions ought really to be answered, and I do not think that Parliament should give the Government any more than a week to answer them.

**1.50 p.m.**

**Mr. Valley:** Madam Speaker, I would have to ask my colleague on the other side to provide the information he has that most of these questions were laid in November of 1994. The questions on the Order Paper are question No. 53, which we are answering; the next question on the Order Paper is question No.70. If I could just read Part (a) of No. 70, it says:

"Could the Minister state:

(a) The locations where community centres are earmarked for construction during 1995..."

Question No. 77 asks:

"Would the Minister indicate to this House what works will be undertaken in 1995..."

If I were to look at the other questions, they all refer to 1995. If the hon. Member would indicate to me which of these questions were laid in 1994, I could assure him that we would ensure that they would be answered as quickly as possible.

**Mr. R. L. Maharaj:** Madam Speaker, is the Government asking that the questions be postponed for one week, two weeks or three weeks? Because these are questions which have been postponed and we do not want them postponed time and time again. So they must give an answer.

**Mr. Valley:** Madam Speaker, in our quest to satisfy the Opposition we want to ask for two weeks. I want the Opposition to know that we are a

responsible Government. Our record would show that in any of our Parliaments, we answer at least 90 per cent of the questions filed and we want to improve on that record. However, they are asking questions which require considerable research and we would want to be able to give them quality replies.

*The following questions stood on the Order Paper:*

**Construction of Community Centres**

- 70.** Could the Minister of Community Development, Culture and Women's Affairs state:
- (a) The locations where community centres are earmarked for construction during 1995 from the E.C. grant for \$18.5 million and the estimated cost of each such community centre?
  - (b) Would any portion of this grant be made available for the repairing and refurbishing of existing community centres? *[Mr. T. Sudama]*

**Road Improvement Programme  
(Penal/Debe Regional Corporation)**

- 77.** (a) Would the Minister of Works and Transport and Minister of Local Government indicate to this House what works will be undertaken in 1995 under the Road Improvement Programme and under the recurrent programme on the following roads:
- (i) S.S. Erin Road between 0 mm to 10 mm;
  - (ii) Papourie Road;
  - (iii) Rochard Road;
  - (iv) Clarke Road;
  - (v) Penal Rock Road; and
  - (vi) Scotts Road?
- (b) Would the Minister also indicate what secondary roads within the Penal/Debe Regional Corporation will be repaired in 1995 under the Road Improvement Programme? *[Mr. S. Hosein]*

**Community Centres  
(Chaguanas Constituency)**

- 83.** (a) Would the Minister of Community Development, Culture and Women's Affairs indicate the number of community centres which are

located within the boundaries of the Caroni River on the north, the Old Southern Main Road on the east, Crown Trace up to the Endeavour Flyover along the Uriah Butler Highway heading south, to the Chaguanas Main Road heading west, to Cacandee Main Road heading North to the Caroni River (Chaguanas Constituency)?

- (b) Would the Minister list all the community centres within those boundaries and indicate the funds, if any, expended on each of those community centres in 1992, 1993 and 1994?
- (c) Would the Minister also state plans, if any, for any additional community centres within these boundaries and the planned expenditure on these new centres and the planned expenditure, if any, on the existing centres? [*Miss H. Bhaggan*]

**Pierre/Tahadille Multicultural Complex  
(Completion of)**

- 84.** (a) Would the Minister of Community Development, Culture and Women's Affairs indicate:

Whether she is aware that the completion of the Pierre/Tahadille Multicultural Complex has been outstanding since 1991?

- (b) The cost of and whether she intends to have that project completed?
- (c) If the answer is in the affirmative, when will work begin? [*Miss H. Bhaggan*]

**Media Time for Opposition**

- 89.** Would the Prime Minister indicate:

- (a) Whether Government has taken or intends to take steps to ensure that the official Opposition in Parliament obtain state sponsored media time to express its views on Government's action?
- (b) The sums of money the Government spent on public relations and media time since it got into office? [*Mr. R. Maharaj*]

**Lobbyists for the Government  
(Award of Contracts)**

- 92.** Would the Prime Minister inform this honourable House whether:

- (a) The contract to a Washington-based firm to serve as lobbyists for the Government of Trinidad and Tobago was awarded by the Central

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Tenders Board, which is the agency established by law for the award of contracts for the provision of goods and services to the Government?

- (b) If the answer is in the affirmative, would the Prime Minister provide this honourable House with a certified copy of the minutes of the meeting of the Central Tenders Board at which this decision was taken?
- (c) If the answer is in the negative, would the Prime Minister advise this honourable House why normal tendering procedures were not followed in this instance?
- (d) Would the Prime Minister provide this honourable House with the names of the other firms that were considered for the said contract and the criteria which were used to ensure that the most suitably qualified firm was selected so that the country could derive the optimum benefits for the expenditure incurred in the payment of remuneration to the firm selected?
- (e) Would the Prime Minister inform this honourable House whether the relationship which existed between a senior Government Minister and an employee of the selected firm in any way influenced the selection of the said firm? [*Mr. B. Panday*]

**Edinburgh 500**  
**(Playing Facilities)**

**95.** Would the Minister of Sport and Youth Affairs state:

- (a) Whether the playing facilities at Edinburgh 500 fall under her ministry?
- (b) If the answer is in the negative, would the Minister indicate whether any efforts have been made to bring this facility under the supervision of her ministry? [*Mr. R. Palackdharrysingh*]

**Playing Fields Under Five Acres**

**96.** Would the Minister of Sport and Youth Affairs state:

- (a) How many playing fields in this country are under five acres in size?
- (b) Whether such playing fields would be enhanced to encourage sporting activities?

- (c) If not, what alternative arrangements would be made for the members of such sporting communities? [*Mr. R. Palackdharrysingh*]

#### **Restoration of Bad Roads**

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

- (a) Whether he is aware of the bad condition of the Freeport Village Road, the Arena Road, La Cuesa Road, the Enterprise Road, the Old Southern Main Road from Montrose to Edinburgh 500?
- (b) If the answer is in the affirmative, would the Minister state when the necessary corrective measures would be taken for the restoration of such roads? [*Mr. R. Palackdharrysingh*]

#### **Road Improvement Programme (Work to be Undertaken)**

**105.** Would the Minister of Works and Transport and Minister of Local Government indicate to this House what repairs will be undertaken in 1995 under the Road Improvement Programme and under the recurrent programme on the following roads:

- (a) The Guaracara Tabaquite Road from the Tabaquite Composite School to the Guaracara Junction;
- (b) From the By-pass, San Fernando along to Gasparillo, Bonne Aventure through Happy Hill, Morne Roche, Poonah, Whiteland, Williamsville; and
- (c) Forres Park/Tortuga Road? [*Dr. C. Singh*]

#### **Road Repair**

**107.** (a) Would the Minister of Works and Transport and Minister of Local Government state whether his ministry has any plans to repair the following roads:-

- (a) Torrib Tabaquite Road;
- (b) Realize Road; and
- (c) Garth Road?
- (b) If the reply is in the affirmative, would the Minister state:
- (i) the type of repairs planned for each project;

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- (ii) the estimated cost of repairs;
  - (iii) when the repairs will begin; and
  - (iv) the anticipated date of completion;
- for each project? *[Mr. M. Haniff]*

**Rienzi/Kirton Highway  
(Traffic Hazard)**

**109.** Could the Minister of Works and Transport state whether:

- (a) He is aware that the detour at the end of the Rienzi/Kirton Highway in San Fernando has, for a number of years, constituted a traffic hazard and has caused a number of serious accidents?
- (b) He is aware that the building in Independence Avenue, San Fernando, which was constructed directly in the path of the highway had been demolished three years ago?
- (c) His Ministry intends to complete this roadway according to the original design and, if not, why not? *[Mr. T. Sudama]*

**Status of Legislative Matters**

**128.** Would the Attorney General and Minister of Legal Affairs state:

- (a) The names of the legislative matters which have not been proclaimed and/or which have not been assented to and/or which have not become operative?
- (b) In respect of each legislative matter, what steps, if any, his Government took since it got into office for the Acts to be proclaimed and/or assented to and/or for them to have effect?
- (c) Whether his Government intends to repeal any of these Acts and, if so, give the names of the Acts? *[Mr. R. L. Maharaj]*

**Infrastructural Work  
(Nariva Swamp)**

**135.** Would the Minister of Agriculture Land, and Marine Resources state:

- (a) When will infrastructural work begin to develop the area designated as the small-holdings for farmers in the Nariva Swamp?



- (b) How soon will the said smallholdings be distributed to the farmers of the area? *[Mr. K. Jurai]*

**State-owned Agricultural Estates and Farms**

**136.** Would the Minister of Agriculture, Land and Marine Resources state:

- (a) Which state-owned agricultural estates and farms are to cease operations?
- (b) What are the assets and what are the values of these respective estates and farms which are to cease operations?
- (c) What does the Government intend to do with the assets of these estates and farms? *[Mr. K. Jurai]*

**Road Improvement Programme  
(Nariva)**

- 137.** (a) Would the Minister of Works and Transport and Minister of Local Government state the nature of the road improvement work to be done in 1995 under the Road Improvement Programme and would the Minister also state how soon work will begin on each of the following roads:
- (i) Cunapo Southern Road from Sangre Grande to Rio Claro;
- (ii) Plum Mitan Road from Manzanilla to Plum Mitan Junction;
- (iii) Little Coora Road from Guaico Tamana Road to Cumuto Main Road; and
- (iv) Bon Air Road from Guaico Tamana Road to Cumuto Main Road?
- (b) Would the Minister state what steps would be taken to fill the massive potholes that have beaded these roads, in order to give some measure of immediate relief to road users? *[Mr. K. Jurai]*

**Unemployment Relief Programme  
(Pavement Repair)**

- 139.** Would the Minister of Works and Transport and Minister of Local Government state why the Unemployment Relief Programme (URP) continues to repair pavements which are in reasonably good condition, along Manahambre Road, Ste. Madeleine, while none is being built along the said road between the Petit Morne Health Centre and the entrance to the Petit Morne Settlement? *[Mr. S. Panday]*

**Pipe-borne Water Supply**  
(Naparima)

**140.** Would the Minister of Public Utilities state:

- (a) Why residents of Sugar Road, Bronte, Bronte Village, Ciperio Road, Cunjal Road, off Realize Road have not received a pipe-borne water supply since November, 1994?
- (b) When can these residents expect a reasonable supply of pipe-borne water? *[Mr. S. Panday]*

**Road Rehabilitation**  
(Naparima)

**141.** Would the Minister of Works and Transport and the Minister of Local Government state when will the following roads be rehabilitated:

- (a) St. Croix Road from its junction with Papourie Road to Rees Road;
- (b) Papourie Road from the Barrackpore Police Station to Lalbeharry Trace;
- (c) Rochard Douglas Road;
- (d) Ciperio Road from its junction with Papourie Road to Golconda Village? *[Mr. S. Panday]*

**Project Pride**  
(Status)

**143.** Would the Minister of Works and Transport and Minister of Local Government state what is the status of Project Pride at Piarco Airport since the turning of the sod almost one year ago? *[Mr. G. Hanoomansingh]*

**Electricity Supply**  
(Tobago)

**144.** Is the Minister of Public Utilities aware:

- (a) Of the critical importance of electricity to the tourism thrust in Tobago and that Tobago depends on two nitrogen gas cables coming from the north eastern corner of Trinidad and that these cables function simultaneously?
- (b) That from April, 1994 a leak was discovered on the 10 megawatt cable and has since shown serious deterioration between January and February, 1995?

- (c) That Tobago's electricity supply now depends only on the 15 megawatt cable and that any fault on this remaining line will result in a total loss of supply to Tobago?

If so, could the Minister indicate what corrective action his Government has taken to resolve this urgent problem? *[Miss P. Nicholson]*

### **Tobago Power Station**

- 145.** (a) Could the Minister of Public Utilities indicate to this honourable House whether the rated electrical capacity of the Tobago power station is technically assessed to be 11.3 megawatts and is now down to 6.8 megawatts?
- (b) Is the Minister aware that the measured peak load recorded for Tobago is 15.5 megawatts?
- (c) Could the Minister indicate to this House whether he is informed of the following recommendations from the Tobago Region for urgent remedial and developmental action to alleviate the actual and potential crisis regarding electricity in Tobago:
- (i) Replacement of all radiators on the units at the Tobago Power Station;
  - (ii) Installation of water storage and filtering facilities at the same plant;
  - (iii) Installation of a new diesel/natural gas fired 15 megawatt machine for the Tobago Power Station.

If the answers to the above-mentioned questions are in the affirmative, could the Minister state what action his government has initiated to prevent any electrical crisis occurring in Tobago? *[Miss P. Nicholson]*

### **Dry Water Pipes (Princes Town)**

- 146.** (a) Is the Minister of Public Utilities aware that paying customers of the Water & Sewerage Authority (WASA) who reside along Timkey Trace and Contention Road in Princes Town have had no water in the lines for over three months?
- (b) If the answer is in the affirmative, could he state what steps are being taken to remedy this problem with a view to bringing relief to the affected residents? *[Mr. M. Haniff]*

**Poor Water Supply  
(Naparima/Mayaro Road)**

- 147.** (a) Is the Minister aware that residents of George, Robert and Poole Villages along the Naparima/Mayaro Road continue to experience extreme difficulties without a reasonable water supply for years?
- (b) If the answer is in the affirmative, could the Minister state how soon the second and third phases of the pipe relaying project will begin along the Robertson and Torrib Tabaquite Roads in the Princes Town constituency?
- (c) Could the Minister state when this project is likely to be completed?
- (d) Could the Minister state whether residents of George, Robert and Poole villages who have been paying WASA rates but not receiving a supply for very long periods would be the recipients of a rebate of moneys paid for no supply? [*Mr. M. Haniff*]

*Questions, by leave, deferred.*

**PUBLIC HOLIDAY**

**The Prime Minister (Hon. Patrick Manning):** Madam Speaker, earlier in the sitting of this Parliament, the hon. Member for St. Joseph presented the report of the joint select committee appointed by the Senate and the House of Representatives to consider the entire question of public holidays, and of course, the committee was asked to report by March 31, 1995. That report will be the subject of debate a little later in the proceedings of this honourable House.

The committee considered and reported on the question of whether Indian Arrival Day should be a holiday or not. The debate is going to articulate clearly what the committee has recommended in respect of this matter.

I merely want to draw the attention of hon. Members to the fact that the committee's report makes recommendations with effect from January 1, 1996. It is my pleasure to announce that the Cabinet has decided, in recognition of the 150th anniversary of the arrival of the first East Indians in Trinidad and Tobago, that May 30, 1995 will be declared a public holiday.

**Mr. R. L. Maharaj:** I wonder if the hon. Minister would answer this question. Would it be named Indian Arrival Day or Arrival Day?

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**Hon. P. Manning:** Madam Speaker, it is quite clear that my hon. Friends opposite did not understand what I said. I said that the Cabinet has decided that in recognition of the 150th anniversary of the arrival of the first East Indians in Trinidad and Tobago, May 30, 1995, will be declared a public holiday.

**ORAL ANSWERS TO QUESTIONS**

**Road Improvement Programme**

**53. Mr. Trevor Sudama** (*Oropouche*) asked the Minister of Works and Transport to provide the House with:

- (a) The names of the contractors employed under the Road Improvement Programme which commenced in 1994 before and after the awards by the Central Tenders Board;
- (b) The respective amounts paid to them and/or owing to date before and after the awards by the Central Tenders Board;
- (c) The quantity of hot mix supplied by each contractor before and after the awards by Central Tenders Board;
- (d) The length of roadway paved by each contractor before and after the awards by the Central Tenders Board.

**Mr. Sudama:** Madam Speaker, I have pleasure in asking this question which has been on the Order Paper now for six months. It is a complete denial of Standing Order No. 7 which states that a reply should be given to this House three weeks after a question is accepted. What we have noticed is rather a travesty of the parliamentary system and a mockery of parliamentary democracy as practised in Trinidad and Tobago by the PNM Government.

Having said that, it seems not to matter whether they answer questions or not in this House. We shall have to take other recourses.

**Madam Speaker:** Is this the one that was late the last day?

**Mr. Sudama:** Yes. This is the one that was coming from somewhere, Hong Kong or somewhere.

**Madam Speaker:** It did arrive, but unfortunately the hon. Minister was not in possession of it.

**The Minister of Works and Transport and Minister of Local Government (Hon. Colm Imbert):** Madam Speaker, the Minister of Works and Transport wishes to advise that in accordance with standard procedure the open market

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system was used for procurement of hot asphaltic mix for road paving work during the period January 21, 1994 to June 15, 1994. Because of the repetitive nature and large volume of work involved in the Road Improvement Fund Programme, however, bonded contracts were reintroduced on June 16, 1994.

The names of the contractors, the respective amounts paid or owing to them, and the quantity of hot mix supplied before and after the reintroduction of bonded contracts are as follows:

**TRINIDAD**

Before the reintroduction of bonded contracts by the Central Tenders Board i.e. up to June 15, 1994.

Contractor	Amount paid for work done during the period.	Amount Outstanding	Quantity of Hot Mix used (tones)
Trinidad Asphalt	\$1,441,588.25	\$00.00	5,519
Seereeram Brothers	\$1,851,582.33	\$827,816.00	11,739
Asphalt Road Surfacing Co. Ltd.	\$195,661.00	74,589.00	1,000
Coosal's Construction Co. Ltd.	\$8,063,974.10	\$1,716,177.20	41,480
Jusamco Pavers Limited	\$4,468,379.55	\$1,573,607.50	27,303
G.H. Construction	\$236,256.00	\$0.00	960
Carib Asphalt Paver	\$6,710,613.95	\$355,775.90	22,446

**TOBAGO**

Contractor	Amount paid for work done during the period.	Amount Outstanding	Quantity of Hot Mix used (tones)
Seereeram Brothers Limited	\$1,728,857.87	\$00.00	4,953

**2.00 p.m.**

The second period, after the reintroduction of bonded contracts by the Central Tenders Board from June 16 to December 31, 1994.

**TRINIDAD**

Contractor	Amount paid for work done during the period.	Amount Outstanding	Quantity of Hot Mix used (tones)
Coosal's Construction Company Limited	\$1,194,694.52	\$459,816.00	7,444
Jusamco Pavers Limited	\$1,872,789.00	\$735,264.00	12,370
Carib Asphalt Pavers	\$1,671,904.25	\$783,667.00	10,988

**TOBAGO**

Contractor	Amount paid for work done during the period.	Amount Outstanding	Quantity of Hot Mix used (tones)
Seereeram Brothers Limited	\$270,474.13	\$0.00	775

Members should note that an analysis of the information provided would indicate that the cost of supply and placement of asphalt varies both before and after the reintroduction of bonded contracts. There are several reasons for this, including the type of asphalt mix involved, that is, whether the asphalt material is required for a surface course, a base course or a levelling course.

Costs also vary with the proximity of the roads to be paved from the various contractors' asphalt plants and with the degree of difficulty in carrying out the paving work. It has also been the experience that the price quoted by contractors under the open market system are different from the prices quoted under bonded contract, primarily because of the different quantities involved.

In addition, transportation is a major cost element in asphalt work. In some cases, particularly, rural areas, the cost of trucking the asphalt to the site can be

more than the cost of the material itself. The cost of placing the asphalt mix is also dependent to a large extent on whether the roads to be paved are flat or hilly, the volume of traffic on the roads, the width of the roads and the existing condition of the roads.

In addition, in most roads significant preparatory work is required such as levelling and patching of potholes, regrading and road strengthening. This preparatory work introduces another variable in the overall cost of road-paving work.

With regard to the length of roadway paved by each contractor, it should be noted that this is affected by a large number of variables. These variables include the width of the roadway, the thickness of asphalt placed, the condition of the roadway prior to paving, and most importantly, the nature of the road repair work, that is, whether it is pothole patching, strip paving, or complete resurfacing work. Direct comparisons of the length of roadway paved, therefore, are likely to be misleading, particularly in the case of road patching as compared to resurfacing.

**Mr. Sudama:** Madam Speaker, the Minister told this House that bonded contractors were reintroduced after the request for tenders were closed. Am I to understand, therefore, that the tenders issued really had no bearing on the award to contractors from June 16, 1991 to December 31, 1994? That the reintroduction of bonded contractors implied that consideration of the competitive tenders by the Central Tenders Board was really of no significance?

**Hon. C. Imbert:** Madam Speaker, I do not understand the question, can the Member please simplify it?

**Mr. Sudama:** Madam Speaker, the Minister said there was no competitive tendering and that for the period January to June 1994, bonded contractors were used. In other words, these bonded contractors got contracts without competitive tenders.

**Hon. C. Imbert:** Madam Speaker, I said no such thing, so let me just correct the record for the benefit of the Member. Before the reintroduction of bonded contracts, the open market system was used where competitive quotations were invited and, according to the regulations, the lowest priced, good quality article which meets the needs of the ministry must be selected—that is prior to the reintroduction of bonded contracts.

The bonded contracts were introduced on June 16, after a process of competitive bidding, and contracts were awarded based on competitive bids.



**Mr. Sudama:** Did the Central Tenders Board accept the competitive bidders before June, 1994? What authority accepted the competitive bids before June, 1994?

**Hon. C. Imbert:** Madam Speaker, the open market system was used by the ministry. In the Financial Regulations, Stores, 1965, as amended. There are two mechanisms allowed for the purchase of goods or materials; that is, the open market system where we use the Financial Regulations, Stores, 1965 or the Bonded Contracts System which is used in concurrence with the Central Tenders Board Ordinance of 1961. Prior to June 16, 1994, the open market system was used, using the Financial Regulations.

**2.10 p.m.**

**Mr. Sudama:** Madam Speaker for the period January to June 1994, from the answer, it has been observed, three contractors in particular were given the bulk of the work to do. Those contractors were Coosal's, Jusamco and Asphalt Pavers. Would the Minister indicate to this House whether due to the process of open bidding, these three contractors satisfy that requirement of having the lowest bids with respect to the work to be carried out?

**Hon. C. Imbert:** Madam Speaker, the regulation is quite explicit. It says the lowest priced good quality article which meets the needs of the ministry must be selected. As far as I am aware the regulations were followed. I cannot state categorically for the record that in the case of these particular contractors that they were the lowest bidders. The regulation states it is the lowest price good quality article which meets the needs of the ministry. My information is contractors were zoned in accordance with the location of their plant, in terms of the size and the resources available to them. As far as I am aware I shall certainly check it for the Member—the regulations were followed to the letter. That is my understanding.

**Mr. Hosein:** Would the hon. Minister indicate, as asked in (a) of the question, the names of the contractors under the Road Improvement Programme? Are we to understand that the only contractors who were employed under this programme were those whose names were mentioned here this afternoon, or were other contractors hired?

What works were they hired to do under this programme and the respective amounts paid to them and/or owing to date before and after the awards by the Central Tenders Board?

**Hon. C. Imbert:** Madam Speaker this question is quite specific. The names of the contractors employed under the Road Improvement Programme which

commenced in 1994 before and after the awards by the Central Tenders Board; the respective amounts paid to them and/or owing to date; the quantity of hot mix supplied by each contractor before and after the awards by the Central Tenders Board.

The question has been answered in the context of hot mix. If the Member is referring to other elements of the Road Improvement Programme that is a different question. I would most certainly answer it when it arises.

**Mr. Hosein:** The question of hot mix is only introduced in part (c). Part (a) talks about contractors under the programme. One would have expected that the Minister would have had that information and when he came to part (c) then he would have dealt with those contractors who supplied asphaltic hot mix.

**Madam Speaker:** It could be that you need to further answer section (a). The Minister has consented to do that. Shall we proceed then.

**Marshall Trace Extension (Cunupia)**  
**(Development Works)**

**86. Miss Hulsie Bhaggan** (*Chaguanas*) asked the Minister of Works and Transport and the Minister of Local Government:

Would the Minister indicate:

- (a) Whether he is aware that Marshall Trace and Marshall Trace Extension in Cunupia have been in a deplorable condition since 1991?
- (b) Whether he intends to undertake development works on these roads?

If the answer is in the affirmative, when does he intend to commence these works?

**The Minister of Works and Transport and Minister of Local Government (Hon. Colm Imbert):** Madam Speaker, Marshall Trace and Marshall Trace Extension are the responsibility of the Tunapuna/Piarco Regional Corporation. However, the Minister of Works and Transport is aware of the condition of the two roads and that both roads require major repair work of a developmental nature.

The corporation has advised that neither of these roads is included in its 1995 development programme, but efforts are being made by the local government representative to have work undertaken on the roads with the assistance of the National Commission for Self-Help. Consideration will be given to the inclusion

of the particular roads in the Road Improvement Fund Programme, if funding permits.

#### ORDER OF BUSINESS

**The Minister in the Ministry of Finance and Minister of Trade and Industry (Hon. Kenneth Valley):** Madam Speaker, I beg to move that the second reading of the Bill under Private Business on page 15 of the Order Paper be considered at this time.

*Leave granted.*

#### DIVINE MAHA KALI SHAKTI TEMPLE (INC'N) BILL

Question put and agreed to, That a Bill to provide for the incorporation of the Divine Maha Kali Shakti Temple and for matters incidental thereto, be now read a second time.

*Bill accordingly read a second time.*

*Bill referred to a special select committee of the House chosen by the Speaker as follows:* Mr. A. Casimire (Chairman), Mr. J. Narine, Mr. E. Hart and Mr. R. Palackdharrysingh.

#### ORDER OF BUSINESS

**The Minister in the Ministry of Finance and Minister of Trade and Industry (Hon. Kenneth Valley):** Madam Speaker, I beg to move that the House now consider Private Motion No. 11 on the Second Supplemental Order Paper.

*Leave granted.*

#### STANDING ORDERS (BREACH OF)

**Madam Speaker:** There has been a disturbing trend for quite some time now with respect to the reports from select committees. This is especially addressed to the press and probably Members who are new to the House. I draw your attention to Standing Order 81. I ask members of the press especially to observe this Order; if not I may have to take a more serious stand in the future. I have had time and time again to refer Members to this Standing Order. I shall read it again for the benefit of Members and members of the press. Standing Order 81 states:

"The proceedings of and the evidence taken before, any Select Committee, and any documents presented to, and decisions of, such a Committee shall not

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be published by any Member thereof or by any other person before the Committee has presented its Report to the House."

I think that hon. Members know that almost the entire report of this committee on public holidays was published in the press. Of course, no one knows who gave the information, but certainly it is the responsibility of the press. If you did not know before, take note that you are breaching Standing Order 81. I ask for your co-operation for matters of this nature in the future.

#### JOINT SELECT COMMITTEE REPORT

##### Public Holidays

##### Adoption

**The Minister of Education (Hon Augustus Ramrekersingh):** Madam Speaker, I wish to move the following motion standing in my name:

*Be it resolved* that this House adopt the report of the joint select committee appointed by the Senate and the House of Representatives to consider the entire question of public holidays and to report by March 31, 1995.

I wish to start by making the point that on two occasions the committee presented special reports asking for additional time. I am pleased that today we are able to lay the final report. The committee first met on January 9, 1995. I had the honour to be elected Chairman of that committee on January 9. The committee met 15 times between January 9 and the last week of April.

##### 2.20 p.m.

I also wish to bring to your attention, Madam Speaker, that to my regret, the committee could not reach consensus on every matter, so that appended to the report is a minority report. I shall say a few things about that in due course.

Let me do first what we normally do last. I wish to thank the Secretary to the Committee and the entire parliamentary staff for the work competently done and always in a timely manner. I also wish, on behalf of your committee, to thank all those individuals and organizations that either wrote to us, or wrote to us and appeared before us.

En passant, Madam Speaker, I think the Presiding Officers of this House and the other place can be extremely proud of their members from several points of view, not least of all their knowledge of theology—and I use “theology” to refer to religions of all kinds.

I also need to note the hardworking approach of the members of the committee and the tremendous amount of research which was done by individual members in order to assist the work of the committee. If we have a minority report today, it was not because members did not make an effort to arrive at a consensus. That we met 15 times in about three months is some evidence of the fact that we sought to achieve it. Unfortunately, we could not achieve it on every issue. Members of the committee argued their case with a passion, but at no time can the Chairman report that members were disrespectful or unparliamentary.

Let me now return to the *modus operandi* of the committee. We recognized that there were previous committees on this issue and it was agreed that we should build upon the work of previous committees. Parliamentary staff, therefore, organized all that data for Members at the beginning. We also wrote to individuals and groups which had indicated to the previous committee their intention to appear before them, but events overtook that previous committee.

Twenty-one organizations came before us. The work of the committee may be divided into two parts—chronological and methodological. For the first eight weeks the committee listened to organizations and individuals. After that the committee started the stage of intra-committee discussions.

Madam Speaker, very briefly, the committee was totally agreed that the following days should be retained as public holidays:

New Year's Day	Independence Day
Good Friday	Republic Day
Corpus Christi	Christmas Day
Labour Day	Divali
Emancipation Day	Eid ul Fitr

For the other days, there were varying degrees of differences. I shall come to them. Permit me to make a comment on a couple of the days.

**Republic Day:** It was generally felt by the committee that Republic Day was not satisfactorily celebrated in Trinidad and Tobago and the recommendation was made that the State, in collaboration with a range of other organizations, should put a programme together so that Republic Day could be meaningfully celebrated.

**Boxing Day:** When we debated this matter a few months ago, we heard about the origins of Boxing Day. When we analyzed the question of why give public

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holidays, we decided that public holidays may be given in commemoration of important religious events, historic events, as distinct from historical events, and that they also serve the purpose of allowing people to have some leisure and recreation.

Indeed, some submissions were made about public holidays and productivity. It was argued by some that public holidays reduced the level and quality of productivity. The committee as a whole—and I want to deal with this here—felt that there was no direct relationship between the number of public holidays and the level of productivity. It is entirely possible to have no public holidays and to have low productivity. Productivity is a function of a whole range of factors. No single factor determines the level of productivity, so we did not accept that direct connection. We felt that the question of productivity needed to be looked at in its widest sense.

I come back to Boxing Day. We felt that while there were certain activities which took place on this day, one particular activity seems to have become quite popular, that is, family visitation, especially among the extended family. It was in that context that we had some agreement about Boxing Day, though we did not have complete agreement about the name of the day. It is something that we should look into in the future.

There were many requests for new public holidays, among them for May 30 to be a holiday. Some argued that it should be called Arrival Day and some Indian Day. A case was made out by some for an additional holiday to celebrate the greater Eid, Eid-ul-Adha because theologically it is far more important than Eid-ul-Fitr, There was a request made for a holiday for Phagwa and so forth. I do not want to go into all the details. We could not accommodate all of these.

### **2.30 p.m.**

In the majority report, the public holidays remained as they were, with the exception of May 30, but we recommend May 30 to be a public holiday and to be called Arrival Day. This question of nomenclature for May 30 occupied the time and energy of the committee for a considerable period, and it was only determined, unfortunately, by majority opinion, that Arrival Day would be the name given to the holiday on May 30, rather than the use of any epithet before the day.

With respect to Whit Monday, it was decided that Whit Monday should be deleted from the list of national holidays. I think I should make the point that it

was the general opinion—not consensual—that there was really no relationship between Whit Monday and Whit Sunday.

I am talking at the level of the theology, that Whit Sunday represents the descent of the Holy Spirit, the beginning of the evangelical mission of the Christian Church, and it is in no way related—neither let me put it this way—the descent of the Holy Spirit nor the start of the Christian church, observed it as is a public holiday; they are significant events. If we were to give a holiday for the beginning of every church we would have a problem and then we might end up being discriminatory, because some religious groups by their very nature have no exact date for their beginning; they are evolutionary.

During the course of our deliberations there were many reports about the committee seeking to remove Emancipation Day. What is interesting, is that even while the committee was in the stage of listening to groups and organizations and had not started to talk among ourselves, this issue arose. When we got to the stage of discussing among ourselves there was never any dispute about Emancipation Day, because we regard it as a significant day in the history, not only of Trinidad and Tobago and the Caribbean, but the history of world history as a whole.

I want to make mention of two particular requests. One, from the Spiritual Baptists for March 30, which celebrates the liberation of the Spiritual Baptists, the date on which the legal prohibitions—legislation of 1917—were finally withdrawn, around 1951. Also, the request by the Orisha Movement for a holiday at a date to be determined, most likely in June. Those requests could not be taken lightly; they needed to be taken in the context of our history.

The committee, by majority decision—recognizing the importance of those days, but also recognizing that there is a limit to the number of public holidays we could grant, felt that both days should be elevated to the level of public festival, which means that they have public recognition but are not necessarily public holidays.

During the course of committee sittings, there were several occasions on which Standing Order No. 81 was breached, in the sense that reports appeared in the media. The point here—and the committee recognized this—is that quite clearly many of the citizens of our country are not very familiar with parliamentary procedures and the Standing Orders of Parliament. We feel that some effort should be made to ensure that as many members of the national community as possible have a reasonably good idea of the Standing Orders and the procedures of Parliament.

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In concluding, therefore, Madam Speaker, and once more thanking all those who contributed to the work of the committee, I summarize the recommendations of the majority report: That with effect from January 1, 1996, the Schedule to the Public Holidays and Festivals Act, Chap. 19:03 be amended:

- (i) to delete therefrom Whit Monday,
- (ii) to add thereto Arrival Day, May 30; also
- (b) that the State invite religious bodies and relevant governmental and non-governmental organizations to prepare an appropriate programme for the observance of Republic Day by the national community, as a day of thanksgiving and national re-dedication;
- (c) that the Government declare March 30 a public festival to commemorate the lifting of the prohibitions on the Spiritual Baptist movement;
- (d) that the Government declare a day in June, a public festival to commemorate the birth date of Lord Shango, a date to be arranged between the Orisha Movement and the state.

Madam Speaker, that, whatever its imperfections, is the work of the joint select committee. On many occasions, members of the committee asked a particular question and made a particular reference. On the surface, when the committee was appointed, it seemed to be a pretty straightforward issue. As we got into the work of the committee, it proved more complex and members often made reference to the Old Testament and the incident where Solomon had to decide who was the true mother of the child. Madam Speaker, I would admit that none of us on the committee possessed the wisdom of Solomon.

In fact, as I close I am reminded, in presenting this report, with all its imperfections, of the chorus at the beginning of Shakespeare's *Henry V*, where he recognizes the imperfections of a small stage on which to show major battles and he asked the audience to use their imagination. It is with some regret that I present a report which is not totally consensual, but this is the work of the committee which was arrived at after 15 meetings.

I beg to move.

*Question proposed.*

**2.40 p.m.**

**Mr. Basdeo Panday** (*Couva North*): Madam Speaker, this is a most curious report. It does not give reasons for its conclusions—I am speaking of what I must



now term the majority report. It does not seem to have applied reason in arriving at its conclusions. It does not seem to have applied logic and reason to its deliberations. Hence the illogic and the confusion of which the hon. Minister spoke with respect to the final report.

One would have expected that when this committee sat down to investigate and look at a matter of such fundamental significance to a society such as ours, the members would have looked at it in its historical sense, they would have begun their deliberations with history. They do not seem to have considered our history, and the nature of our society. Consequently, not knowing from whence they came, they did not know where they were, and they had difficulty and confusion in finding out where to go.

One would have expected that in dealing with these holidays that—first of all, in our present society there are several claims by several groups in the society. That is the objective situation. That is the fact. Why is that fact like that? Why are there so many groups that are putting forward their claim for public holidays? In order to answer that question one would have gone back into history.

The fact remains that this society used to be a Christian-dominated society starting with Columbus; and that the dominant Christian group in the society was the Catholics. That is our history. That is the basis upon which the requests for holidays by different groups are arising—against that kind of background. When Columbus stuck his flag in Trinidad, Moruga to be exact, in the name of the Queen, he declared it a Christian nation. Nobody is criticizing, I want to first of all make that absolutely clear. We are examining the history and because of our history this society was naturally Christian dominated and Catholic dominated. The holidays, therefore, that arose in such a situation would have been holidays which were inspired by the dominant group in the society, which was the Catholic Christian group, that is why we have all those holidays coming down to us today. The society was almost considered a theocratic society—*[Interruption]* Please! please! I will explain that for you later on—I know how difficult these thoughts must be for you—

**Mr. Maharaj:** He had a good holiday.

**Hon. B. Panday:** Did you have a good holiday, incidentally?

**Mr. Sudama:** After he gives us a report on Hong Kong.

**Hon. B. Panday:** I hope you had a good holiday, it does not seem to have any effect on him.

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Since the landing of Columbus here to today, many things have happened in this society; many groups have come into this society such as the Baptists, the Shango, the Indians, the Hindus, the Muslims and so forth. First of all, the society can no longer be described as a Christian-dominated society; it may be in fact so, but certainly it ought not to be. This is not a theocratic state; this is a secular state. We are not like Iran where they have declared the state to be a Muslim state. It is the religion of the state; they do not recognize any other religion as the religion of the state.

When the Shah ruled Iran it was not a theocratic state, it was a secular state. Today, we have Iran, Iraq, Libya and several middle-eastern countries that declare themselves to be Muslim states. These are theocratic states. In Trinidad and Tobago there is no such thing. There is no religion of the state; the state is supposed to give all religions equality as much as is possible. So that if one is beginning to look at the question of holidays one can start from the position, that this is not a society of Columbus.

I think the Minister missed a salient point and probably this was responsible, first of all, for confusion in the report when the Minister said—that the purpose of religious holidays—That is the first question we really have to ask when we are looking at holidays: What is the purpose of holidays? Is it religious, historic, leisure, recreation? I have no doubt that all these are partly right, but most important, in today's argument, it is the quest for recognition and identity.

That is why there are so many groups struggling for identity, not that they are not proud to be part of the whole, but at the same time they want to have their identity as part of the mozaic.

If the Minister had understood that psychology then he would have approached this whole problem quite differently—I know it is in the report, but was it in his head?—he did not put any meaning to it; if he did maybe, the best approach would have been to start with the *tabula rasa*—a clean slate and say, this is the society we have, these are the objects of public holidays, how do we satisfy the nation and the several groups and ethnicities to the best of our ability in the present context of the society? With such an approach one would not find oneself in confusion at all.

First of all, one recognizes there are 13 holidays, do we want more or less? That is the first question to decide. Apparently, from the report we have decided that 13 is okay and if 13 is okay, fine, then how do we accommodate the views,

the wishes, the desires and the anxieties of all the groups in the society? From the report I see that we have interviewed several people and so forth, and it says,

"Your Committee was also of the view that public holidays could assist the society by affording citizens opportunities to pause, reflect, celebrate or recreate themselves. There are also opportunities to recognize and celebrate the diversity of Trinidad and Tobago society while at the same time promoting unity in that diversity."

Having said that, one looks at the holidays here. Why should they be lopsided at all? Several groups are being left out, their requests are not being attended to.

**2.50 p.m.**

There is lopsidedness in the sense that there are groups in the society whose requests are not being attended to because more cannot be taken out from those thirteen. Wipe the slate clean. If you had done that, then you would have given consideration to the requests of other people. For example, Whit Monday has been on the calendar for a long time and nobody questioned it. It, having been questioned, people said that it is not so important. I understand that the Christians are prepared to give it up. They may very well be prepared to give up many.

It is not a question of giving up. What right does any group have over another group? Every creed and race shall have an equal place. One group must not have any special right over another group or any special rights to public holidays. I did not see it that way myself. If we had done it that way, we might very well have been able to accommodate the request of the spiritual baptists. There were two major requests; one for Shango Day and one for Spiritual Baptist Shouters Liberation Day on March 30. If you do not want to have more than 13, we can meet that request. Why can we not meet the request for the Spiritual Baptists Shouter Liberation Day? The only reason we cannot meet that request is that we do not want to take away another one from the 13. It becomes mathematical at this stage.

**Hon. Member:** Create a new one.

**Mr. B. Panday:** If you agree that 13 was the number, you would not want to create new ones. In the present form, why should there not be a Lord Shango Day as a public holiday? Why should the Shango people not have their holiday? If one goes through the existing list of holidays, why should any one group have a predominant right over another group? This report was extremely badly handled. I think the minority report is much better. Incidentally, I intend to move that the

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minority report be accepted. Let me examine the majority report I shall go to the minority report later.

The Spiritual Baptists Shouter Liberation Day should be declared a public holiday. You call it "Festival Day." What does "Festival Day" mean? Instead of granting Spiritual Baptists Shouters Liberation Day, you would grant a festival day. Instead of granting Lord Shango Day as a public holiday, you would grant it as a festival day. Tell the people you are not giving it to them. Why do you not come out in the open and tell them that you are not giving it to them because you are not prepared to remove any of the other existing public holidays on the national calendar? Why do you not say so?

We want to put it on the records that we are for March 30 being declared a public holiday to be called Spiritual Baptists Shouters Liberation Day, if that is what they want. You give it to them but you change the name so that you deny them the right to identity. If you are giving Spiritual Baptists Shouters Liberation Day as a public holiday, keep that name. Do not twist it around to fool them, to tell them that you are giving them but you are not giving them! Grant them the holiday.

We are of the view that the day in June which was requested as Lord Shango Day should be made a public holiday and it be called Lord Shango Day. Do not grant it to them and call it by another name! Do not call it "Festival Day." Do not leave out the word "Shango." The whole point of having that day is for the identity of which I speak, the longing for identity of the people of Trinidad and Tobago, to which they have a right. Do not be afraid or ashamed to call them Lord Shango Day and Spiritual Baptists Shouter Liberation Day.

**Mr. Maharaj:** They are afraid to call it Lord Shango Day.

**Mr. B. Panday:** If that is the name they want, give it to them. I agree with the Minister entirely, that there are 13 and the requests may be more than the number of days that exist so there will be need to set priorities. Surely, this nation has the capacity to set priorities. History and the present objective situation will vindicate any stand that you take in setting priorities.

The committee was asked to deal with public holidays and I find it very strange that this report comments on the fact that there is a public holiday but people do not want to celebrate it. Public holidays are not satisfactorily celebrated. You have the wrong approach.

If people are not celebrating "Republic Day" satisfactorily—to your satisfaction, I imagine—it could be because they probably think that they do not

have anything to celebrate. It may be that you are running the country in such a way that they are ashamed of their own country. It may be that you have reduced them to such poverty and degradation they are ashamed to say that they live in this Republic and they are proud of it.

If you make them proud of this Republic they would celebrate Republic Day. The committee put in the report that it is worried about people not celebrating Republic Day properly and some kind of committee will be set up in order to make sure that the day is celebrated properly. You would force them to celebrate the day. If people do not want to celebrate Republic Day, give the Shango and the Spiritual Baptists their day and they would celebrate it properly and the rest of the nation would join with them in celebrating the days. They want to celebrate! I find this report rather confusing.

We disagree with these recommendations totally and we do not intend to support them. We intend to support the minority report which I shall deal with shortly. Before I do so, however, let me make it clear to the public what the committee has recommended. It has recommended that with effect from January 01, 1996 Whit Monday be deleted from the calendar and "Arrival Day" May 30.

Why is it called "Arrival Day"? You know that the Indians have fought for this day as Indian Arrival Day, why are you afraid to put the word "Indian"?

**Mr. Maharaj:** Shame!

**Mr. B. Panday:** Does it not matter? Are you ashamed of it? If you give the Shango their day, you would leave out the name? Why have you left out the name? Why is that name an anathema? Why when the Minister spoke he had to talk about epithet? Why is that name offensive? If that is the fact, let that be the fact. If you are granting the Indians May 30 so that it may be "Indian Arrival Day", let it be "Indian Arrival Day". Why are you leaving out the word "Indian"? If you grant the Shango, Lord Shango Day as a public holiday, would you leave out the name?

**Hon. Member:** Cowards!

**Mr. B. Panday:** We find that to be an inexplicable act. We cannot find a reason why the word "Indian" is being left out of "Indian Arrival Day". If you mean that it shall be a day on which everybody shall celebrate their arrival—why are you forcing the Chinese to celebrate on May 30?

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**3.00 p.m.**

They probably came on the first. Do they want the Chinese to celebrate their arrival day on May 30?

Do they want the Portuguese to celebrate arrival day on May 30? Is that what they mean by this report? Tell us! If it is arrival day, should it be arrival day for all? So that the Indians have not got their holiday on May 30 as Indian Arrival Day. That is what they must mean. They mean it is a day when everybody should celebrate their arrival, then it is arrival day. Indians, Chinese, that is the day on which everybody arrived here. How ridiculous can they get!

Why the objection? This is my point. Because a lot seems to be made of this, that they will not even use the word. They are afraid to use the word. Is it because they think they could hoodwink somebody? Do they think that by leaving out the word they can go and tell the other sections of the population, "you see, we are not really giving them any holiday, you know. Let them think they are getting a holiday, but they did not get any." That is playing with race! You do not do that in a society like this. Government must not do that.

If I could go on again:

"The state invites religious bodies and relevant government organizations to prepare appropriate programmes for observance of Republic Day by the national community as a day of Thanksgiving and Re-dedication."

Let us call it Thanksgiving Day. That is the point I am trying to make. You say people are not celebrating Republic Day. As I say, from the way the Government is run the country people are probably ashamed of their country. But if you have Thanksgiving Day—the Americans have a Thanksgiving Day and they have their way of celebrating with their turkey and whatever. Let us call that day Thanksgiving and Re-dedication Day so people would be motivated to celebrate that day because it now has new significance to them. It goes on: "...declare March 30 a public festival..."

I want to know what exactly do they mean by that. Do they have to declare a public festival? What are the consequences of a public festival? Is Phagwa a public festival? What are the consequences of that? Is Eid-UI-Adha a public festival? What is the significance of making it a public festival? We are sure of one thing: By doing that you deny them the public holiday. That is what we are sure of. This is an attempt to deny them the public holiday because they are afraid of dealing with the status quo.

They are afraid to grant the Spiritual Baptists Shouter their request; they are afraid to deal with the status quo. It goes on:

"Government declare a day in June a public festival."

Not a public holiday—a public festival...

"to commemorate the birthdate of Lord Shango (date to be appointed).

It is not a public holiday. Then they come to tell us about a Cabinet decision. They play their politics so cheaply that it is nauseating. Let me read this paragraph:

"While your Committee recommends that the changes at paragraph 18.1 (a) above come into effect from January 1, 1996, your Committee recognises that May 30, 1995 marks the 150th anniversary of the East Indian presence in Trinidad and Tobago and recommends that appropriate recognition be given by the Executive..."

A committee is recommending that the Executive get kudos for that. Are playing politics! Why could they not have said that it be effective from this year? All they did was say that the committee recommends that the Government declare this year, but their recommendations take effect from next year. That is playing politics, and cheap politics at that!

I want to make it clear that I think somebody in the newspapers either cannot read or having read cannot understand, or cannot hear, or having heard, cannot understand. If I may join them in the use of biblical phrases: There is none so deaf as he who has ears but will not hear, and there is none so blind as he who has eyes but will not see.

I want to make it absolutely clear that we on this side have absolutely no objection to Emancipation Day remaining a public holiday. We have never said otherwise. As far as I am concerned, our Members have always supported Emancipation Day as a public holiday, and I want to put it on the record that we have always said that. But there are mischief makers in the society, of course, who will do anything to create a little mischief here and there.

I come now to the minority report and I might probably go to the Recommendations. At least the minority was not afraid to deal with the issue, to tackle the status quo. The minority report which is the report that this side supports, is that, first of all, Lord Shango Day be declared a public holiday; that May 30 be declared Indian Arrival Day; that March 30 be declared Spiritual

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Baptists Shouters Liberation Day, and that they be substituted for—so that there will not be an increase in public holidays—Whit Monday, Easter Monday and Boxing Day.

Let me tell you how frightened they are to tackle the status quo. They say that Boxing Day remains on the calendar as a public holiday because that is the day families visit one another. Well if you change Republic Day to Thanksgiving Day, that is the day they will visit one another. They want to put aside a day for families to visit one another—Family Visit Day—and they use that silly argument of keeping Boxing Day to deny the Baptists their holiday, to deny the Shango people their holiday.

**Mr. Ramrekersingh:** That argument was unanimous.

**Mr. B. Panday:** Well, I am entitled to examine the report. That is my job here.

Before I finish, let me talk about Standing Order 81. The reason people violate standing orders and regulations like that, is they have become redundant, outdated, archaic and of no use. What do they have to hide so much that the press must not reveal what has taken place in a committee? Standing Order No. 81 says that you must keep that a secret. Standing Orders also say, answer questions in three weeks, but Members opposite do not answer them. But they are not breaking any Standing Orders there.

That standing order is outdated. In fact, this Parliament should not do anything in secret. It should do it in public so that the public knows what we are doing. That is why I am speaking today so that the Shango and the Baptists would know what Members opposite are doing to them.

Madam Speaker, let me disagree with you. I do not think it is your province or prerogative to do anything to people who do that. That is for the House to do. There is a Privileges Committee to deal with things like that. But if you want people to obey orders, just as you want them to obey laws, let them be rational and reasonable laws. If they are silly and stupid laws, people are going to break them. As a matter of fact, as I recall, the great Mahatma Ghandi once said, if a law is unjust you must break it and stand the consequences, you must keep breaking it and standing the consequences until the consciences of those who are in authority to change the law are so moved that they will do so.

**3.10 p.m.**

That is exactly what Nelson Mandela did: he broke the unjust laws. Therefore, I invite everyone to break unjust laws in this country and stand the



consequences, like Mandela and Ghandi, in order to bring the futility of such laws to the conscience of the Government. The Standing Order is outdated. People must know exactly what is going on in this country.

**Mr. Manning:** Who decides what law is just or unjust?

**Mr. B. Panday:** The society; the elected society, not those who were not elected and sits as prime minister. The elected society would decide which laws are just or unjust. What law does the Government have for an unelected Member of this Parliament to act as prime minister—the highest office in this land?

**Mr. Maharaj:** And the deputy political leader cannot act as prime minister.

**Mr. B. Panday:** There is a deputy political leader and he cannot act as prime minister. He would spend five years in this House and he would never act. Never! We would deal with that a little later on in the debate.

Madam Speaker, I beg to move that the Motion which reads—

"Be it resolved that this House adopt the report of the joint select committee appointed by the Senate and the House of Representatives to consider the entire question of public holidays and to report by March 31, 1995"

be amended to insert the word "Minority" before the word "report" so that the Motion would now read—

"*Be it resolved* that this House adopt the minority report of the joint select committee appointed by the Senate and the House of Representatives to consider the entire subject of public holidays and to report by March 31, 1995"

If this House agrees to this amendment—and I am asking this House to agree to that—the Baptist and Shango would get their holidays.

*Seconded by Mr. T. Sudama.*

**Madam Speaker:** We are dealing with the Motion and the amendment...

**The Minister of Works and Transport and Minister of Local Government (Hon. Colm Imbert):** Madam Speaker, I shall confine my comments to the report and the Motion arising out of the report.

It is clear to me that this committee has dealt with an extremely complex and difficult issue in the best possible way that could have been reasonably expected. That is my view. This is a very complicated issue and there are a number of

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differing opinions on the matter; widely divergent opinions, as the Member for Couva North has expressed here today. I believe the committee has done a reasonably good job.

I am advised, that after discussions with a number of organizations—I would read some of the names if I am permitted.

**Hon. Member:** Everybody has that report in front him.

**Hon. C. Imbert:** For the record; the Phoenix Park and Claxton Bay Muslim Organization; the National Spiritual Assembly of the Baha'is of Trinidad and Tobago; the Trinidad and Tobago Chamber of Industry and Commerce; the Ahmadiyya Anjuman Isha'at-i-Islam Inc. of Trinidad and Tobago; the National Evangelical Spiritual Baptist Faith Archdiocese Inc.; Indian Review Committee; Anjuman Sunnat-ul-Jamaat Association; Employers' Consultative Association; the National Parent-Teacher's Association; the Confederation of African Association of Trinidad and Tobago; the Pentecostal Assemblies of the West Indies; the Sanatan Dharma Maha Sabha; the Archbishop of Port of Spain; the Hindu Prachar Kendra and so forth.

I do believe, and I am so advised, that the committee has arrived at this decision based on all the opinions received from the various groups. I am also advised that there was a divergence of opinions in the submissions to the committee, but there was no strong disagreement with the recognition of May 30 as a public holiday. I want to make that absolutely clear. That is my starting point. I am advised that no group or organization was in disagreement with the recognition of May 30 as a public holiday.

There were some differences of opinion on exactly what that holiday should be called—

**Mr. B. Panday:** I am advised, Madam Speaker.

**Hon. C. Imbert:** I am not aware that the Member for Couva North was a member of the committee.

**Mr. Maharaj:** He is speaking as if he was a member.

**Hon. C. Imbert:** Madam Speaker, I would now refer to the Constitution, Chap. I, with which the Member for Couva South, I understand, has some passing familiarity. I refer, in particular, to the rights enshrined in the Constitution; section 4(d), which reads:

"the right of the individual to equality of treatment from any public authority in the exercise of any functions;"

Madam Speaker, a question arose as to what this day should actually be called. It was felt that if the day was confined to any particular group, then any other group could demand any similar day as a right, using the Constitution. That is not something to be scoffed at, at all.

In addition, there is a wide divergence of views on this whole question of race relations, and I would speak very briefly on it. Some people are of the view that there should be unity in diversity; others are of the view that one should emphasize the differences between the ethnic groupings and so forth. Some people are of the view that one should try to harmonize and unify all the various ethnic groups in the country. There is a serious divergence of views on this matter.

The Member for Couva North articulated this view. He espoused his personal view. He is entitled to his personal view and I respect that. My own view—and this is my personal view—is that we should not seek to emphasize the differences between the various ethnic groups in the country in a manner that might lead to disharmony. I support the concept of unity in diversity but I also believe that one should not consciously seek to identify the differences between the ethnic groups in a manner which could lead to disunity and disharmony. Therefore, I support the concept of Arrival Day.

### **3.20 p.m.**

What would happen on that particular day? Remember, the holiday is May 30. The persons who believe that they should celebrate their arrival in this country would celebrate that event on May 30.

There is no doubt that the persons who presently celebrate May 30 as their arrival day is of a particular ethnic group. I cannot see how there can be any difficulty. As I said, I believe this committee has come up with the best possible solution to a very complex and difficult problem.

I cannot see how there can be any argument against dedicating May 30 as Arrival Day. I cannot see how that will detract from any celebration of any particular group or organization in this country on that particular day. There is the possibility that if you were to use another approach, as I said, it may lead to fragmenting of the society and disharmony. That is why I believe that the committee has done the correct thing.

One must realize this is the report of a committee of two Houses of Parliament. It was represented by Members from this House and from the other

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place. The majority of persons on the committee were of the view that resulted in the recommendations herein. The reason why there is a minority report is precisely that there is a divergence of views on this matter. It is unlikely and unreasonable to expect that on such a sensitive issue there would be complete unanimity. I daresay that no committee of this Parliament would ever have unanimity or complete agreement or consensus on a matter as complex and as sensitive as public holidays.

Let us look at what this committee has done. It looked at the existing number of public holidays in Trinidad and Tobago. As a matter of fact, their mandate was to consider the entire question of public holidays in Trinidad and Tobago. It has examined the existing public holidays and it was decided that some of them are sufficiently entrenched and relevant, and involve sufficient national participation to be retained as public holidays—and they are listed here.

I wish to turn now to a point made by the Member for Couva North who was at pains to make heavy weather of the fact that other groupings in the country arrived on days other than May 30. People arrived at different times in the country. Public holidays evolve over time. The Member may not be aware that New Year's Day was not always celebrated on January 1. As a matter of fact, in Roman times, New Year's Day was celebrated about three months after. It was a Pagan ritual which had to do with the spring harvest. It celebrated fertility and the birth of a new year and was set at the beginning of spring.

As time evolved, New Year's Day became the most widely celebrated public holiday in the world and it was brought forward from some time in March or April to January 1. As a matter of consensus, those persons who previously celebrated it on March or April might have been aggrieved at that time, but I do not think now many years hence, people have any argument with the celebration of New Year's Day on January 1.

In the same context, I do not think that any of the other groupings would have any serious argument in celebrating their arrival in this country on May 30. After all, their arrival is now being given the significance of a public holiday. They never had a public holiday before, so whether it is European's arrival day, some might have said Columbus Day or Discovery Day; one might have said Discovery Day could be called European Arrival Day or Spanish, Portugese, French, British, Chinese, Syrian or Lebanese Arrival Day—as I said, they do not presently have a public holiday to celebrate their arrival.

So one of the things this arrival day may do is allow these groups to focus on their arrival in this country and see themselves as part of the family of Trinidad

and Tobago. I see positives coming out of this arrival day celebration. I see all our diverse religious and cultural groups in the country now seeing themselves as part of one nation. They all arrived at different times under different circumstances, but they will now celebrate their arrival and existence in Trinidad and Tobago. It is a positive move.

I do not think that I need to belabour that point any more. There is no rationale in saying that each group must have its own arrival day. What is the point? Are we going to have about eight different arrival days? I return to my introduction. The committee has done the best job that it could under very difficult circumstances. What is the rationale for the formation of the committee and the whole question of examining public holidays? There are many reasons.

The question of public holidays has been up for debate for a long time, but the primary impetus is the call by one of the major ethnic groups in the country for a day to celebrate its arrival in Trinidad and Tobago. Has this not been achieved? Can any group say that the recognition of May 30 as arrival day in some way does not recognize their arrival in this country? If one is reasonable one cannot say that is so.

The committee has sought to satisfy the call and the concerns of that major ethnic group while, at the same time, looking at Trinidad and Tobago as a whole. That is why this solution came up, which some people may not think is perfect. I think it is the most excellent solution it has come up with so we do not need to have about eight different arrival days in the country. I think it is a reasonable approach to the matter. No charitable person could put any other interpretation on what the committee has done.

Look at Emancipation Day as an example. There is no preface or epithet before that. If my colleague were here he would have told me to correct my English. There could have been one, but there is none because the original intention was—it may not have been realized yet—that everybody celebrate their emancipation on that day. That is why there is no epithet before “Emancipation Day.” It may take many years before all the groups in the country see that day as celebration of their emancipation.

In the same way I think the same principle has been used for Arrival Day. I do not think more could be said on that point. There are views for and against: there are views on the one hand that one should emphasize the differences between the ethnic groups in this country; and on the other, one should try to harmonize the differences between the ethnic groups in this country. Who is correct and who is wrong? Who is to know what is the correct approach?

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I am merely saying that we on this side subscribe to the view that in the naming of this particular day, one should allow everybody to participate and not identify one single group. That is why we support the report of this Committee.  
*[Interruption]*

**3.30 p.m.**

I will not criticize the minority report. This again represents the opinion of valued members of the committee. The committee comprised Members of both Houses of Parliament—Members of the Government, Members of the Opposition and Independent Members. There is a minority report in which certain views are expressed. I will not criticize the authors. That is their opinion and they have the right to express it, as they have done. At the end of the day, when one has a difficult problem like this, the majority must prevail. That is what democracy is about.

**Mr. B. Panday:** You are a minority Government.

**Hon. C. Imbert:** I am talking about the majority of the committee, and in a democratic society, the majority must prevail. One cannot have the tyranny of the minority. That is what the hon. Members on the other side would like us to get involved in.

Let me deal now with a question raised by the Member for Couva North: What is a public festival? I am always surprised that the Member for Couva North, who is an eminent lawyer—at his right is another eminent legal luminary, a shining light—professes total ignorance, as he did today, whenever questions of law are raised. What is a public festival? For the benefit of the Member, a public festival is defined in section 5(1) of the Public Holidays and Festivals Act, Chap. 19:05 as follows:

"For the purposes of this section, the President may, by Order, declare any day to be a day of Public Festival in Trinidad and Tobago and may specify areas in which and conditions subject to which such public festival may be celebrated."

What the Act does is give the President the power to declare any day a public festival. It gives the President the power to specify the conditions for this public festival and the areas in which this public festival may be celebrated. That should give the hon. Member a clue as to what a public festival is.

A public holiday is a holiday for the entire country. For example, on a public holiday, banks are closed and public offices are closed. Public servants do not

have to report for work unless there is some special requirement. However, a public festival may refer only to certain parts of the country, it may define certain parts of the country where festivals may take place or celebrations of the particular event may take place. It defines the conditions, and section 5(2) of the Act goes into this.

"The President may make regulations for the conduct and management of public festivals or any particular public festivals and for the proper behaviour of persons and the preservation of peace at such festivals ..."

What a public festival does is to allow persons who belong to a certain organization or a particular group, religious or otherwise, whose day has been awarded the status of a public festival, to make certain arrangements with their employers to be relieved from the requirement to be at work on that day. They may get involved in public and street celebrations. These are all prescribed in the regulations that the President may declare.

The difference between a public holiday and a public festival is that public holidays apply to everybody. A public festival is specific to certain parts of the country, certain times and related to certain—

**Mr. B. Panday:** What about Carnival Monday and Tuesday?

**Hon. C. Imbert:** To answer the question from the Member for Couva North. On the particular days he has raised, certain parts of the country are restricted, people may not enter in, street parades are allowed and so forth. That takes place at a public festival.

Let me go now to the definition of a public holiday. I said it already, but I will read it again.

"In this Act, the expression "public holiday" means a close holiday in banks and public offices in Trinidad and Tobago."

*[Interruption]* I thought I was making the point that on a public holiday banks and public offices are closed. There are a variety of things which may apply to a public festival, dependent on the festival itself.

**Mr. Sharma:** Tell us some of the things.

**Hon. C. Imbert:** It applies to the particular festival. In the celebration of Phagwa, for example, there may be festivals at the Aranguez Savannah and other parts of the country, but we may not celebrate Phagwa at Independence Square.

**Mr. Sharma:** Would the Minister give way to a question? Can he relate public festival to a Lord Shango Day?

**Hon. C. Imbert:** Madam Speaker, I am a bit confused. I shall try to go back to the point I was making. On a public festival special arrangements are made so that the nation would recognize that a particular event or a particular religious organization's day is being celebrated. That is the whole purpose of a public festival. There is Hosay in various parts of the country and Phagwa at a certain time of the year. These are public festivals. The nation is aware that a certain religious event is taking place and there are certain regulations. Clearly the recognition of a particular day as a public festival is something of significance. That is the point I am trying to make.

The way the particular public festival is celebrated relates to the particular issue and event. Some of the public festivals, such as Carnival, are not religious in nature and some are. Clearly, the day is given special recognition within the national context. That is all I can say about public festivals, Madam Speaker.

On the question of how the committee arrived at its recommendations, all I would say is that the Committee considered all the requests for public holidays and there were several. There was Indian Arrival Day, Phagwa, the birth date of Shango, a day to commemorate the removal of prohibitions on Spiritual Baptists, day of Pentecost, a day to commemorate the start of the mission of Baha'ullah, Eid-ul-Adha, day to commemorate the NJAC march from Port of Spain to Caroni, Martyr's Day, Day of National Rededication, Carnival Monday, Carnival Tuesday. There were also representations from various quarters to have all these days proclaimed public holidays.

### **3.40 p.m.**

Some of these requests were deemed to have considerable merit and some not. The Chairman of the committee has reported on the recommendations of the committee. The committee recommended—it is here in the report—that two days be given the significance of public festivals which they hitherto did not have.

Clearly, from where I sit, that is an elevation of the significance of the celebrations of those particular days. I repeat: there has clearly been an elevation of the significance of those two days, and a journey begins with the first step.

I cannot speak for the future but many public festivals have been upgraded to public holidays with the effluxion of time. I cannot speak for the future, but as I said before, a journey begins with the first step and the recognition of these two



particular religious days as public festivals, is a recognition of an elevation of the significance of these two particular religious observances. Therefore, I think it is unreasonable for anyone to put—what I would call—a mean interpretation on what the committee has done. The committee has elevated these two days, maybe at some time in the future these will be upgraded to public holidays, but I cannot speak for the future.

I think I have dealt with the main issues in this report. I agree with the recommendations of the committee. In particular, I agree that there should be a public holiday on May 30; I agree it should be called Arrival Day; I support the report of the committee; I support the recommendations of the committee—I am afraid I cannot support the recommendations of the Member for Couva North.

As I said, I think the committee has done a very good job under very difficult circumstances, because every group may feel that they have not been given its just due; every group may feel that it has not been treated in the manner in which it should have been treated. It is the duty of a committee such as this to weigh all the opinions and considerations and arrive at a solution which they think is best suited to the circumstances. I hope that all those who have made requests for public holidays which they believe to be appropriate, at some time in the future, would be granted their requests. That is my personal hope. As of now, I wish to support this report, I wish to commend the committee on an excellent job and I wish to support the recommendations of the report.

**Mr. Arthur N. R. Robinson** (*Tobago East*): Madam Speaker, I must complement the Member for Diego Martin East on his effort which I followed very closely indeed. I must say, however, that I was profoundly disturbed by his concluding statement, that he hopes that at some time in the future all the groups that have requested a public holiday will have their public holiday.

The first thought that came to me on reading this report of the joint select committee was, did the committee address itself to the question of the economic circumstances of the country, and our economic aims and aspirations as one factor to be considered and, as a consequence, the question of productivity in a global economy about which we have been hearing so much? As a further consequence, the matter of productivity in the society: how many man-hours ought to be involved in our present structure of holiday observation; what is the desirable structure at the present time. I should have thought that was the context within which one of the very important factors would have been taken into account in considering this matter.

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Clearly, if we begin with the approach that it is desirable that everybody should have a public holiday, then we are not going to have any work done in Trinidad and Tobago. Our aspirations to being a developed country would have been effectively frustrated. So, I would expect that to be one of the factors.

Secondly, one ought to be very wary of an ethnic approach to public affairs. The fundamental weakness of government administration and politics in Trinidad and Tobago today, is a tendency to look at matters through ethnic spectacles. It is a profoundly disturbing approach because once it is adopted it becomes extremely difficult, if not impossible, to control. I would therefore prefer to hear an exposition on matters of philosophy; matters of ethics; and matters of principle so that we all commit ourselves to basic fundamental principles in our public life.

Clause 1(1) of the Constitution of Trinidad and Tobago says:

"The Republic of Trinidad and Tobago shall be a sovereign democratic State."

The emphasis is not on "Republic", the emphasis is on "sovereign" and "democratic", so that there is a fundamental principle which is enshrined in this Constitution. Firstly, the sovereignty of the nation of Trinidad and Tobago and secondly, and even more fundamental, that it shall be a democratic state.

What I am concerned about is that while these statements of law and these embodiments of principle are found in our Constitution, there is the ease with which there can be a departure from them and I am very, very concerned. I would give an example. In the last two weeks, the democratic state of Trinidad and Tobago has not had a single elected official at the top. This is unique in democratic states.

I do not know of another democratic state in the world where its constitution says, "it shall be a democratic state" and where one starts at the top, and for a period there is no single official elected by the electorate at the head of the country. That is a matter that should not escape our attention, because if there is anything which nullifies this statement in the Constitution, it is that.

How can it happen? How can it possibly happen? We have got to ask ourselves. These are matters in respect of which we need to examine ourselves. Where is the commitment to democracy, if as a country, we can allow that to happen? Where is the commitment? That is what I am concerned about. There are lofty statements, high pronouncements, but it is the action which demonstrates the commitment.

When we can have a unique situation—I have no hesitation because I have investigated it. I have asked the Commonwealth Association to tell me of a single democratic country in the Commonwealth or any part of the world in which this occurs and they have not been able to find a single one. This is why I tie to it the danger of the ethnic approach, because so easily all these laws and constitutions can be nullified by an ethnic approach to public affairs.

**3.50 p.m.**

I suppose I can see it better, possibly, than most in this House because I have originated from a society where it is unheard of; where the question of ethnicity does not enter into public debate—and I am talking about Tobago—one does not get up in public debate in Tobago and talk about ethnicity, I suppose that is why I see it more clearly, but others outside the country also have found this.

In fact the capital site commissioners way back in 1958 recommended that the capital of the Federation be not sited in Trinidad because of three factors: one was the country's reputation for corruption and another was the ethnic, racial politics. I emphasize because I can see it very clearly, unless this country—*[Interruption]*

**Mr. Valley:** Madam Speaker, I wonder whether the hon. Member would tell us again what year was that?

**Mr. A.N.R. Robinson:** The report was in 1956, but the Federal Parliament came into being in 1958, and that is what was said at that time, they recommended against the capital Federal site *[Interruption]*

**Mr. Valley:** Madam Speaker, I just found it rather interesting that in 1956 when there was no PNM, a report could make such a statement with respect to corruption.

**Mr. A.N.R. Robinson:** Whatever the circumstances I am not going into partisan politics at this stage, I am trying to avoid that completely. What I am dealing with is the approach to public affairs, the exercise of public power, the interpretation of our Constitution, which has no reference whatever to ethnicity or any such thing. The point I am making is this: this report does not take into account the economics of our situation. It seems to have veered in the direction of abandonment of an approach which will avoid the whole question of ethnicity, though I understand what the Member for Diego Martin East has said. But in my view, that approach to the matter has not dealt with the issue and will leave all the people involved in this matter dissatisfied. The matter required a great deal more consideration, I would have been in favour for example, of declaring, as the report

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recommended the 150th year of the East Indian presence in Trinidad and Tobago a public holiday, that is this year May 30.

The question I want to ask: Why the haste in this matter? If the Government has decided to do that—and it appears to me that it was the pressure to do something in respect of the coming May 30, let us be realistic about it. If the Government agrees to declare May 30 a public holiday this year in commemoration of the 150th year of the East Indian presence in Trinidad and Tobago then why do you have to rush the rest of the report in circumstances where it really requires a great deal more thought, a great deal more consideration?

This is a very insubstantial report on an extremely substantial matter. As the Leader of the Opposition has quite rightly said, it does not give its reasons, it does not adequately address the various issues that need to be resolved.

In a small society of just over 1.4 million people, in a developing country which needs to place much emphasis on discipline and efficiency; in a society which is committed to equality; "every creed and race finds an equal place;" can anybody tell me the meaning of that? are we glibly reciting these words as mere words and when it comes to action we deny the existence of such notions and such principles and we show no commitment to these principles? It causes confusion.

What values do you possess? We are in a state of siege with the amount of crime in which young people principally are involved. What are we telling the children in the schools? How do we rationalize what we are doing now in the schools? That is how I think of it. How does the Government deals with the young people in the context of this? Madam Speaker, I would not be long on this matter at all; I just want to emphasize that as everybody here admits, it is a matter of profound importance to this country and its future.

It should not be treated lightly; it certainly demonstrates cleverness, but the cleverness is only superficial; one can see through it, and if it is a matter of fixing something, then so be it.

In my view, if one has to fix it, then one should do a lot of work and demonstrate that the work has been done. Nothing in this report demonstrates that the necessary amount of work has been done; there are no appendices, there are no submissions, there are no expert opinions on the subject, there are no comparisons with other countries in the world with which we are competing.

We rationalize as far as possible, holidays, a person having a holiday abroad where there tend to be uniformity in holidays, where business can be done with the counterpart. Do we take all these matters into consideration? What is in our interest? What is in the national interest? How do we proceed in this matter?

We have money for research institutes and we have a university and a lot of money being available for these purposes—please, I am not referring to any specific person or institution—what I am saying is there is money available and my strong recommendation is that we accept the recommendation that the 150th anniversary this year be declared a public holiday. The President of India is due to visit, fine. Let us make a great thing of it, but let us sit back and do our work in a very studied and responsible manner and not rush to instant action through current political circumstances which may not persist for any length of time.

I thank you, Madam Speaker.

**4.00 p.m.**

**Mr. Trevor Sudama** (*Oropouche*): Madam Speaker, I will not be distracted by the itinerant Prime Minister of Trinidad and Tobago.

**Mr. Manning:** What have I done?

**Hon. Member:** Nothing and that is the problem!

**Mr. T. Sudama:** Madam Speaker, I rise to make a brief contribution on this matter because, as you know, I am the Member who moved in two parliaments that May 30 be declared a public holiday called "Indian Arrival Day." In the last contribution I made in this House last year, I elaborated on that and addressed the problems of the number of holidays that exist and the need for rationalizing them to reflect the kind of society in which we have evolved. I felt there was a need to question what is presently observed and to include other aspirations of large sectors of our population.

I agree with the submission of the Member for Couva North that, perhaps, the committee did not indicate to this House what exactly it was trying to achieve. The committee seemed to have operated in a reactive role, that it was merely reacting to submissions made and it felt that all it had to do was to identify those submissions which it thought were reasonable and feasible and then leave the matter at that.

The terms of reference of the committee were to look at the whole question of public holidays. Therefore, what it ought to have done was to look at the positive

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aspects of public holidays, identify what we are trying to achieve as a society, and then determine with respect to not only the status quo and the existing holidays but also the requests made, and what could be reasonably accommodated. The role of the Parliament and the state is to take those competing requests and list them in order of priority and determine if this is what we want at this juncture for Trinidad and Tobago. In order to deal with that question one cannot ignore our own history and the nature of the society and its evolution.

As the Member for Couva North indicated, it seems that certain holidays and the rationale for those holidays were taken for granted and were not really seriously questioned by the committee in the light of the alternative requests which were before it.

I come to the question of the heterogeneity of the society; heterogeneity that was a given and historical factor of our existence. The task of this country and this society is how to acknowledge that heterogeneity and, at the same time, have an integrated process that looks at the society as a whole having a common objective and destiny but, at the same time, having its origins in diverse peoples, circumstances and events.

What we cannot have in this society and what has been tried elsewhere and has failed—is an imposed homogeneity. I agree with an aspect of the report that one of the reasons for a holiday is to recognize and celebrate the diversity of Trinidad and Tobago's society—that is a fact of life—while at the same time promoting unity in diversity. That is a very big task that we have set ourselves, but we have to strive to achieve it. One cannot strive to achieve it by dialogue. This is one of the problems I have with this report.

The Member for Diego Martin East spoke about emphasizing the differences in a manner that leads to conflict and antagonism. There are differences and no one in this House, or elsewhere, wants to emphasize those differences to create hostility in the society. As far as I am aware, nobody of good intent has that objective in mind. However, one must recognize the aspirations of different groups in the society. Not all our aspirations can be accommodated but, at the same time, not all our aspirations should be denied. What exists in the society is an unjustified and unwarranted denial of what are legitimate aspirations of the people of Trinidad and Tobago, which has created a syndrome—whether or not those on the other side wish to acknowledge it—of different levels of alienation in this society.

It is that same alienation of which my Friend the Member for San Fernando West spoke so candidly. I commend him on his very candid comments on

leadership in this society and the need for a different kind of leadership. Not an itinerant *vaille-que-vaille* leadership but a responsible leadership of integrity. That is what is needed of the Government, the state and this Parliament—leadership that recognizes that legitimate aspirations ought to be addressed and acknowledged.

I trust that the Member for San Fernando West would continue to speak with the candour and eloquence with which he has spoken. I hope that he would continue in that vein, much to the annoyance and aggravation of others in authority in the party and in the Government. If a man is a man of integrity, he must stand by the consequences of his action. Once he aspires to noble ideals of putting country before party and Government—I think we need more such eloquence in Trinidad and Tobago.

**4.10 p.m.**

The Member touched on the very important question of alienation. When we on this side raise it, it is scoffed at. Yet, the Member for San Fernando West touched on that very salient point because he recognizes in the society that on the other side they are trying to suppress the issue of alienation.

One would think this question of public holidays tries to address the matter of alienation in the society. It is just one thing it tries to address.

So I want to commend him on his candour, again, and hope that he is not intimidated by authority in his own party in expressing his views.

**Mr. Maharaj:** And he has acted with class!

**Mr. T. Sudama:** I want to come to this question first, because it is a matter which I had raised—the declaration of May 30 as a public holiday. When I raised this issue in this Parliament, I looked at the historical significance of the date because it is there in the forefront of the minds of the population, and particularly people of East Indian descent. It is there in the forefront as a date that, in a way, has changed the course of history, as other dates have done, in Trinidad and Tobago. It is to recognize our history moreso than to recognize a group in the society.

That is the point I was trying to make. You do not recognize your history by denying it because it pertains to a certain group in the society, because of the nature in which the society evolved. It is an immigrant society. We came from different places at different times.

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It seems to me that the report wants to deny this, that in fact on May 30, 1845, it was indentured workers from India who arrived in Trinidad. That is a fact of life; a fact of our history. Why do they want to deny that and say it is not Indian Arrival Day, it is another arrival day?

**Hon. Members:** Nobody is denying it!

**Mr. T. Sudama:** I want to raise another point, that while this date has significance, perhaps a little more significance for people of East Indian descent, it also has significance for the rest of the society in a particular way. The rest of the society did not come here on May 30, but what we are asking the rest of the society to do is to empathize with a historical event in the life of Trinidad and Tobago. So if you say it is Indian Arrival Day but it has significance for the whole society, then what you are asking the whole society to do is empathize with this date and with the arrival of people coming from India, but it has relevance for all of us.

You see, what it reflects is the lack of maturity in the society and, in fact, on the part of the Government, that in order to make this acceptable, they deny the ethnic aspect of it. Not that people want to emphasize with the ethnic aspect, but it is part of the history. Why do they want to deny that historical aspect of our evolution? That is what I am so disturbed about. It is this whole concept of trying to suppress, trying to deny, when we should be open and candid in this society and in this Parliament, with why we are doing what we are doing.

Let us juxtapose this to Emancipation Day. I did not make that point because I said in my contribution that Emancipation Day and Indian Arrival Day have significance in their own respective rights for the entire society. But they say, okay. They left out the word, "African", and said, it is Emancipation Day. But everybody understands that that day celebrates African Emancipation Day, emancipation from slavery and the rest of the society empathizes with that. So why did they leave out "African" when the whole society knows that it is African emancipation that they are celebrating?

When you include the word, "African", and everybody empathizes with that significant event in our history, then we would have arrived as a society and as a country. But the superficiality with which they want to deal with this problem shows their insecurity in dealing with these problems in an open and candid manner.

You should take some lessons from the Member for San Fernando West when it comes to candour, you know. He is a man of integrity and they are trying to



alienate him. Alienation is practised at all levels of the society. They are not sensitive to the feelings of other people. You embarrass them in public. Look at the example that the Leader of Government sets. It is the same alienation I am talking about here; it is the same idea of trying to suppress people's legitimate aspirations, and the Member for San Fernando East is the chief culprit in this.

I thought I had sufficiently dealt with that question of the superficial argument that is being used to leave out the word "Indian" and the whole denial of the fact that on that day a group of indentured workers from India came to this country. That is what I was trying to emphasize when I proposed the Motion: the historical significance of that. In the same way that their arrival changed the course of Trinidad and Tobago and made us evolve into a different kind of society, in the same way the emancipation of the slaves changed the course of this society and we evolved into a different kind of society, rather than if there was a continuation of slavery and that structure.

We cannot aspire to what the report says. It wants to promote unity in diversity, by denying the diversity. What they are trying to do by the exclusion of the word, "Indian" is really to deny the diversity that is there. It is a historical fact. It exists today, but we do not want, as we say, to acknowledge the diversity. We also want to emphasize our commonality, but you cannot do that by denying your diversity. That is the point I wish to make.

The question of the various holidays which have been retained—and the Member for Couva North has made the point, and in our proposing of the minority report—I think there was a view expressed by the committee that there was a dominance of Christian holidays in the calendar. If that were the case, why have we ended up with four Christian holidays in the calendar?

**Hon. Member:** Which four?

**Mr. T. Sudama:** Good Friday, Easter Monday, Corpus Christi and Christmas Day.

**Mr. Ramrekersingh:** Madam Speaker, I do not like to interrupt, but in the same way I made the point that there was no relationship between Whit Monday and Whit Sunday in terms of theological significance, it is the same thing with Easter Monday and Easter Sunday. Easter Sunday, in terms of the theology, represents the resurrection. Easter Monday has nothing to do with the resurrection. Easter Monday has essentially evolved as a bank holiday. So that Easter Monday, like Whit Monday, is not a Christian holiday.

**Mr. T. Sudama:** Madam Speaker, do you see what we are arguing about? We are arguing about a *status quo* position. I have no qualms about the days being celebrated for their significance; I have no reservations about that. What I am trying to tell this House—[*Interruption*]

**4.20 p.m.**

**Madam Speaker:** Order! Order! The Member for Oropouche is having some difficulties.

**Hon. Member:** He is having major difficulties.

**Mr. T. Sudama:** Certainly, but I remain in Trinidad and Tobago, I do not tour the world at taxpayers' expense and achieve nothing.

I am trying to point out one thing in this debate. Do Members understand what we are arguing here? What we are arguing here is the number of Christian holidays. We have the opportunity in this House to recognize an indigenous, religious movement in Trinidad and Tobago. [*Interruption*] An indigenized movement called the Orisha Movement, and here we have the Members on the other side—

**Mr. Ramrekersingh:** It is not indigenous.

**Mr. T. Sudama:** I said indigenized. This springs from the aspirations of a large sector of the community of Trinidad and Tobago. The Government wants to deny their aspirations and yet we are quibbling here about the reduction of the number of Christian holidays from five to four and that is such a satisfactory thing.

As I said, one has to understand the nature of the society; who we are; what we are. If one wants to impose on this a christianized syndrome of values, and aspirations, one must understand that there are different groups in the society who may have slightly different values. Therefore, one has to recognize that. Why should this movement, which means so much to a large sector of the society of Trinidad and Tobago, not be officially recognized?

That is the problem with accepting things and history as they are. That is part of the problem under which the present Government labours and cannot see things clearly, and does not want to take any revolutionary steps in order to lead this society in the direction it wants to go.

**Mr. Manning:** Who floated the currency? Is that not a revolutionary step?

**Mr. T. Sudama:** Who devalued the currency of Trinidad and Tobago? That is what the Member really means.

We are fully in support of the recommendation that Lord Shango Day should be included as a public holiday within the 13 days of public holidays in Trinidad and Tobago. This day should be substituted for one of the other days on the calendar.

There is another aspect of emancipation, the Shouter Baptists, who were subjected to so much humiliation and oppression in this country.

**Mr. Manning:** In what way?

**Mr. Imbert:** What do you know about that?

**Mr. T. Sudama:** Madam Speaker, this came in the 1950s before the time of the PNM [*Interruption*] Ashford Sininan and others were in the Parliament between 1950 and 1956.

**Mr. Manning:** What year was that?

**Mr. T. Sudama:** 1952.

**Mr. Manning:** You are wrong, it was 1951.

**Mr. T. Sudama:** Madam Speaker, here is an aspect of the liberation of a substantial portion of the community, but the Government does not want to celebrate that by acknowledging it as a public holiday. Why? Is the Government against the Baptists? Is the Government against their aspirations for a public holiday? If that is the case, then the Government should come out and say so and give reasons for doing so.

Why is the Government doing so when there is the opportunity to substitute? I am not asking for the addition of another holiday, but there is an opportunity to substitute. I talked about New Year's Day and the Member for Diego Martin East went into a long history of the origins of New Year's Day and what the Romans did. Should we celebrate New Year's Day because of what the Romas did?

Do you remember, when I spoke about Republic Day in Trinidad and Tobago, and I said that people do not celebrate that day and it is of little significance to the average man in Trinidad and Tobago? I had a long argument with the Member for San Fernando East who spoke about constitutional significance and so forth. The Member's constitutional significance of that day has not reached the masses of Trinidad and Tobago and has made very little difference to people's political life and no difference to their social and economic life.

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That fact has now been acknowledged by this committee. Therefore, why do we continue to celebrate Republic Day when it is no significance for the vast majority of the people of Trinidad and Tobago?

We are saying, as we have said in our minority report, that a day should be set aside to indicate the significance of family life but, it should not be Boxing Day. What really happens on Boxing Day? *[Interruption]* Let us look at the reality of the society; people have much to eat and drink and Boxing Day is a day to get over, so to speak. That is the whole syndrome in which to identify and celebrate the values of family life.

**Mr. Manning:** You know nothing about family life.

**Mr. T. Sudama:** That is the wrong syndrome in which to identify and celebrate the values of family life. That is the wrong atmosphere for a family day. I do not know why the Government keeps suggesting the wrong things: celebrating Family Day on Boxing Day. One would think that the family gets together to box, and that is the rationale for celebrating Family Day on Boxing Day. It is so foolish!

If one wants to celebrate Family Day, one should identify a suitable day on the calendar within the number of days identified—

**Madam Speaker:** I think the hon. Member said it is a day of leisure; this is not the same thing.

**Mr. T. Sudama:** Madam Speaker, a day of leisure is not the same thing as celebrating Family Day.

**4.30 p.m.:** *Sitting suspended.*

**5.05 p.m.:** *Sitting resumed.*

**Mr. T. Sudama:** Madam Speaker, when we took the tea break I was addressing this House about the need to look at the number and kind of holidays we have been celebrating; seeing how best we could make adjustments to that calendar, rationalize the number of holidays and those which are celebrated, in order to incorporate significant dates and events—the aspirations of significant sectors of the community.

I spoke about the evolutionary aspect of what we are celebrating and what have now come to be known as public holidays. I want to remind this House that May 30 is an evolutionary celebration. Over the years people have been celebrating this day as one of very significant and historical importance. Today, it

has become a widely celebrated day of great historical significance, so that from an evolutionary point of view the importance of May 30 must in fact be appreciated.

The argument of productivity was raised. I am very happy to note that the majority report submitted to this Parliament repeated my view about the relationship between holidays and productivity. In fact there is no direct relationship. While we must be conscious of the economic aspects of our activities and we cannot have an unlimited number of holidays, we have noted that in the Far East there are countries which are economically progressive and yet do celebrate a relatively large number of public holidays in excess of the 13 days that we celebrate.

For example, Hong Kong celebrates 14 public holidays; Taiwan celebrates 16 public holidays and Japan celebrates 14 public holidays. When you look at that the amount of productivity and public holidays, there is really no direct relationship. I see the committee has almost reiterated my view that productivity has to do with a number of other factors in addition to public holidays and there is no real direct relationship.

Having stated my views and outlined my problems with the majority report, I wish to commend to this House, and to second the amendment of the Member for Couva North, that this House agree to and adopt the minority report submitted to it and vote accordingly.

Thank you.

**The Minister of Education (Hon. Augustus Ramrekersingh):** Madam Speaker, I want to make a few responses to the questions raised. The first is the framework within which we operated. I think it is contained in paragraphs 8:3 and 8:4 where we tried to define what a public holiday was all about and what public holidays should seek to do.

I think the content of those paragraphs takes care of what the Member for Couva North was saying: that in addition to the leisure and the historical significance in our own society, we recognize its multi-ethnic, multi-cultural and multi-religious nature, and the holidays should seek as far as possible, to reflect those realities. The important concept is contained in expression, "unity in diversity." It recognizes individualism and individuality but at the same time, places it in an overall context.

On the question that we should have started with the tabula rasa, basically, that is what we did. If I may use the accounting term, we resorted to zero base

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accounting and this is why we were able to go gradually up the line. We recognized clearly too, in our deliberations, and the Member for Tobago East made the point, that perhaps there should have been some appendices and certain explanations to the report. That point is taken but the documentation of the committee was rather voluminous. In terms of giving reasons, when one considers that a concise report was needed, we felt that the terms of the rationale are contained in paragraphs 8:3 and 8:4.

I want to reiterate the point which the Member for Oropouche made, that national productivity is a very important consideration, but we must be careful to analyze productivity carefully, and see all the forces that go towards high productivity, and not just isolate one and make connections. The year is four months through. As we got nearer to a resolution the question of the removal or deletion of Whit Monday arose.

We have to be reasonable people. Traditionally, the Whit weekend is celebrated in a particular way and with one month to go, many arrangements have been put in place. We did not want to inconvenience people unduly, so we said that this report would take effect from the beginning of 1996.

I think I should refer to paragraph 18:2 in the report where we recommend that January 1, 1996 be the date for our proposals to come into effect. We also made the point that the year 1995 is an important one in terms of the East Indian presence in Trinidad and Tobago, and that some consideration should be given to that. The words are: "that appropriate recognition be given by the executive in 1995." We did not believe that after saying 1996 we should come back and say in 1995. We felt that the only mechanism available to us was to make representation to the Executive to treat 1995 in a particular way. I did make the point, as Chairman of the committee, that I would make that approach.

### **5.15 p.m.**

There have been occasions where there have been what you may call one-off holidays. In 1953, for example, on the coronation of Elizabeth II, true it was the colonial period, but a day was given for that. In 1981, a one-off day was given when our former Prime Minister, Dr. Williams died. *[Interruption]* That is an example, but I prefer not to use it.

We come to the question of the name of the day and heavy weather has been made of it. The point has been made that we have Emancipation Day and we do not call it African Emancipation Day. It is true that when the Abolition Act came

into force on August 1, 1834, the slaves of the British West Indies were of African descent.

Nevertheless, August 1, or the abolition of slavery is a significant day in the history of mankind and, if we look at it in terms of the history of the time, it was the British Government which passed the legislation, but then, in the 1830s the British Empire was the centre of the world. So that there was a certain significance.

Why should we put an ethnic epithet in front of the holiday? It is quite clear that once we agree to May 30 as a public holiday commemorating something, we have sent a particular message.

While I have said we must recognize individual differences in seeking to create our unity in diversity, at the same time should we rub it in more than is necessary? The country will know that if we are celebrating May 30, May 30 marks a particular event in the history of Trinidad and Tobago. If we put it in a particular context where it has been announced that, in 1995, May 30 would be a public holiday, the context is quite clear. We lose nothing. Let us not get carried away by nomenclature. Let us deal much more with substance.

Just briefly, on the question of the concept of festival in the law, sometimes we interpret festival to mean festive and festive to mean plenty fête. But festival has much more meaning than that. It is an event or a day giving recognition to certain events in our historical past and within the context of the nature of society, we feel that that is at least an important first step that the society recognizes certain historical wrongs.

Those are basically the responses which I wish to make. It has been a difficult assignment, but tremendous work and thought went into it. What does not emerge and what I have not said is the amount of research material that was collected by members of the committee, in addition to all the submissions, oral and written, and the level of discussion which took place. I, therefore, wish to commend to this House the majority report.

I thank you, Madam Speaker.

**Madam Speaker:** There is an amendment moved by the hon. Member for Couva North. We shall take that. It reads as follows:

*Be it Resolved* that this House adopt the Minority report of the Joint Select Committee appointed by the Senate and the House of Representatives to

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consider the entire question of public holidays and to report by March 31, 1995.

*Question put*

*The House divided: Ayes 14, Noes 18*

**AYES**

Maharaj, R. L.

Panday, B.

Humphrey, J.

Sagewan, Miss I.

Palackdharrysingh, R.

Singh, Dr. C.

Hanoomansingh, G.

Panday, S.

Jurai, K.

Haniff, M.

Hosein, S.

Sharma, C.

Bhaggan, Miss H.

Robinson, A. N. R.

**NOES**

Valley, Hon. K.

Manning, Hon. P.

Sobion, Hon. K.

Ramrekersingh, Hon. A.

Rowley, Dr. The Hon. K.

Eckstein, Hon. J.

Maraj, Hon. R.

Lasse, Dr. The Hon. V.



Pierre, Hon. J.

Casimire, A.

Narine, J.

Hart, E.

Baboolal, Dr. The Hon. L.

Collis, Hon. K.

Griffith, Dr. R.

Imbert, Hon. C.

James, E.

Allum, D.

*Amendment negatived.*

*Question, on original motion, put.*

**The Minister of Education (Hon. A. Ramrekersingh):** Madam Speaker, I beg to move the following motion:

*Be it Resolved* that this House adopt the Report of the Joint Select Committee appointed by the Senate and the House of Representatives to consider the entire question of Public Holidays and to report by March 31, 1995.

*Question put.*

*The House voted: Ayes 18*

**AYES**

Valley, Hon. K.

Manning, Hon. P.

Sobion, Hon. K.

Ramrekersingh, Hon. A.

Rowley, Hon. Dr. K.

Eckstein, Hon. J.

Maraj, Hon. R.

Lasse, Hon. Dr. V.

Pierre, Hon. J.

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Casimire, A.

Narine, J.

Hart, E.

Baboolal, Hon. Dr. L.

Collis, Hon. K.

Griffith, Dr. R.

Imbert, Hon. C.

James, E.

Allum, D.

*The following Members abstained:* R. Maharaj, B. Panday, J. Humphrey, Miss I. Sagewan, R. Palackdharrysingh, Dr. C. Singh, G. Hanoomansingh, S. Panday, Jurai, M. Haniff, S. Hosein, C. Sharma, Miss H. Bhaggan, A. N. R. Robinson.

*Question agreed to.*

*Resolved:*

That this House adopt the Report of the Joint Select Committee appointed by the Senate and the House of Representatives to consider the entire question of Public Holidays and to report by March 31, 1995.

**5.25 p.m.**

#### ADJOURNMENT

**The Minister of Trade and Industry and Minister in the Ministry of Finance (Hon. Kenneth Valley):** Madam Speaker, I beg to move that the House do now adjourn to Friday, May, 05, 1995 at 1.30 p.m.

**Mr. Maharaj:** Madam Speaker, could the hon. Minister indicate what we would be doing on that day?

**Hon. K. Valley:** Madam Speaker, I wish to inform Members that we would be following the Order Paper of Friday, May 5, 1995 at 1.30 p.m.

*Question put and agreed to.*

*House adjourned accordingly.*

*Adjourned at 5.28 p.m.*