

*Leave of Absence**Monday, August 07, 1995***HOUSE OF REPRESENTATIVES***Monday, August 07, 1995*

The House met at 2.20 p.m.

PRAYERS[MR. DEPUTY SPEAKER *in the Chair*]**LEAVE OF ABSENCE**

Mr. Deputy Speaker: Hon. Members I have granted leave of absence to the Member for Caroni East (*Miss I. Sagewan*) from today's sitting and any other sitting until August 12, 1995.

**SEATING ARRANGEMENT
(MR. R. MARAJ)**

Mr. Deputy Speaker: Hon. Members, at the last meeting of the House of Representatives, I indicated that I had granted an indulgence to the Member for San Fernando West to sit where he had located himself pending a determination from the Chair. However, the specific requirement of all Parliaments is that a Member should sit on the side to which he belongs. In this Parliament and previous ones, Members of the Government party sit on the right of the Chair once there are sufficient seats and Members of the Opposition on the left.

On Friday, August 4, 1995 the Member for San Fernando West informed me that he had tendered his resignation as a Member of the Government but remained a Member of the ruling party. This being the case I have today instructed the Sergeant-at-Arms to replace the card representing the Member's constituency on the end seat of the Back Bench, on the right side of the Chamber. I informed the Member about that this morning.

I have noticed, however, that the Member has relocated and, therefore, expect that he would provide the chair with further information regarding this matter.

PAPERS LAID

1. Report of the Auditor General on the accounts of the Trinidad and Tobago Bureau of Standards for the year ended December 31, 1986. [*The Minister of Finance and Minister of Tourism (Hon. Wendell Mottley)*]
2. Report of the Auditor General on the accounts of the Trinidad and Tobago Bureau of Standards for the year ended December 31, 1987. [*Hon. W. Mottley*]

Papers Laid

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3. Report of the Auditor General on the accounts of Trinidad and Tobago Bureau of Standards for the year ended December 31, 1988. [*Hon. W. Mottley*]
4. Report of the Auditor General on the accounts of the Trinidad and Tobago Bureau of Standards for the year ended December 31, 1989. [*Hon. W. Mottley*]
5. Report of the Auditor General on the accounts of the Trinidad and Tobago Bureau of Standards for the year ended December 31, 1990. [*Hon. W. Mottley*]

(Papers 1 to 5 to be referred to the Public Accounts Committee.)

ORAL ANSWERS TO QUESTIONS

The Minister of Trade and Industry and Minister in the Ministry of Finance (Hon. Kenneth Valley): Mr. Deputy Speaker, of the questions on the Order Paper today, the Government will answer questions nos. 70 and 163. We ask that the other questions be deferred for a period of two weeks.

The following questions stood on the Order Paper:

Media Time for Opposition

- 89.** Would the hon. Prime Minister indicate:
- (a) Whether Government has taken or intends to take steps to ensure that the official Opposition in Parliament obtains state sponsored media time to express its views on Government's actions?
 - (b) The sums of moneys the Government spent on public relations and media time since it got into office? [*Mr. R. L. Maharaj*]

Edinburgh 500 (Playing Facilities)

- 95.** (a) Would the hon. Minister of Sport and Youth Affairs state 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 hon. 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]*

**Project Pride
(Status)**

- 143.** Could the hon. Minister of Works and Transport and Minister of Local Government state the status of Project Pride at Piarco Airport since the turning of the sod almost one year ago? *[Mr. G. Hanoonmansingh]*

Hong Kong Trip

- 159.** (a) Could the hon. Prime Minister state what was the purpose of his trip to Hong Kong?
- (b) Could he indicate whether he was invited by the Government of Hong Kong to undertake such a trip? If he was not so invited, could he indicate who invited him, or whether he made the trip without being invited?
- (c) Could he indicate how many persons accompanied him on the trip, giving the names of the persons who accompanied him?
- (d) Could the Prime Minister state the total cost of his trip to the taxpayer, giving material particulars of the expenses? *[Mr. R. L. Maharaj]*

**Citizenship/Resident Status
(Asians)**

- 160.** (a) Would the Minister of National Security state the number of persons who reside in, or were citizens of, the Republic of China, Taiwan or Hong Kong, who have been granted citizenship and/or resident status in Trinidad and Tobago since his Government took office in 1991?
- (b) Could he provide the names of these persons, the dates of their applications and the dates of the grant of status?
- (c) Could the Minister state what criteria, if any, were used in the granting of these applications?
- (d) Could the Minister state whether any of these persons were issued with Trinidad and Tobago passports and, if so, how many?
- (e) Could he also indicate whether any of these persons migrated to the United States of America after coming to Trinidad and Tobago? If so,

could he say how many, and how long after their grant of status did they migrate? [Mr. R. L. Maharaj]

**Road Repairs
(Princes Town Constituency)**

- 167.** (a) Would the hon. Minister of Works and Transport state whether his ministry has any plans to repair the following roads in the Princes Town Constituency:
- (i) Mandingo Road;
 - (ii) Robertson Road?
- (b) If the reply is in the affirmative, would the Minister state:
- (i) Type of repairs planned for each project;
 - (ii) Estimated cost of repairs for each project;
 - (iii) When the repairs will begin on each project;
 - (iv) Anticipated date of completion of each project? [Mr. M. Haniff]

**New Police Station
(Princes Town)**

- 174.** Would the hon. Minister of National Security please state when will construction of the new police station in Princes Town commence? [Mr. M. Haniff]

Question, by leave, deferred.

Construction of Community Centres

- 70. Mr. Trevor Sudama (Oropouche)** asked the Minister of Community Development, Culture and Women's Affairs:

Could the hon. Minister state:

- (a) The locations where community centres are embarked for construction during 1995 from the EC grant of \$18.5million 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?

The Parliamentary Secretary in the Office of the Prime Minister (Mrs. Eulalie James) on behalf of the Minister of Community Development, Culture and Women's Affairs: Mr. Deputy Speaker, the locations where

community centres are earmarked for construction during 1995 from the TT\$19 million grant under the European Economic Community Structural Adjustment Facility Programme and the estimated (VAT exclusive) cost of each centre are as follows:

<u>Location</u>	<u>Estimated Cost</u>
St. Augustine	\$1,188,980
Carenage	\$1,272,340
Vistabella	\$1,503,375
Ste. Madeleine	\$1,470,333
La Horquette	\$1,188,980
Barataria	\$1,284,480
Esperance Village	\$1,122,605
Plaisance Park	\$1,373,726
Maloney	\$1,168,189
Toco	\$1,003,448

2.30 p.m.

A contract has been awarded in the sum of \$8 million, for the centre at the East Port of Spain Regional Complex. Work is expected to begin on August 22, 1995.

Construction is in progress on all centres, with the exception of the East Port of Spain regional Complex. Black Rock is also embarked for a community centre. Construction of that centre is due to begin shortly. In addition, two other locations for community centres are being finalized, construction of which will begin before the end of 1995.

No portion of the grant will be available for the repairing and refurbishing of existing community centres. However, some funds are available within the budgetary allocations of the Ministry of Community Development, Culture and Women's Affairs.

Mr. Sudama: Mr. Deputy Speaker, could the Minister inform this House whether there was a memorandum of understanding or memorandum of agreement with the European Commission with respect to identifying criteria for the location of these community centres?

Mrs. E. James: Mr. Deputy Speaker, I am not in a position to answer this question at this time, but I will seek to get the answer.

Mr. Sudama: With respect to the location of the community centre in St. Augustine, is the Minister in a position to tell the House the exact location?

Mrs. E. James: Mr. Deputy Speaker, I will also seek to get the answer to that question.

Mr. Sharma: Can the Minister advise the address of the two additional centres?

Mrs. E. James: I do not have the locations for those two centres at this time. That, too, will have to be answered at a later date.

Stolen Vehicles (Recovery Rate)

163. Miss Hulsie Bhaggan (*Chaguanas*) asked the Minister of National Security:

Would the Minister indicate:

- (a) The number of vehicles reported stolen and the recovery rate for the years 1991, 1992, 1993, 1994, and as at May 31, 1995?
- (b) What steps his Government intends to take to deal with the problem?

The Minister of National Security (Hon. John Eckstein): Mr. Deputy Speaker, I wish to advise that the number of vehicles stolen and recovered for the period January 1, 1991 to May 31, 1995 is as follows:

<u>Year</u>	<u>No. Stolen</u>	<u>No. Recovered</u>	<u>Percentage</u>
1991	2,053	921	45
1992	2,225	1,118	51
1993	2,020	762	38
1994	1,996	564	28
1995	758	27	136

The Ministry of National Security is in the process of securing additional vehicles to give the police greater surveillance capability and to enable them to respond more expeditiously to complaints about stolen vehicles from the public.

The police have identified a number of stripping grounds and propose to pay particular attention to these areas.

Private owners are encouraged to utilize anti-theft devices, specifically one that incorporates a tracking device linked into a base system.

At the wider government level, the Ministry of National Security is collaborating with the Ministry of Finance and the Ministry of Works and Transport in formulating a general policy on the regulation of the motor vehicle industry. In particular, on the subject of stolen vehicles, consideration is being given to measures such as the licensing and regulation of dealers in used motor vehicle parts.

ORDER OF BUSINESS

The Minister of Trade and Industry and Minister in the Ministry of Finance (Hon. Kenneth Valley): Mr. Deputy Speaker, I beg to move that the House consider Motions Nos. 11 and 12, under “Private Business”, on page 10 of the Order Paper, and Nos. 2 to 5, under “Bills Second Reading”, on page 11 of the Order Paper, before the consideration of Government Business. I also move that we consider, after this, Motion No. 2 on the Supplemental Order Paper.

Question put and agreed to.

SELECT COMMITTEE REPORTS

Adoption

Faith International Spiritual Baptist Convention (Inc'n) Bill

The Parliamentary Secretary in the Ministry of Legal Affairs (Mr. Andrew Casimire): Mr. Deputy Speaker, I beg to move that this House adopt the report of the special select committee of the House of Representatives appointed to consider and report on a private Bill for the incorporation of the Faith International Spiritual Baptist Convention and for matters incidental thereto.

Seconded by Mr. Jarrette Narine.

Question put and agreed to.

Report adopted.

Question put and agreed to, That the Bill be now read the third time.

Bill accordingly read the third time and passed.

2.40 p.m.

Universal African Improvement Association

Mr. A. Casimire: Mr. Deputy Speaker, I beg to move that this House adopt the report of the special select committee of the House of Representatives appointed to consider and report on a private Bill for the incorporation of the Universal African Improvement Association and for matters incidental thereto.

Question proposed.

Question put and agreed to.

Report adopted.

Question put and agreed to, That the Bill be now read the third time.

Bill accordingly read the third time and passed.

**SAN FRANCIQUE SPORTS, EDUCATIONAL AND
CULTURAL COUNCIL (INC'N) BILL**

Mr. Ramesh Lawrence Maharaj: Mr. Deputy Speaker, I beg to move that a bill for the incorporation of the San Francique Sports, Educational and Cultural Council of Trinidad and Tobago and for matters incidental thereto be now read the second time.

Question proposed.

Question put and agreed to.

Bill accordingly read a second time.

Bill committed to a committee of the whole House.

House in committee.

Clauses 1 to 9 ordered to stand part of the Bill.

Preamble ordered to stand part of the Bill.

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

House resumed.

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

**SECONDARY SCHOOLS FOOTBALL
LEAGUE (INC'N) BILL**

Mr. Desmond Allum (*Port of Spain North/St. Ann's West*): Mr. Deputy Speaker, I beg to move that a bill for the incorporation of the Trinidad and Tobago Secondary Schools Football League and for matters incidental thereto be now read a second time.

Question proposed.

Question put and agreed to.

Bill accordingly read a second time.

Bill committed to a committee of the whole House.

House in committee.

Clauses 1 to 9 ordered to stand part of the Bill.

Preamble ordered to stand part of the Bill.

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

House resumed.

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

2.50 p.m.

SISTERS OF ST. JOSEPH OF CLUNY (INC'N) BILL

Mr. Desmond Allum (*Port of Spain North/St. Ann's West*): Mr. Deputy Speaker, I beg to move that a bill for the incorporation of the Congregation of the Sisters of St. Joseph of Cluny and matters incidental thereto be now read a second time.

Question proposed.

Question put and agreed to.

Bill accordingly read a second time.

Bill committed to a committee of the whole House.

House in committee.

Clauses 1 to 10 ordered to stand part of the Bill.

Preamble ordered to stand part of the Bill.

Sisters of St. Joseph of Cluny (Inc'n) Bill

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

House resumed.

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

**TRUSTEES OF THE PORT OF SPAIN CHAPTER
(AMORC) (INC'N) (AMDT.) BILL**

Mr. Basdeo Panday (*Couva North*): Mr. Deputy Speaker, I beg to move that a Bill for the incorporation of the trustees of the Port of Spain Chapter (AMORC) in Trinidad and Tobago and matters incidental thereto be now read a second time.

Question proposed.

Question put and agreed to.

Bill accordingly read a second time.

Bill committed to a committee of the whole House.

House in committee.

Clauses 1 to 3 ordered to stand part of the Bill.

Preamble ordered to stand part of the Bill.

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

House resumed.

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

ORDER OF BUSINESS

The Minister of Trade and Industry and Minister in the Ministry of Finance (Hon. Kenneth Valley): Mr. Deputy Speaker, I beg to move that the House now consider Motion No. 2 under Government Business, on the Supplemental Order Paper.

REVOCATION OF PROCLAMATION

(State of Emergency)

The Minister of National Security (Hon. John Eckstein): Mr. Deputy Speaker, I rise to move the Motion listed on the Supplemental Order Paper calling for the revocation of a proclamation of a state of emergency that was issued on August 3, 1995.

The state of emergency was issued pursuant to section 8 of the Constitution of the Republic of Trinidad and Tobago which states that:

“(2) A Proclamation made by the President under subsection (1) shall not be effective unless it contains a declaration that the President is satisfied—

(c) that action has been taken or is immediately threatened, by any person, of such a nature and on so extensive a scale, as to be likely to endanger the public safety or to deprive the community...of supplies or services essential to life.”

Pursuant to the proclamation of the state of emergency, emergency power regulations were made. In addition, under the state of emergency, a Detention of Persons Order was also made. The grounds on which the order was made are as follows:

1. On or about July 5, 1995, the hon. The Speaker, without lawful authority, amended a motion of no confidence put forward in Parliament by the government.
 2. The hon. The Speaker, on or about July 12, 1995 amended the Parliamentary Order Paper to create opportunities for establishing her defence to the said motion of no confidence without lawful authority.
 3. On or about July 12, 1995 at a sitting of the House of Representatives, the hon. The Speaker dismissed the said motion of no confidence without lawful authority, and without allowing the elected Members of Parliament the opportunity to debate the said motion.
- (4) (a) On or about July 24, 1995, at a sitting of the House of Representatives, the hon. The Speaker without lawful authority, and in breach of the Standing Orders of the House of Representatives, arbitrarily refused to rule on a motion for the adjournment of the House of Representatives to a specific date put by a Member of the House of representatives.
- (b) On the said July 24, 1995, the hon. The Speaker in breach of the Standing Orders of the House of Representatives and without putting the question to the House of Representatives proceeded to make a ruling on the adjournment of the House to a date proposed by her. The said ruling was made in favour of the minority Members of the House of Representatives which said action, is contrary to the established principles of democratic government.

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[HON. J. ECKSTEIN]

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5. The hon. The Speaker, on July 28, 1995, suspended the Member of Parliament for Diego Martin Central, the Leader of Government Business, for a period of six months without lawful authority and has intimated her intention to similarly apply contempt charges against other Government Ministers.
6. On July 31, 1995, the hon. Member of Parliament for Diego Martin Central was granted a Conservatory Order by the High Court allowing him to continue to sit in the House of Representatives.

The hon. The Speaker, has indicated her intention to disregard, at the next sitting of Parliament namely Friday, August 4, 1995, the Order of the High Court, by stating that the High Court has no power to interfere in the internal management of the House.

3.00 p.m.

7. By her actions outlined in grounds 1 to 6 herein, the hon. The Speaker has demonstrated her intention and has embarked on a course to fulfil her intentions to utilize her position:
 - (a) for her own advantage at the expense of the good Government of the Republic of Trinidad and Tobago;
 - (b) to deliberately and systematically reduce the Government's majority in the House of Representatives to such an extent that a usurpation of the Government's power as the majority elected by the people of the Republic of Trinidad and Tobago is imminent.
 - (c) to deliberately override and ignore the majority voice of the House of Representatives, that is, the Government of the Republic of Trinidad and Tobago and to carry out her functions as Speaker of the House of Representatives in an arbitrary, capricious and dictatorial manner contrary to the established procedures of a parliament existing under a democracy.
8. The actions of the hon. The Speaker, are detrimental to the peace, order and good government, therefore, the safety of the people of the Republic of Trinidad and Tobago.

Mr. Deputy Speaker, at 12.38 p.m. today, August 7, 1995, the Speaker was served with a resolution requiring her removal from the office of the Speaker pursuant to section 50 of the Constitution. As a consequence, she has now temporarily vacated the office of Speaker.

The Government is now otherwise of the view that the circumstances which gave rise to the proclamation of a state of emergency no longer exist. I therefore beg to move that this House agree to revoking the said state of emergency.

I take this opportunity to advise Members of the House, and the country at large, that the Detention of Persons Order created under the state of emergency, and applicable to the Speaker, has been lifted.

Mr. Deputy Speaker:

“*Whereas* it is enacted by section 8(1) of the Constitution of the Republic of Trinidad and Tobago that the President may from time to time make a proclamation declaring that the state of public emergency exists;

And whereas the president has by proclamation made on the 3rd day of August 1995, declared that a state of emergency exists in the city of Port of Spain in the Republic of Trinidad and Tobago;

And whereas it is enacted by section 10(3) of the Constitution that the proclamation may be revoked at any time by a resolution supported by a simple majority vote of the House of Representatives;

And whereas the circumstances which gave rise to the declaration of the said state of emergency no longer exist;”

Mr. Humphrey: Mr. Deputy Speaker, on a point of order.

Mr. Deputy Speaker:

“*And whereas* it is necessary and expedient; that the proclamation made by the President on the 3rd day of August 1995, declaring that a state of emergency exists in the City of Port of Spain in the Republic of Trinidad and Tobago, should be revoked;

Now therefore, be it resolved that the proclamation made by the President on the 3rd day of August 1995, declaring that a state of emergency exists in the City of Port of Spain in the Republic of Trinidad and Tobago be revoked with immediate effect.”

Question proposed.

Mr. Humphrey: Mr. Deputy Speaker, on a point of order. The Constitution is explicit. Section 8 states:

“(1) Subject to this section, for the purposes of this Chapter, the President may from time to time make a proclamation declaring that a state of public emergency exists.

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(2) A proclamation made by the President under subsection (1) shall not be effective unless it contains a declaration that the President is satisfied—

(c) that action has been taken...”

Section 9(1) says:

“Within three days of the making of the proclamation, the President shall deliver to the Speaker for presentation to the House of Representatives a statement setting out the specific grounds on which the decision to declare the existence of a state of public emergency was based, and a date shall be fixed for a debate on this statement...”

We have not received the proclamation. This proclamation should have been delivered to the Speaker for presentation to the House. Where is it?

Mr. Valley: Mr. Deputy Speaker, the Member read correctly.

Section 9(1) says:

“Within three days of the making of the proclamation, the President shall deliver to the Speaker for presentation to the House of Representatives a statement setting out the specific grounds...”

That statement has been presented to the Deputy Speaker and circulated to all members.

Mr. Humphrey: Within three days. Where is the proclamation?

Mr. Valley: Mr. Deputy Speaker, there is no requirement to give Members a copy of the proclamation. We are required, under the Constitution, to deliver a copy of the statement to the House and all Members have, in fact, been so issued. If the Member wishes a copy of the proclamation, I should inform him that it was gazetted and I think the Clerk of the House has a copy. The requirement under the Constitution is to file with the Deputy Speaker, a statement, and that has been so far filed.

Mr. Maharaj: Mr. Deputy Speaker, may I announce that we have agreed that the debate on the statement would take place on Friday, and there would be no debate on the motion this afternoon as far as the Opposition UNC Benches are concerned. We shall reserve our position on the statement.

Mr. Deputy Speaker: Has there been mutual agreement?

Mr. Valley: There is mutual agreement with respect to that, Mr. Deputy Speaker. This resolution would just be put to the vote and we are setting Friday as

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the day for the debate on the statement as required by the Constitution, under section 9(1).

Mr. B. Panday: Would the Speaker be released after this motion has been—

Mr. Deputy Speaker: Do you wish to reply, Member for Diego Martin Central?

Mr. Valley: I just want to put it on the record that the detention order was lifted at 1.25 p.m. today.

Mr. Deputy Speaker: The Minister of National Security has to reply and then I would put the question.

The Minister of National Security (Hon. John Eckstein): Mr. Deputy Speaker, there is nothing to reply to, so I move that the motion be adopted.

Question put and agreed to.

Resolved:

That the proclamation made by the President on the 3rd day of August, 1995 declaring that a state of emergency exists in the city of Port of Spain in the Republic of Trinidad and Tobago be revoked with immediate effect.

ADJOURNMENT

The Minister of Industry and Trade and Minister in the Ministry of Finance (Hon. Kenneth Valley): Mr. Deputy Speaker, I beg to move that the House do now adjourn to Friday, August 11, 1995 at 1.30 p.m. On that day, we shall be debating the statement as issued by the President.

Mr. Maharaj: Mr. Deputy Speaker, I must confess to the Leader of Government Business that we have been looking forward to the debate on the motion. We are disappointed.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 3.09 p.m.