

*Papers Laid**Monday, September 11, 1995***HOUSE OF REPRESENTATIVES***Monday, September 11, 1995*

The House met at 1.32 p.m.

**PRAYERS**[MR. DEPUTY SPEAKER *in the Chair*]**PAPERS LAID**

1. Report of the Auditor General on the accounts of Small Business Development Company Limited for the year ended December, 31, 1994. [*The Minister in the Ministry of Finance (Hon. Kenneth Valley)*]
2. Report of the Auditor General on the accounts of the St. David/St. Andrew County Council for the year ended December 31, 1988. [*Hon. K. Valley*]
3. Report of the Auditor General on the accounts of the St. David/St. Andrew County Council for the year ended December 31, 1989. [*Hon. K. Valley*]
4. Report of the Auditor General on the accounts of the St. David/St. Andrew County Council for the year ended December 31, 1990. [*Hon. K. Valley*]
5. Report of the Auditor General on the accounts of the St. David/St. Andrew County Council for the period January 01, 1991 to September 30, 1991. [*Hon. K. Valley*]
6. Report of the Auditor General on the accounts and Financial Statements of the Rehabilitation of Access Roads and Reconstruction of Bridges Programme for the year ended December 31, 1994 as required by Loan Contract 700/OC-TT between the Government of the Republic of Trinidad and Tobago and the Inter-American Development Bank. [*Hon. K. Valley*]

*Papers 1 to 6 to be referred to the Public Accounts Committee.***ORAL ANSWERS TO QUESTIONS**

**The Minister of Local Government and Minister in the Ministry of Finance (Hon. Kenneth Valley):** Mr. Deputy Speaker, the Government will be answering today the following questions:

**Mr. S. Panday:** You seem not to have recovered, even after the recess.

**Hon. K. Valley:** —Nos. 95, 134, 159, 165, 171, 172, 173, 175, 178, 179, 186, 191 and 192.

We are asking for a deferral of two weeks for the other questions on the Order Paper.

**Mr. Maharaj:** Mr. Deputy Speaker, may I just point out that some of these questions have been a very long time on the Order Paper, and several requests have been made, for example, question No. 89—I will not go through the whole lot—that question was lodged on February 10, 1995; it qualified on March 4, 1995 and it has been postponed several times.

Question No. 170 which is of more recent vintage, was in July. There are other questions in July and August. I know that it is an improvement but, I would again like to make an appeal. There is nothing we can do on this side with respect to the procedure, because Members opposite have the simple majority and the motion will carry; but I would like to remind the Government that questions are an important vehicle for accountability to the people and they should try to answer within the specified time.

**Hon. K. Valley:** Mr. Deputy Speaker, just for the information of the House, one would note that it is merely question No. 89 that is outstanding for some time and when one looks at that question one would see clearly that there are policy implications. All the other questions which are deferred are of very recent vintage.

*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*]

#### **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 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*]

**Crime Wave—Central Trinidad  
(Relief Plans)**

**170.** Could the hon. Minister of National Security please state:

- (a) Whether he is aware of the recent crime wave in Central Trinidad. If he is aware, could he state what his Government intends to do to provide security and safety for the people of Central Trinidad?
- (b) In respect of each police station in Trinidad and Tobago, the number of police vehicles that are required for the police to discharge their duties and the number that is provided at each station for them to perform their duties?
- (c) The number of police officers required at each police station in Trinidad and Tobago for the police to discharge their functions and duties, and the number of officers attached to each station in order for them to perform their functions and duties? [*Mr. R. L. Maharaj*]

**Queen's Park Savannah/Whitehall  
(Cleaning and Renovation Costs)**

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

- (a) How much money has been spent in 1994 and to date in 1995 on cleaning the Queen's Park Savannah?
- (b) How much money has been spent from 1992 to date on the renovation of Whitehall, Maraval Road? [*Mr. T. Sudama*]

**Foreign Investment Act  
(Compliance with)**

**180.** Will the Minister of Finance inform this House:

- (i) What steps, if any, have been taken by the Government to ensure that foreign investors in Tobago and their legal advisors comply with the provisions of the Foreign Investment Act, 1990?

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- (ii) Does the Minister propose to make orders and/or regulations as provided for by sections 6 and 9 of this Act. If not, will the Minister state his reasons? [*Mr. A.N..R. Robinson*]

**Former Union Park Racing Facilities  
(Development of)**

**185.** Could the hon. Minister of Agriculture, Land and Marine Resources state:

- (a) What plans are in place for the full development of the former Union Park Racing facilities which were handed over to Government when centralized racing was introduced in Trinidad and Tobago?
- (b) What specific sporting facilities are to be established on the site?
- (c) How much funds will be utilized in the project?
- (d) When will commencement take place? [*Mr. G. Hanoomansingh*]

**Commencement of Repairs  
(Mohess and Lachoos Roads)**

**190.** Will the Minister of Works and Transport and Minister of Local Government indicate to this House:

- (a) When his ministry will commence repair works on Mohess Road as promised earlier this year in this House?
- (b) When will repairs commence on Lachoos Road, Penal under the Road Improvement Programme as promised earlier? [*Mr. S. Hosein*]

*Questions, by leave, deferred.*

**Edinburgh 500  
(Playing Facilities)**

**95. Mr. Raymond Palackdharrysingh** (*Caroni Central*) asked the Minister of Sport and Youth Affairs:

Would the hon. Minister 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?

**The Minister of Sport and Youth Affairs (Hon. Jean Pierre):** Mr. Deputy Speaker, the facilities at Edinburgh 500 were constructed by, and are the responsibility of, the National Housing Authority. The National Housing Authority has indicated that it is willing to hand over the responsibility for maintenance of this facility to the Chaguanas Borough Council, or alternatively, to a suitable group.

**Enterprise Community Centre  
(Rebuilding of)**

**134. Mr. R. Palackdharrysingh** (*Caroni Central*) asked the Minister of Community Development, Culture and Women's Affairs:

- (a) Whether the Enterprise Community Centre is to be rebuilt?
- (b) If it is to be rebuilt, would the Minister state:
  - (i) when construction work is expected to begin?
  - (ii) where would it be built?
  - (iii) the expected date of completion?
  - (iv) the type of centre to be constructed?
  - (v) the estimated cost of the project?

**The Minister of Health and Ag. Minister of Community Development, Culture and Women's Affairs (Dr. The Hon. Linda Baboolal):** Mr. Deputy Speaker, there are no plans to completely rebuild the Enterprise Community Centre. However, the centre is earmarked for extensive refurbishment and renovation.

Work on the centre is scheduled to commence in October 1995 as an approved National Self-Help project and refurbishment is expected to be completed in approximately six months.

**1.40 p.m.**

**Mr. Palackdharrysingh:** Mr. Deputy Speaker, I thought I would have had the privilege of hearing the answers to parts (iv) and (v), and if it is refurbishment, there would have been a statement on the type of centres that should be there.

**Mr. Deputy Speaker:** Would the Minister wish to respond to that?

**Dr. The Hon. L. Baboolal:** Mr. Deputy Speaker, that part of the answer was left out.

The expected date of completion, as I said, is about six months. When completed, the refurbished Enterprise Community Centre would be classified as an A-type centre.

The estimated cost of refurbishing the centre is \$250,000.

### **Hong Kong Trip**

**159. Mr. Ramesh Lawerance Maharaj** (*Couva South*) asked the hon. Prime Minister:

- (a) What was the purpose of his recent trip to Hong Kong?
- (b) 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) How many persons accompanied him on the trip, giving the names of the persons who accompanied him?
- (d) What was the total cost of this trip to the taxpayer, giving material particulars of the expenses?

**The Minister of Trade and Industry and Minister in the Ministry of Finance (Hon. Kenneth Valley):** Mr. Deputy Speaker, the purpose of the trip to Hong Kong centered on:

- (i) The positioning of Trinidad and Tobago as an export platform; transshipment hub and an international financial services centre.
- (ii) Exploring the Asian and Far East regions as a source of funds for investment to assist in achieving the objective just mentioned.
- (iii) Initiating high-level discussions in a number of areas with representatives of both the public and private sectors. For example, high technology, manufacturing agro-processing, pharmaceutical, handicraft, tourism, small business, port development.

The Government of Hong Kong informed the Foreign and Commonwealth Office, through which the request of the Government of Trinidad and Tobago was communicated, that a visit from the Prime Minister of Trinidad and Tobago would be most welcome and that the Hong Kong authorities would be happy to assist in drawing up a programme for the visit.

Sixteen persons accompanied the hon. Prime Minister on the trip. These were:

Hon. Kenneth Valley, Minister of Trade and Industry	Mrs. Phyllis Matthew Ms. Gloria Rochford
Mr. Winston Connell, Permanent Secretary, Ministry of Trade and Industry	Mr. Mervyn Guiseppi Mr. Calvin Bennet
Mr. Knowlson Gift Prof. Kenneth Julien	Mr. Roy Rique Ms. Celia Regis
Mr. Jerry Hospedales Mr. Patrick Edwards	Rev. Choi Tai Lai Mr. Sterlin Belgrove
Mr. Richard Ramdial	Mrs. Marcia Belgrove

The total cost of the trip to Hong Kong, including the Prime Minister's visit to Jamaica to discuss pressing issues relating to Caricom, is \$1,348,951.75; broken down as follows:

Airfare:

Prime Minister and Party	TT\$ 497,832.85
Accommodation, Meals and other incidentals	<u>851,118.90</u>
Total	<u>1,348,951.75</u>

Way below the estimate of \$2 million.

Thank you.

**Mr. Maharaj:** Mr. Deputy Speaker, could the hon. Minister state what specific benefits accrued to the people of Trinidad and Tobago since this visit?

**Hon. K. Valley:** Mr. Deputy Speaker, since the visit of the hon. Prime Minister and his party, we have had three missions to Trinidad and Tobago with respect to investment; persons coming to look at Trinidad and Tobago as an investment platform for accessing the United States' markets and so forth.

In addition, there was one very recent mission on culture—that is, in respect of the performing arts, the designing of the centre and so forth. Also, while in Hong Kong, the Prime Minister's party met with professors from the Chinese University of Hong Kong and there is a professor of finance who is assisting the

Government of Trinidad and Tobago in structuring a financial package for the Government of Trinidad and Tobago—and that is well advanced.

**Mr. Sudama:** What about the IMF?

**Hon. K. Valley:** Mr. Deputy Speaker, allow me to answer that aside. We felt, quite simply, that if we want to attract investors from the Far East, we are better advised by persons with that experience and coming from that cultural background.

Of course, when we want to attract investors from the United States of America, we would use consultants from the United States of America.

### **Crime Escalation—Central Trinidad (Remedial Steps)**

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

Would the hon. Minister indicate whether any steps have been taken to deal with the escalation of crime in Central Trinidad?

**The Minister of National Security (Hon. John Eckstein):** Mr. Deputy Speaker, the Commissioner of Police has provided statistics in respect of serious crimes in the Central Division for the period January 1, to July 15, 1995, compared to the same period last year.

During the period January 1 to July 15, 1994, there were 834 reports of serious crimes. For the same period in 1995, the number of serious crimes reported is 607—a decrease of 227.

The Commissioner of Police has also advised that a plan of action to reduce the incidence of crime in the Central Division has been implemented. These initiatives, the Commissioner claims, are in keeping with the overall objectives in the fight against crime, namely, increased mobility of the police service, greater visibility of policemen, reduced response time by the police.

Specific measures have been taken to deal with the crime situation in Central Trinidad, and they are—

- (i) an increase in both mobile and foot patrols, with particular attention being paid to the high-risk areas like Chaguanas, Enterprise, Longdenville, Cunupia and Endeavour.
- (ii) The Crime Suppression Unit, South, has been deployed in the Central Division to assist in the crime-fighting effort there. The assistance



rendered by this tactical unit supplements the mobility of the police in this area.

- (iii) Regular maintenance programme to ensure that the vehicles in the division are serviced regularly, a back-up system of helicopter patrols and a full complement of officers to adequately service the community.

**1.50 p.m.**

**Miss Bhaggan:** A supplemental question, Mr. Deputy Speaker. In answer to a question asked on May 11, 1995, the hon. Minister indicated to this House that with respect to the Cunupia Police Station, one 280 jeep was assigned. With respect to the Caroni Police Station, one *Land Rover* jeep has been assigned. With respect to the Chaguanas Police Station, there are two jeeps, one prison van and one motor car and they are undergoing repairs. The question is: Does the Minister consider these vehicles as having increased the mobility of the police in these police stations?

**Hon. J. Eckstein:** Mr. Deputy Speaker, the situation is not ideal. We would certainly like it to be much better, but the fact is that the Government has been supplying the police, with additional vehicles and it is the responsibility of the Commissioner to allocate these vehicles. Not only the vehicles which are assigned to the stations are available for use in fighting crime in an area, as I have indicated, there are several other agencies of the Ministry of National Security and of the police service, in particular, that become involved in any activity relative to a reported crime.

**Princes Town Road Repairs  
(Lengua/North Roads)**

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

- (a) Whether his ministry has any plans to repair the following roads in the Princes Town constituency:
  - (i) Lengua Road;
  - (ii) North Road?
- (b) If the reply is in the affirmative, can the Minister state for each project:
  - (i) Type of repairs planned;
  - (ii) Estimated cost of repairs;

- (iii) When the repairs will begin;
- (iv) Anticipated date of completion?

**The Minister of Works and Transport and Minister of Local Government (Hon. Colm Imbert):** Mr. Deputy Speaker, the ministry has plans to repair Lengua Road and North Road.

For the period January to August, 1995, the Ministry of Works and Transport has expended a total of \$476,437.87 under its Routine Maintenance and Road Improvement Fund Programmes on roads in the general vicinity of and inclusive of, Lengua Road and North Road. These works entail the following:

Drainage Works	10,200 linear metres
Cutlassing	78,624 square metres
Patching	65 square metres
Road Repairs and Resurfacing	1.6 kilometres.

Both Lengua Road and North Road require strengthening, levelling and resurfacing, using hot-mix asphalt. The estimated cost of repairs to these roads are as follows:

Lengua Road, between 0 and 2.37mm, the type of repairs required are levelling, strengthening and resurfacing, at an estimated cost of \$600,000.

North Road, between 0 and 6.39mm, repairs required are levelling, strengthening and resurfacing at an estimated cost of \$1.8 million.

Due to the priority rating given to Lengua Road and North Road in the context of all other roads in the country, they have been programmed for upgrading under the Road Improvement Fund Programme for the years 1996 and 1997 dependent on availability of funds. However, routine maintenance on these roads would continue as funds permit.

In addition, significant sections of Lengua Road and North Road have been included in the ministry's five-year Road Rehabilitation and Maintenance Programme funded by international funding which is expected to commence in 1996.

**Princes Town Road Repairs  
(Unis and Sixth Company Circular Roads)**

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

- (a) Whether his ministry has any plans to repair the following roads in the Princes Town constituency:
- (i) Unis Road;
  - (ii) Sixth Company Circular Road?
- (b) If the answer is in the affirmative, can the Minister state for each project:
- (i) Type of repairs planned;
  - (ii) Estimated cost of repairs;
  - (iii) When will the repairs begin;
  - (iv) Anticipated date of completion?

**The Minister of Works and Transport and Minister of Local Government (Hon. Colm Imbert):** Mr. Deputy Speaker, the ministry has plans to repair Unis Road and Sixth Company Circular Road.

For the period January to August, 1995, the Ministry of Works and Transport has expended a total of \$613,402.71 under its Routine Maintenance and Road Improvement Fund Programmes on roads in the general vicinity and inclusive of Unis Road and Sixth Company Circular Road. These works are as follows:

Drainage Works	11,459 linear metres
Cutlassing	13,264 square metres
Patching	136 square metres
Road Repairs and Resurfacing	1.7 km.

Both Unis Road and Sixth Company Circular Road require strengthening, levelling and resurfacing, using hot-mix asphalt. The estimated cost of repairs to these roads are as follows:

Unis Road, between 0—1.22mm, the type of repairs required are levelling, strengthening and resurfacing at an approximate cost of \$150,000.

Sixth Company Circular Road, between the 1.00mm and the 2.7mm, repairs required are levelling, strengthening and resurfacing at an approximate cost of \$210,000.

Due to the priority rating given to Unis Road and Sixth Company Circular Road in the context of all other roads in the country, they have been programmed for upgrading under the Road Improvement Fund Programme for the years 1997

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and 1998 dependent on availability of funds. However, routine maintenance on these roads will continue as funds permit.

In addition, sections of Unis Road and Sixth Company Circular Road have been included in the ministry's five-year Road Rehabilitation and Maintenance Programme funded by International funding which is expected to commence in 1996.

**Mr. Haniff:** A supplemental question, Mr. Deputy Speaker. Can the hon. Minister give an indication of the cost of materials utilized on these roads that he just mentioned?

**Hon. C. Imbert:** Mr. Deputy Speaker, it is not possible to do so immediately. The figure I have is an aggregate. However, I will make the information available to the Member.

### **Hospital (Construction of)**

**173. Mr. Mohammed Haniff** (*Princes Town*) asked the hon. Minister of Health:

Would the hon. Minister state when will construction of the new hospital in Princes Town commence?

**The Minister of Health (Dr. The Hon. Linda Baboolal):** Mr. Deputy Speaker, building plans for the Princes Town District Hospital are currently being prepared by the architects. A proposed design has been submitted and is now being reviewed by the relevant technical staff, such as the County Medical Officer of Health, Principal Medical Officer, Community Services and the Director of Community Nursing.

On completion of this exercise, the final design drawing will be undertaken by NIPDEC. It is expected that these final drawings will be completed by the end of September, 1995. Construction of the hospital is scheduled to begin during the first quarter of 1996 subject to the provision of funds in the 1996 estimates.

### **Hall of Justice (Maintenance Costs)**

**175. Mr. Trevor Sudama** (*Oropouche*) asked the Minister of Works and Transport and Minister of Local Government:

Could the hon. Minister state:

- (a) The annual cost of maintenance/cleaning of the Hall of Justice, Port of Spain?
- (b) The name of the organization responsible for this work?

**The Minister of Works and Transport and Minister of Local Government (Hon. Colm Imbert):** Mr. Deputy Speaker, the Ministry of Works and Transport has a resident engineer who certifies payments for certain maintenance activities at the Hall of Justice. Payment is made by the Supreme Court. The maintenance activities certified for with the monthly cost is as follows:

- |  |   |              |
|--|---|--------------|
| (a) Janitorial technical and security services | - | \$171,370.70 |
| (b) Maintenance of 21 elevators                | - | \$19,166.67  |
| (c) Maintenance of potted plants               | - | \$172.50     |

These are all annual costs.

The name of the principal contractor is the National Maintenance Training and Security Company Limited.

**Mr. Sudama:** Could the Minister indicate to the House whether the principal contractor was selected through a public tender procedure?

**Hon. C. Imbert:** Mr. Deputy Speaker, my understanding is that the principal contractor has been selected as a wholly-owned state enterprise.

**Central Bank  
(Statement of "Other Assets")**

**178. Mr. Trevor Sudama (Oropouche)** asked the Minister of Finance and Minister of Tourism:

Could the hon. Minister please state:

- (a) The amount appearing under the heading "Other Assets" in the latest weekly statement of the Central Bank of Trinidad and Tobago?
- (b) Full details of the items aggregated under this heading and the corresponding figures against each item?

**The Minister of Finance and Minister of Tourism (Hon. Wendell Mottley):** Mr. Deputy Speaker, the amount appearing under the heading "Other Assets" in the Central Bank of Trinidad and Tobago's weekly statement of accounts as at July 26, 1995 was \$3,553 million; in other words, \$3.553 billion.

**2.00 p.m.**

Other Assets—Dissaggregated for the week ending July 26, 1995, is as follows:

	\$ Million
Cheques in process of collection	19.2

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	\$ Million	
Interest Receivable	226.1	
Deferred printing and minting costs	15.6	
Advances to financial institutions	546.2	
Bilateral loan—Bank of Guyana	2,282.6	
Staff advances—Mortgages	60.0	
Loan to Deposit Insurance Corporation	64.2	
Caricom Multilateral Clearing Facility	193.8	
Recoverable Expenditure		
	\$ Million	
International Trust Ltd	\$10.5	
Caricargo debt	5.9	
BCCI	13.1	
DOMA	46.0	
Merger of Indigenous banks	23.8	
BEIRL Credit Facility	9.9	
ISL Advances	8.9	
CSFP Collateralised Loan	8.4	
IDB/EXCICO Line of Credit	3.7	
VAT recoverable	4.2	134.4
Other Miscellaneous		10.9
TOTAL:	\$3,553.0	
	=====	

**Mr. Sudama:** Could the Minister inform this House which financial institutions were advanced the total of \$546 million by the Central Bank?

**Hon. W. Mottley:** I do not have the disaggregated amount, but most of it was done to the NCB combined—FCB—which was then NCB.

**Mr. Sudama:** You mean to show up three bankrupt banks, that the Central Bank allocated \$546 million. Am I to understand that as a fair statement?

**Hon. W. Mottley:** Mr. Deputy Speaker, they were advanced to these banks and with the performance of the merged bank, the prospects of recovery are good.

**Mr. Sudama:** Mr. Deputy Speaker, I had not exhausted my supplementary questions. Would you just allow me to ask another on the status of the \$2.2826 billion under "Other Assets", which seems to represent indebtedness by the Government of Guyana to Trinidad and Tobago?

Could the Minister indicate to this House whether this indebtedness is recoverable and in what time frame since it is being carried as an asset in the books?

**Hon. W. Mottley:** Mr. Deputy Speaker, that amount of \$2,282.6 million advanced to the Bank of Guyana, the Government of Trinidad and Tobago has been making every attempt to recover.

The Minister in the Ministry of Finance with a team of officials visited Guyana and came to an understanding with the then Minister of Finance in Guyana as to the terms of repayment. However, I regret to report that up to this point the Guyanese Cabinet has not agreed to the terms agreed by the then Minister of Finance. We, therefore, are pursuing this collection in a multilateral forum.

### **Foreign Investors (Tobago)**

**179. Mr. A.N. R. Robinson** (*Tobago East*) asked the Minister of Finance and Minister of Tourism:

Will the hon. Minister please state:

- (i) How many foreign investors have acquired land in the island of Tobago without a licence under section 6, 7 or 8(i)(e) of the Foreign Investment Act, 1990 or any other provision of the Act?
- (ii) The name, address and nationality of each such investor, the date of the instrument effecting the vesting, the parish in which the land was acquired, the area of the land so acquired, and the purpose of the acquisition?

**The Minister of Finance and Minister of Tourism (Hon. Wendell Mottley):** Mr. Deputy Speaker, the records show that 145 foreign investors have

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acquired land in Tobago without a licence under the Foreign Investment Act 1990 over the period November 20, 1990 to August 15, 1995, but have complied with the provisions of the Act by submitting the information required in the First Schedule.

The acquisition of land in Tobago was undertaken mainly by the citizens of the Republic of Germany—31 per cent; the British—26 per cent; citizens of the United States and Canada—26 per cent; Italians—4 per cent; citizens of Switzerland—4 per cent.

Other minor foreign investors include citizens of Scandinavia, Austria, France, Australia, Holland and Nigeria who together accounted for nine per cent of lands acquired without a licence by all foreign investors in Tobago.

During the period under review the number of approvals per annum issued by the Minister of Finance with respect to land acquisition in Tobago without a licence rose from 20 in 1990/1991 to 49 for the period 1994.

A breakdown of the number of approvals for each of the years 1990/1991 and to 1995 disaggregated according to acreage is presented as follows:

Years	Total Approvals	One Acre or less	One to Five Acres
		Residential	Trade/Business
1990/1991	20	20	0
1992	22	21	1
1993	31	25	6
1994	49	40	9
1995 (Jan. 1—Aug.15)	23	20	3
	145	126	19

The preferred Parish. Foreign investors displayed preferences with respect to location. This was reflected in the disparity in the number of parcels of land acquired in the various parishes with St. Patrick, St. Andrew and St. John being



the most popular. The table below provides details of these acquisitions for the years 1990—1994 and the period January 1, to August 15, 1995.

Mr. Deputy Speaker, I have the breakdown by parish here and will make it available to the hon. Member; otherwise, it makes complex reading.

Of the 145 parcels of land acquired without a licence, 126 have been acquired for residential purposes and 19 for trade or business. The specific information requested in part (ii) is voluminous and will be made available to the Member on request; that is the name of each individual in the 145 instances.

**Mr. Robinson:** Could the Minister state whether he is aware of the anxiety in Tobago about this matter, and that it has been a burning issue? Has he received representations on the matter?

**Hon. W. Mottley:** Mr. Deputy Speaker, the answer is yes. This Minister is aware that the matter of foreign ownership of land has become a burning issue in Tobago. The Government has been in close consultation with the Tobago House of Assembly on this matter and, in fact, the Standing Committee of Industry and Services, which is a subcommittee of this Cabinet, had made proposals for designating certain areas in Trinidad and Tobago as areas in which a foreign investor may not acquire land without obtaining a licence. The matter was discussed with the Tobago House of Assembly. I personally went there and discussed it with the Assembly on several occasions.

**2.10 p.m.**

**Mr. Robinson:** Mr. Deputy Speaker, was the House of Assembly consulted when these applications were being granted and these allocations of land were being made?

**Hon. W. Mottley:** Mr. Deputy Speaker, the law passed in 1990 provides for automatic approval. The Minister of Finance merely has to be notified where the residential requirement is less than one acre and where the commercial requirement is less than five acres.

*Vide end of sitting for Table 1.*

*Table 2 lodged at Parliament Library.*

**Pointe-a-Pierre Constituency  
(Supply of Pipe-borne Water)**

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

Could the hon. Minister tell this House what arrangements are being made to supply pipe-borne water to hilly areas in the Pointe-a-Pierre constituency, namely: Caratal, Gasparillo, Sum Sum Hill, Upper Soledad, St. Fabien, and Sookoo Trace?

**The Minister of Energy and Energy Industries and Minister of Public Utilities (Hon. Barry Barnes):** Mr. Deputy Speaker, the Water and Sewerage Authority has advised that construction works are to be undertaken to improve the pipe-borne water supply to Caratal, Gasparillo, Sum Sum Hill, Upper Soledad, St. Fabien, and Sookoo Trace, during the months of September to December 1995 as part of the Authority's short-term rehabilitation plan.

As a result of these construction works, some 825 households are expected to benefit. The following are the proposed improvement works in the respective areas:

1. Caratal/Gasparillo: 2.3 kilometres of 300 mm diameter pipeline will be laid along Parforce Road and Bhagwansingh Trace from Gasparillo Road to Bon Aventure Road. This project is scheduled to commence in the last week of September 1995 and is expected to be completed in three months.
2. Sum Sum Hill and Sookoo Trace: 1.6 kilometres of 150mm diameter pipe and 0.9 kilometres of 100mm diameter pipe would be laid along Diamond Road from Phoenix Park Road to Cedar Hill Road. This project is scheduled to commence in the last week of September 1995 and is expected to be completed in two months.
3. Upper Soledad: 1.7 kilometres of 200 mm diameter pipe is to be laid along Hermitage Road Claxton Bay from Peake Avenue and work is scheduled to commence in the last week of September 1995 with an expected completion period of two months.
4. San Fabien Gasparillo: 0.9 kilometres of 150 mm of diameter pipe would be laid along San Fabien from the Gasparillo Main Road. This work is scheduled to commence in the last week of October 1995 and is projected to be completed in one month.

**Road Improvement Fund  
(Second Biannual Report)**

**191. Mr. Sahid Hosein** (*Siparia*) asked the hon. Minister of Works and Transport and Minister of Local Government:

Will the Minister indicate to this House:

- (a) When the second Six Months Report of the Road Improvement Programme will be presented to Parliament?
- (b) Why the presentation of this report has been delayed?
- (c) When the third Six Months Report will be presented to this House?

**The Minister of Works and Transport and Minister of Local Government (Hon. Colm Imbert):** Mr. Deputy Speaker, the Second and Third Six Months Reports of the Road Improvement Fund covering the periods July to December and January to June 1995, respectively, have been prepared and will be laid in Parliament during the next two weeks.

Presentation of these reports was delayed because it was considered necessary to carry out a thorough check on the information in order to minimize errors.

**Mendez Trace and Environs  
(Laying of Water Lines)**

**192. Mr. Sahid Hosein** (*Siparia*) asked the Minister of Energy and Energy Industries and Minister of Public Utilities:

Will the hon. Minister indicate to this House what plan does Water and Sewerage Authority have for laying water lines in Mendez Trace and environs?

**The Minister of Energy and Energy Industries and Minister of Public Utilities (Hon. Barry Barnes):** Mr. Deputy Speaker, as part of the Water and Sewerage Authority's ongoing rehabilitation programme, WASA proposes to replace the existing 4 inch diameter encrusted cast iron distribution main at Mendez Trace with 2,000 metres of 4 inch diameter PVC pipe from Sennon Trace to Jahoor Street. The work is scheduled to commence by year's end.

Upon completion of this project, WASA would be in the position to look into the installation of a local water distribution pipeline system to households in Mendez Trace and environs. This programme will be implemented as soon as funds become available.

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**MR. RALPH MARAJ  
(RESIGNATION)**

**Mr. Ralph Maraj** (*San Fernando West*): Mr. Deputy Speaker, I had significant doubts as to whether I should take my seat during this sitting of the honourable House, even though mine is going to be a very temporary occupation today and, certainly, my last for quite some time.

I would have preferred to have my letter of resignation reach you and then to go away very quietly. I even considered not making a personal appearance in this honourable House on this particular day, but I felt I had one last duty to perform as an elected representative of the people of my constituency. That duty is simply to put into the record of this honourable House the fact of my premature departure and the reason for it. I am very thankful for your concurrence in the performance of what I consider to be my duty.

As hon. Members are aware, I have already announced my intention to resign as the Member for San Fernando West. This is a direct and, to my mind, inevitable consequence of my decision to resign from the People's National Movement, the party on whose behalf I fought and won the seat that I will today vacate. I am leaving the House, Mr. Deputy Speaker, because I am leaving the party.

Both acts are in fact co-terminus and must therefore be simultaneous. Consequently, my letter of resignation from the party is now on its way to that organization's headquarters and when I am finished with my final few words, my letter of demission from this honourable House will begin its much shorter journey to you, Mr. Deputy Speaker.

I abort my stay here because as a politician I must do more than most to respect the people and institutions of this country. In my regrettably brief sojourn here, I have come to a fuller understanding of the importance of our Parliament. This is truly the place of all of the people of Trinidad and Tobago, the place where the various and often differing views, wishes and concerns of our nation are registered and advanced to varying degrees of satisfaction. It is not a perfect place, Mr. Deputy Speaker, and it is sometimes described, with some justification, as inadequate to deal with the ever-increasing and pressing concerns of this our multi-dimensional society.

This honourable House is neither irrelevant nor out of touch as some victims of cynicism are wont to pronounce. In fact, it is vital to the stability and cohesiveness of our society and it is therefore the responsibility of all citizens,

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especially hon. Members, to ensure the growth of a worthy parliamentary tradition and the evolution of a House of Representatives that is not only in step, but often ahead of the times. I hope to play my little part towards this end.

We should also note, Sir, that in recent years this House has become the arena for the enactment of matters of major historical importance. Take the last nine years, for example, from the cataclysmic, but democratic political change of 1986 to the present period; it has been a period of tumult for this honourable House, when the inner stirrings and turbulence of the larger society found expression here, as this place gave a vent to an energy, a surging spirit and a desire for change.

**2.20 p.m.**

This is the role that this House has played without which, Mr. Deputy Speaker, I am sure you will agree, there would be a horrendous course for this country, the likes of which we have already experienced during the past nine turbulent years of which I speak and during which experience, this very Chamber was a major theatre of action.

Let no one, therefore, dismiss this House as a place of frivolity which it is at times, and let no one say that we are merely talking to the wind, or to the walls of this Chamber which also often happens. Let us instead recognize that matters of major importance will continue to happen here as they have over the last nine years whether of honour, or infamy and let us bear in mind always that the historical process is hardly ever a neat and tidy affair, but that in human affairs, it is often that out of the greatest turbulence comes the opportunity for the greatest good.

This is the House of the people and it has a responsibility to be a place of energy, daring, imagination, creativity, courage and sacrifice. This House of the people has to be a major vehicle and galvanizer of this country's history, and it cannot fall short of its responsibility to further the political, social, and cultural evolution of Trinidad and Tobago.

Mr. Deputy Speaker, I wish in all humility to make a small contribution to that process by my voluntary, but untimely departure from this place of the people. As I said, having decided to in honour leave the party, I am bound to leave the Parliament.

I wish my honourable friends well. I thank them for the camaraderie in the midst of the cuts and thrusts, and I am especially grateful to all Members for the

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friendship during the turmoil of my recent past. I enjoy friendships on both sides of the House, in addition to your own very good self, Mr. Deputy Speaker, and I feel fairly certain that these relations will endure into the future.

May God bless you all, hon. Ladies and Gentlemen and may God bless our nation. I thank you very much, Mr. Deputy Speaker and, as agreed, I will now take my leave. Farewell then, till we meet again.

**Mr. Deputy Speaker:** Hon. Members, I now read into the records of this House—*[Noise in public gallery]* May I ask persons in the Public Gallery to remain silent, please. I now read into the record of this House a letter which came to hand from 847 Hillview Drive, Gulf View, La Romaine dated September 11, 1995.

"The Honourable Dr. Rupert Griffith,  
The Honourable Deputy Speaker of the House of Representatives,  
Red House,  
Port of Spain.

Dear Mr. Deputy Speaker,

I hereby tender my resignation as a Member of the House of Representatives for the Constituency of San Fernando West.

Pursuant to section 49(2)(a) of the Constitution of Trinidad and Tobago I hereby inform you of my resignation as a Member of the House of Representatives for the constituency of San Fernando West.

Yours faithfully,

s/Ralph Maraj."

Hon. Members, having received this letter under the pen of Mr. Ralph Maraj, and having read it into the record, I now declare the seat for the constituency of San Fernando West vacant.

#### ARRANGEMENT 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 Bill No.1 on the Order Paper, rather than the motion, which is listed under Government Business.

*Agreed to.*

**STRATEGIC SERVICES AGENCY BILL**

*Order for second reading read.*

**The Minister of National Security (Hon. John Eckstein):** Mr. Deputy Speaker, I beg to move,

That a Bill to provide for the establishment of the Strategic Services Agency and for matters connected therewith, be now read a second time.

The Bill before the House seeks to establish an intelligence gathering and national co-ordinating agency in the area of drug trafficking. The United Nations for a long time has been emphasizing the need for co-ordination at the national and international levels of all efforts to combat the multifaceted problem of drug trafficking.

As far back as 1961, the United Nations Single Convention on Narcotic Drugs, Article 35, entitled "Action against the Illicit Traffic" had this to say:

"Having due regard to their constitutional, legal and ...system the parties shall (a) make arrangements at the national level for co-ordination of preventive and repressive action against the illicit traffic. To this end they may usefully designate an appropriate agency responsible for such co-ordination."

This is the United Nations since 1961 urging nations to designate an appropriate agency responsible for the co-ordinating of drug interdiction activities.

The United Nations again, in its convention on psychotropic substances in 1971, that is 10 years after, in Article 21, made the same statement, that is, it urged member nations to designate an appropriate agency responsible for co-ordination.

In 1988, the United Nations outlined future activities in the area of drug abuse control and in one of the targets, Target 17—Disruption of Major Trafficking Networks", the United Nations said the following:

"For this purpose, States, Parties that have not yet done so, are urged to designate the co-ordinating agency envisaged in *Article 35(A)* of the 1961 Convention and *Article 21(A)* of the 1971 Convention and that agency should be given the necessary authority to co-ordinate the actions set forth below."

So we have 1961, 1971, and 1988, the United Nations urging its member countries to establish an intelligence gathering and a national coordinating agency in the area of drug trafficking.

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The United Nations went further, in June of 1992, and by way of advice to countries, it established a model legislative regulatory text establishing a central office for the suppression of illicit drug traffic. This, in other words, is draft legislation put forward by the United Nations in 1992 in order to assist countries in drafting legislation to set up such a co-ordinating agency.

As a consequence of the advice given by the United Nations over time, one of the realities of dealing with this serious problem of drug trafficking is, a number of Caribbean countries have established agencies. Agencies differ from country to country but there are in Jamaica the Bahamas, Cuba, the Dominican Republic, Guyana, The Netherlands Antilles and, in fact, Suriname are mentioned in a United Nations publication as one of the countries seeking to develop such an organization.

There are agencies like this existing in Canada—this is the legislation establishing it—and in the United Kingdom. In fact, in many of the highly developed countries in the world, there is an organization which has been established to co-ordinate the interdiction activities in relation to drug trafficking.

Trinidad and Tobago, finally, in April of 1992 established the OSS which is the forerunner organization to the one for which we are seeking legislative approval here today. The Cabinet, as I said, on April 23, 1992, established the OSS and gave it the following functions: to develop an integrated drug interdiction strategy focusing on, but not restricted to, international corporations, the legal framework within which the interdiction of drugs would proceed; intelligence; investigations; foreign technical assistance; information exchange; crime prevention; airport and seaport security to co-ordinate the efforts of law enforcement agencies and non-governmental organizations in the implementation of this strategy.

The OSS is also mandated to direct an integrated information centre; to co-ordinate technical assistance to the drug interdiction programme and to develop a programme against economic crime.

**2.30 p.m.**

Mr. Deputy Speaker, that organization has been in existence since 1992 and I want to give you some indication as to what it has been doing since it has been established.

In October, 1992, after consultation with the Heads of Services and departments, the OSS produced a document entitled "Towards a National Drug



Interdiction Programme, Phase I". This document outlines the strategic approach as well as macro statements of intent in respect of the following two areas of focus for a call-in programme. It dealt extensively with the legal framework, the line units, that is, the various service units; money laundering; marijuana eradication; intelligence; co-ordination; technical assistance; public education, mobilization; international and regional co-operation; research and finance.

In March, 1993 the OSS documented Phase II of the National Drug Interdiction Programme and this focused on implementation. Again, detailing the activities of the OSS since its establishment, and under the Ratification of the 1988 Vienna Convention and the Enhancement of the Dangerous Drugs Act, 1991, the ratification of the UN Convention by the Government of Trinidad and Tobago required introduction of amendments to the Dangerous Drugs Act, 1991 so as to enable essential compliance with the provisions of the Convention.

An inter-ministerial legal working group under the aegis of the OSS, working with an attorney from the United Kingdom examined the legislation and developed a brief, which resulted in the Dangerous Drugs (Amdt.) Act which was passed in Parliament in November, 1994 and this enabled ratification by Trinidad and Tobago of the Vienna Convention which entered into force on May 18, 1995.

Mutual legal assistance, is another area of activity in which the OSS has been engaged. The term implies assistance between countries in the investigation and prosecution of criminal cases and the enforcement of court orders arising out of convictions. Article 7 of the Vienna Convention puts an obligation on member states to provide mutual legal assistance to each other. In addition, states are encouraged to enter into mutual legal assistance treaties. Every state is required, under the Convention, to designate a central authority within the country for the channelling and processing of mutual legal assistance. Cabinet has directed that the OSS be the central authority for Trinidad and Tobago.

A Mutual Assistance in Criminal Matters Bill has been drafted and is being reviewed for tabling in Parliament, and the United Kingdom has already submitted a draft mutual legal assistance agreement as a basis for the negotiation of a bilateral agreement with that country.

Money laundering: The OSS was mandated by Cabinet to pursue a programme against money laundering. The main planks of that programme are the implementation of the relevant provisions of the Dangerous Drugs Act, as well as the 40 recommendations of the Financial Action Task Force and the 19 recommendations of the Caribbean Financial Action Task Force. Action is being

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taken in a number of areas to give effects administratively to these recommendations.

For example, discussions involving representatives of the OSS, the Central Bank and the commercial banking sector, resulted in the institution of a money-laundering prevention agreement entered into by the commercial banks on December 01, 1992. The agreement facilitates the identification of suspect transactions and the reporting of those transactions to the relevant authorities. It also addresses to some extent the question of retention of transaction records.

In February, 1993, the OSS produced a booklet on money laundering as part of a counter-narcotics public education programme. Its aim was to sensitize the wider community to money laundering and its implications and the legislative provisions. The structure proposed by the OSS for the enforcement of money laundering legislation is the establishment of a financial intelligence unit within the OSS, working to a financial investigation scheme within the police Organized Crime and Narcotics Unit. The unit has now been established within the OSS and comprises two officers assigned from the OCNU.

International co-operation: Since 1992, Trinidad and Tobago has been in the chair of the Caribbean Financial Action Task Force and provides accommodation and other facilities for the Secretariat of the Task Force. These are located within the offices of the OSS. Trinidad and Tobago is a participant in the US initiative Joint Information Co-ordinated Centre programme designed to monitor the movement of vessels, persons and aircraft around the region. Again, the focal point for the JICC activities is the OSS.

The OSS co-ordinates the Trinidad and Tobago response to the annual self-evaluation exercise conducted by the Caribbean Financial Action Task Force secretariat. The OSS also co-ordinated the Trinidad and Tobago response in respect of the mutual evaluation of Trinidad and Tobago which was conducted under the CFATF mutual evaluation programme in April, 1995.

The OSS also co-ordinates the response to the several questionnaires issued by international agencies throughout the year. In 1994 alone the OSS completed responses to approximately 480 questions, containing some 147 pages of questions, coming from different organizations. The OSS has also served in the development and co-ordination of training programmes jointly hosted by individual foreign governments and multilateral agencies. These have included—

- (1) The Fourth Multinational Training Seminar for the control of precursors and essential chemicals;

- (2) A symposium on money laundering at the Valley Vue Hotel, Port of Spain, March 2—4, 1993 in conjunction with the Government of France;
- (3) Money laundering Investigators Training Course at the Joint Services Staff Training College, Port of Spain, from October 25 November 5, 1993 in conjunction with the Government of France.

Intelligence: The intelligence gathering and dissemination aspect of the OSS is extremely important. The Operations Section of the intelligence arm is a unique entity comprising officers assigned from the police, customs, immigration and defence force; and the OSS has set itself the task of producing two types of intelligence—strategic intelligence to inform Government policy and strategy decisions; and tactical intelligence to contribute to the operational activities of the units.

**2.40 p.m.**

At the operational level, the improvement in intelligence in the identification of trends has enabled the OSS to contribute to seizures, both at home and abroad. This includes the largest seizures ever which occurred in June of 1994 involving 226 kilos of cocaine. As an extension of this, the legal section of the OSS is actively engaged with other relevant agencies, the police, the office of the Director of Public Prosecutions, the Chief State Solicitor, the Solicitor General's Office, to try to stimulate implementation of the drugs legislation, particularly as these relate to the restraint and seizure of assets.

The record of the OSS makes it abundantly clear that there is the need for such an organization in the area of drug trafficking if we are to bring under some degree of control, this scourge of drug trafficking. The Government remains convinced that there is the need for this organization and has therefore brought this Bill before this honourable House. We urge Members opposite to support this Bill.

We regard as extremely important the agency we are seeking to establish, functioning in an extremely critical area, one that threatens, as everyone knows, civil society. We must have this agency co-ordinating all our activities so we can get ahead in this fight against drugs.

In concluding, I want to point out two things. I would be proposing some amendments at the committee stage of this Bill. We are proposing that clause 4(iv) (b) be deleted. Clause 4(iv)(b) requires the agency to prepare a report in June and one in December.

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There will be an amendment to clause 10(3) and (4) and clause 13. We will indicate the nature of those amendments at the committee stage of the proceedings.

Mr. Deputy Speaker, I beg to move.

*Question proposed.*

**Mr. Basdeo Panday** (*Couva North*): Mr. Deputy Speaker, the Bill seeks, as the hon. Minister has said, to set up a Strategic Services Agency. But I was surprised to learn from him that there already exists such an organization under another name, that is to say, the OSS. If the OSS is, in fact, in existence, and has done all the things he said that it has done, what is the point of the legislation? Because it seems to me that what is happening here is that you are now legalizing the fact that the Minister has set up an arm.

The organization proposed in this Bill is really an extension of the Minister. The Minister is in total control, as, in fact, he has been, of the OSS, and he is legalizing an administrative act, because surely by an administrative act the OSS was set up. Now he is bringing a piece of legislation to the Parliament in order to legalize a set-up that he already had in existence. That is what I thought the Minister said.

**Hon. Manning:** To give it a legal complexion.

**Mr. B. Panday:** To give it a legal complexion? So did it have an illegal complexion before? Was it operating illegally? Why is this necessary? If it was operating all the time illegally, is he now saying he wants to give it a legal complexion? That, I think, is probably the most significant thing about this Bill. I had in my notes here to ask whether it was going to be a new organization. Apparently it is not; it is going to legalize an administrative arm of the Government that is already in existence. But there already exist the organized Crime and Narcotics Unit; the Anti-Drug Squad, the Multi-Option Police Section; all these "Mops", all these things—

**Mr. Manning:** Mr. Deputy Speaker, I am very grateful to the hon. Member for Couva North for giving way. The organizations that he has just called are operational organizations within the police service and, therefore all of them are different from the matter that is the subject of the legislation before the Parliament today.

**Mr. B. Panday:** The Member has now crystallized my objection to the Bill. These organizations are within the police service and are responsible to the Police

Commissioner; the Government has now come to Parliament to set up an organization solely responsible to the Minister. Why is this not part of the police service? That is the real question. The Government has not given us a reason for not putting this organization under the police service responsible to the Commissioner of Police, or to the Police Service Commission, for that matter. So what kind of organization is this, really? Is it akin to the FBI of the United States. Or is it a CIA, a Central Intelligence Agency?

**Mr. Manning:** Neither.

**Mr. B. Panday:** It is an organization which the Government has given enormous powers to and which is solely responsible to the Minister. It says here that the agency's functions are, centralizing information, to prepare drug interdiction strategy, to develop strategic intelligence, disseminate information and intelligence among the services, analytical support, and so on. So basically it has to do with information gathering and co-ordination, not information gathering and dissemination. But surely, whatever information it disseminates, it disseminates to the police service, and they are supposed to implement. Is that not right? Because it does not have any implementing capacity.

**2.50 p.m.**

Is this one other way of getting control over the police, bringing the police service under the political arm? We know that this Government has been trying to do that for quite some time. First of all, there was the unwarranted attack on the Commissioner of Police where the Prime Minister wanted to fire him without reason. When he failed to do that, he wanted to fire the Police Service Commission.

**Mr. Maharaj:** He wants to abolish all service commissions.

**Mr. B. Panday:** Yes, for that matter.

Is this not really another way of bringing the police service under political control? We are told that this information will be disseminated to the various agencies, but what is the mechanism that exists for ensuring that this information is not misused? Remember, it is now in the hands of the political directorate. The agency is directly responsible to the Minister. Is there any mechanism in the Bill which is going to ensure that this organization is not going to be used for the prosecution and persecution of people whom the Government perceives to be in opposition to it? We are concerned about that.

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How are we going to be assured that the information, as I said, is not going to be misused? For example, we have heard that in the police service there are persons who are under the control of drug lords. How do we know that the information would not be used to protect certain drug lords at the expense of others? Where is the mechanism in the Bill for that?

Mr. Deputy Speaker, I want to assure you and the Government that we think the principle of the Bill—that is, the fact of information gathering—is a worthy effort. There is need to have information if one is going to deal with crime.

As a matter of fact, the Government's greatest sin has been the fact that it would not give any information to anybody at all. So, information gathering, we have no objection to that. What we are concerned about is what happens to the information. For example, we have called for a Freedom of Information Bill in this House, since the beginning of this term, and, indeed, for many years. We have asked for such a Bill so that the Opposition, and the country, could have access to information.

I see the Prime Minister gesticulating as if he agrees with me, and that there will be a Freedom of Information Bill. If that is the case, could he tell us?

**Mr. Manning:** Mr. Deputy Speaker, I just want to advise the hon. Member for Couva North that he ought not to try to speak for me. I am already spoken for.

**Mr. Sudama:** By whom?

**Mr. B. Panday:** I can assure the hon. Prime Minister that I would never speak for him.

Sir, you know that we have asked for information on all sorts of things in this House on several occasions. As a matter of fact, one piece of information I recall we have asked for is the nature of the contract between the Government, T&TEC and PowerGen. Do you know what we were told in this House? We were told that that is secret information; it is a business transaction and we have no right to any information about the details of that contract. This is what I mean when I say that what the Government does with this information is important, and the Government has a bad history of dealing with information.

We thought that if there was concern for the people's money and the national patrimony was being sold, the people of this country ought to know what are the conditions under which it was being sold. But not a single word in this House from the Government as to the terms and conditions of that sale. Do you know what happens? In the United States of America the information is published

when PowerGen seeks to raise money. It is published in a prospectus so the people of the United States could know about it. That is perfectly all right. It is not a secret for them; it is a secret for the people of Trinidad and Tobago to whom the asset belong.

Do you know what we are finding out for the first time? That the sale to T&TEC was worse than a garage sale.

**Mr. Manning:** What do you mean by that?

**Mr. B. Panday:** Let me tell you what I mean. The Government owes it to this House to say that it has entered into a contract that gives PowerGen the right to cut off electricity supplies to T&TEC. That is what the contract contains. *[Interruption]* It has to do with how the Government deals with information, which is the subject of this legislation. That is what it has to deal with—information.

Unless there is a Freedom of Information Bill, how can we trust the Government with information when it had information like this and it did not bring it to the attention of the Parliament and the citizens of this country? The Government entered into a contract with a foreign firm to give it the right to cut off electricity from T&TEC, and worse than that, part of the power that is given to PowerGen is that it can terminate T&TEC's electricity supply after giving a mere 24 hours' notice.

If this happens, we see in this article in the *Sunday Guardian* of September 10, 1995, on page 1:

"...PowerGen would control TTEC's transmission and distribution network."

We were told specifically that what was being sold was the generating capacity and that had nothing to do with the distribution capacity. *[Interruption]* I am talking about the hiding of information, and we are asking for a Bill to allow the Government, as an administrative procedure, under law, to allow it to collect sensitive information which it may misuse as it misused this information.

I am giving evidence here to show how the Government misuses its knowledge of information. I almost said you lied, but I would not say that in this House. The Government told an untruth to this House when it indicated that what it was disposing of was only the generating capacity and not the distribution capacity. Now we have found out that it is contained in the contract that PowerGen can give 24 hours' notice to T&TEC and take over the distribution.

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In the same article it states:

"On Friday, TTEC said that both the Commission and PowerGen were legally bound to confidentiality on details of the agreements and therefore would not be in a position to comment."

This is being published abroad. It is only now that we know that the—

"...Government has given 'absolute, unconditional and irrecoverable guarantees' that it will make prompt and timely payments to PowerGen."

That the Government would also—

"...regularise ownership of land..."

The Moora pipelines and so forth. Worse than that.

"If it fails to do so, then the Government will have to pay to PowerGen US \$500,000. This sum would double for every 12-month period, thereafter, up to a maximum of US \$200 million."

Tell me if this is untrue.

**3.00 p.m.**

**Mr. Manning:** Mr. Deputy Speaker, I really do not wish to intervene unduly during the contribution of the hon. Member for Couva North but, if only for the purpose of the record, I think that this Parliament ought to know that the Trinidad and Tobago Electricity Commission is the major shareholder in the company called PowerGen. T&TEC owns 51 per cent of the company.

PowerGen is a company that involves only the electricity generation facilities in the country. It has no *locus standi* in respect of either transmission or distribution, both of which remain within the portfolio of the Trinidad and Tobago Electricity Commission. More than that, all these matters were already fully aired in this honourable House. The Member for Couva North is misleading deliberately.

**Mr. B. Panday:** Mr. Deputy Speaker, if I do so, I assure the hon. Prime Minister that I am merely quoting from a report in the newspapers, because the Government has refused to give this House a copy of the agreement. I can quote from nowhere else. I am not inventing this. I will read and if this is wrong *[Interruption]* if it is untrue, I will accept that. I will not criticize the *Guardian* and Mr. Anthony Wilson for publishing false information. I am sure Mr. Wilson has not published any falsehood.



I read:

"If T&TEC defaults on the 15-year Power Purchase Agreement with PowerGen—which could happen if it failed to pay its bills within the 30-day period—PowerGen can terminate T&TEC's electricity supply, after giving a mere 24 hours' notice. If this happens PowerGen would control T&TEC's transmission and distribution network. "

That is the information I have. I do not know if it is true. If it is untrue, please enlighten us. We want to be enlightened. While you are at it you may tell us whether, in fact, PowerGen can compel the Government to finance the purchase and installation of alternate cooling towers at Penal if it fails to acquire the title for the Moora pipelines. That is what it says here. I am only reading what it says. It further says:

"...T&TEC is required to pay PowerGen about \$34 million (US \$5.7 million) a month for 764 MW of electricity supplied in 1995, even if the demand for electricity is less than this."

I did not know you gave them a guarantee. You had this information in your head and you misled the House. You misled the whole country. How can we trust you with this information that you are going to gather here? That is the essence of it. You misused information. You told this House it was going to increase the generating capacity. From the newspaper article it is not going to do any such thing.

**Mr. Manning:** Spinning reserves. Do you know what that means?

**Mr. B. Panday:** You cannot talk about spinning reserves. It is confidential. Remember, you cannot say anything. Only the Americans can talk about it, not you. Only PowerGen can talk about it. You are under confidentiality. Do you see what I mean when I say that if you were free, honest and open with this House, you would have come and put the agreement before us, and we would have it debated?

There would then have been no need for us to mistrust you on the question of information gathering, dissemination and use as you are asking us to do in this Bill? Even information with respect to the Pride Project has been withheld from us. Information with respect to the contract with Nucor. Soon they are going to publish, I am sure, in some kind of prospectus all the information, and we would get it from our American friends. But you cannot tell the people of Trinidad and Tobago about it.

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How can we entrust this Government with information when it goes to the country and says it is going to declare a state of emergency because there is some kind of conspiracy, and information that the Prime Minister has in his head? A diabolical conspiracy between Members of the Opposition and the Speaker in order to overthrow the legitimately elected Government.

The Prime Minister goes on television and says one must trust him because he has information that other persons do not have. And, he comes and tells untruths to this House, to the nation; he wants us to trust him with information without having some kind of control. How does he expect us to trust him with information when he actually concocts information? He suffers from illusions and delusions of a conspiracy all the time.

Suppose the Government gets in its head one day—because he is not ruling out of order—the Deputy Speaker is involved in drugs. Would it declare a state of emergency and arrest him? No, we have to know how it is using this kind of information. We cannot support the Government on this Bill unless it gives us some kind of guarantee on how it is going to use this information and what the options against abuse are. I think the most frightening lack of information that has taken place in this country occurred over the last week.

Over the last week the newspapers and the people of this country have been crying out for information on the possible existence of a death squad; some kind of paramilitary organization whose function is to kill people. Up to this day, this Government has not made a single statement on this matter. I am talking about information. The newspapers and the people are clamouring, and asking what is going on in this country. A man, who, as far as is known, committed no crime was shot and killed by what is believed to be a death squad, a paramilitary organization of which the Commissioner of Police knows nothing. That is why it is relevant here. This is being taken out of the purview and jurisdiction of the Commissioner of Police and, as far as I am aware from what I read in the newspapers, the Commissioner of Police knows nothing about this paramilitary organization. The commander of the army knows nothing about this paramilitary organization. If, indeed, this death squad exists, to whom is it responsible?

**Mr. Manning:** Mr. Deputy Speaker, speaking as Prime Minister of this country and as head of the Government, I would like to assure the hon. Member for Couva North and members of the national community that no death squad exists in Trinidad and Tobago; that is, within the knowledge of the Prime Minister or within the knowledge of the National Security Council which the Prime Minister heads.

I also wish to advise the hon. Members opposite and, in fact, the country at large, that the National Security Council includes on it the Ministers and heads of agencies who are involved in the nation's security. And, therefore, there is no question of the existence of any body or group of people not known to the Commissioner of Police.

In fact, it was the Member for Couva North who in his contribution a few months ago outlined some of the agencies that are of an operational nature that exist within the police service. He did not at that time indicate that any death squad exists. I assure him that he was correct at that time in not indicating that a death squad exists. It does not exist.

**Mr. B. Panday:** Mr. Deputy Speaker, I am afraid we will need more than the assurance of the Prime Minister. The word about the place is that the death squad is responsible to the Prime Minister. If that is so, how can the Prime Minister give us assurance that there is no death squad?

**3.10 p.m.**

Do you see the reason we have been calling for the setting up of a committee of Parliament to monitor the activities of the Ministry of National Security? Do you see why now? If, in fact, there was a death squad, whether it be the responsibility of the Prime Minister or anyone else, that would have been monitored by the Parliament.

But here we have a Parliament which must take the word of the Prime Minister who went on television and told this country that "a diabolical conspiracy exists in this country". When called upon for the information, his silence was an admission of his falsehood. He could not speak. But we must trust the Prime Minister when he says that there is no death squad! If there was not a death squad, why has there not been a statement from the Government? Why is there so much secrecy surrounding this issue? This is what frightens us about this Government.

If there is a death squad, once the killings start nobody knows when and where will stop. History is replete with examples of when a nation is bordering on anarchy, the people cry out for a dictator so that he can instil law and order again into the society. But the moment he ends the anarchy, the dictator then becomes the problem. This society is on the verge of that kind of danger, where it is prepared to give enormous and uncontrolled power to the Government because the country is drifting into anarchy.

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Of course, if there are criminals on the loose and we cannot catch them and jail them, then shoot them and kill them! That is what the Government seems to be saying. But when they start with the criminals and they finish them off, then what happens? Does one go for the politicians? Does one go for the journalists who are writing articles one does not like? Does one go for the trade unionists who call strikes when one does not want them? Where does it stop? Therefore, it is extremely important that this nation should have more than the Prime Minister's assurance that there is no death squad here.

I see from the piece of legislation that the director of the agency would be appointed by the President. That means, and it has been admitted in this House—I think it is in the Interpretation Act and in the Constitution—that that means the Cabinet. So the Cabinet is going to appoint the director—the President is merely going to be a conduit for that—who is going to be in control of an organization with such sensitive information, and a director reporting to the Minister.

What happens if the Government is involved in drugs, and information with respect to Government's involvement is uncovered by this agency? Does it go to the Minister? There must be another monitoring mechanism because it is not unknown—*[Interruption]* I am not accusing you of anything, please—that there are several governments in the Caribbean, Latin America and other parts of the world which are under the control of drug lords. That is a known fact.

So that if one sets up an organization with the kind of structure the Government is setting up, that is, the Minister is responsible for the organization, what happens in the event that—*[Interruption]* Not your Government, the next Government that will come into office after the next election. We know it would not be you, so I am not accusing you of anything. *[Interruption]* What if it is involved in drugs? If information is gathered that Members of that Government are involved in drugs, what would happen to the information? Is it not going to be smothered? Is it not going to be misused? That is very important. *[Interruption]* Thank you very much, that is very kind of the Member. I told the Member I am good.

First of all, at least we thought that decency would have demanded they say that the director should be appointed by the President after consultation with the Prime Minister and Leader of the Opposition.

**Mr. Manning:** Are you crazy?

**Mr. B. Panday:** No, I am not crazy. As a matter of fact, I care for this nation and I know this nation has a crazy Prime Minister—and that bothers me—a Prime

Minister who dreams about all kinds of diabolical plots, who sees visions and so on. I am frightened for this country!

We suggest that the Government take the advice—a request that we have been making for a very long time—that we set up a parliamentary committee to monitor the activities, starting with the Ministry of National Security.

**Mr. Manning:** What happens if the Opposition is involved with drugs?

**Mr. B. Panday:** Then it will come out and the Government would not let them hide it. That is exactly the point I am making. If the Opposition is involved in drugs, the information comes up and there is a monitoring committee, the Government would not allow that information to be covered up. In the same way, if the Government is involved in drugs, the Opposition would not let it cover up that information either. The Prime Minister has hit the nail exactly on the head, and I am glad he sees the point. Exactly where I wanted him. I will now speak for him? These are the things that bother me. Clause 2 clearly makes it an arm of the Minister. Clause 3(2) says:

"The functions of the Agency shall be exercised by the Director after consultation with the Minister."

That is even worse. It is not that the organization that we are setting up here has freedom to collect information and then pass the information to the Minister; it can only collect the information that the Minister says that it must collect. I repeat:

"The functions of the Agency shall be exercised by the Director after consultation with the Minister."

He consults the Minister and says, "listen, we want to investigate this drug lord." and the Minister says, "No, no, not that one, that one is on our side, investigate the other one." Is that the kind of legislation the Minister really expects us to pass? Even the little pieces of control that it contained, were eliminated. An amendment to clause 4(4)(b) has been proposed.

Clause (4)(a) and (b) says:

"The Director shall—

- (a) be responsible for the operational, investigative and administrative control of the Agency;

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- (b) prepare reports on the operations of the Agency in June and December of every year which shall be submitted to the Minister within one month of preparation;"

They are eliminating that. They do not have to prepare reports again. That is all right if that is the purpose of the amendment. Then clause 10(3) states:

"The accounts of the Agency shall be audited by the Auditor General or by an auditor authorised by him for such purpose."

They are taking that clause out so that the accounts would not be audited. So they are going to spend the people's moneys, voted by Parliament, for an organization which is clandestine.

**Mr. Sobion:** Mr. Deputy Speaker, I would like to advise the Member for Couva North that the effect of the amendments would be to fix definite times within which these reports would be submitted and not to eliminate the provisions altogether.

**Mr. B. Panday:** Mr. Deputy Speaker, if the hon. Minister, in presenting the Bill had said that, I would not have made that comment. The hon. Attorney General still has not answered the question raised, that is, the accounts of:

"The agency will not be audited by the Auditor General and that the Agency shall forward to the Minister a copy of the audited statement of accounts together with any report thereon made."

That has been eliminated, I do not know what has to be put in its place; we shall have to wait and see.

Clause 13 says:

"The Minister shall cause to be laid in Parliament an annual report on the operations of the Agency within one month after he has received it, or if Parliament is not then in session, within one month after the commencement of the next session."

That clause is to be deleted as well. I thought I heard the Minister say so, am I wrong that the Minister said that? Is it the Minister who is wrong, or is it I?

**3.20 p.m.**

**Mr. Sobion:** The Minister merely indicated that amendments to those provisions would be proposed. The effect of the amendments would be to fix definite times for the filing of the reports, but the substance of the sections would

remain. The annual report would be laid in Parliament. The amendments will be here shortly.

**Mr. B. Panday:** I do not want to tell the Member how to do his work, but if you say what these amendments are, we can argue them while the debate is proceeding, so that you do not put them in the committee stage when that is the time when we first see them. It does not change, Mr. Deputy Speaker, the impact of my argument and suspicion with respect to the provisions of this Bill.

The Government would have to go a long way to reassure us that it will not abuse this process that will be provided by this Bill, because if we do not have those guarantees, then we would be exposing, not only ourselves, but also the public, to a Government that has shown it is malicious, vindictive; it would arrest the Speaker just to prevent her from sitting in a chair—this is the history of this Government. Unless we know more, for the time being we shall wait and hear what the Government has to say.

**Mr. Raymond Palackdharrysingh** (*Caroni Central*): Mr. Deputy Speaker, it is clear from the provisions of this Bill, that this country is under a state of siege by this Government—and this is unprecedented. Would you believe that in this Bill is appended a Schedule which talks about an oath of allegiance and secrecy? This has to be read out, because it gives the extent of the diabolical intentions of the Government. It says:

"I,.....do swear and declare that I will honestly and faithfully serve and fulfil the duties that devolve upon me by reason of my employment in the Strategic Services Agency, and that I will not divulge any information being facts or expressions of opinions based on such facts gained by me as a result of my employment to any unauthorised person, orally or in writing, without the previous sanction of the Director. I understand that these provisions apply not only during the period of my employment but also after my employment with the Agency has ceased."

If such measures can be enacted and given credence by this Parliament, we all would be held accountable for betraying the fundamental rights and freedoms of this country. Again and again this side has made a call for information and it has not been forthcoming, and today as a matter of fact, we are seeing the very bold, audacious and shameless steps to now institute measures such as these.

The hon. Member for Couva North pointed out the sort of powers that would be exercised by the director of the agency, and here it is, that this oath of secrecy is linked to his consent and that his appointment is linked to the Prime Minister.

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It is very clear that this Bill is now the death warrant of many a conscious free-speaking citizen of Trinidad and Tobago.

We only have to cast our minds back just a little and remember what took place in a country called Haiti. In Haiti, under the Duvaliers, we see that in the first instance, there was set up a system where there were the Cagouards and those people put on masks and then they went on to destroy people. That was supported by the authorities of the day. A little later on they brought on the Tonton Macoutes who were known as The "Bogeymen", and these "Bogeymen" struck terror into the hearts of citizens. From international investigations, it is reported that up to about 40,000 persons were murdered in Haiti.

Again, one may look at the situation to see what happened in Nicaragua under the Somozas—When that sort of political tendency begins to emerge in a society, then we have to stand up and openly defy such legislation. Not only would the politicians, trade unionists and others be exterminated, but as we have seen in the bloody massacres in Central America, even when the clergymen spoke, they too, were massacred. This is not beyond any regime in power, and the more they become desperate, the more they resort to action like bringing Bills such as the one before us.

Clause 2 of this Bill indicates very clearly the omnipotence of the Minister. It goes on to indicate in the definition of "Services" "any other Ministry or Department so declared by Order of the Minister," and how many agencies are involved, and they could be handled just at the whims and fancies of the Minister. That is an extremely frightening provision and it is very clear today that, not only has the parliamentary system been eroded, even within the Executive, collective responsibility is now a myth. So that must be looked at because it is critical. Again the one-man show of the director.

### **3.30 p.m.**

If moneys are going to be spent, or used from the Consolidated Fund, how can you have an agency with the director as a one-man show doing almost every function, and there is no board to formulate any policies and agree on any strategies. That has to be important, because one cannot imagine that in the so-called interest of secrecy it would be detrimental to put in place a board of an agency that would have guidelines on how to carry on the operations of the agency. That is completely lacking in this Bill.

This Bill smacks of the kind of tyranny that could result from the Prime Minister instructing the Minister and the Minister finding a man called the



director who would carry out the dictates of the Prime Minister and the Minister, and at the same time, hire people who have no powers whatsoever but merely take instructions because there is no board to formulate a policy. That is very critical and has to be considered, because one cannot take a Bill, make it into law and then give power to one man, because one does not know the extent to which the national finances are going to be involved in the exercise of this agency.

Again, when you look at clause 4(3), you will see:

"The remuneration and pension entitlements of the Director shall be fixed, and be subject to review, by the Minister."

Again, I think this is a most dangerous provision. Is it saying that the Minister would have the power to induce the type of person, depending upon the sums to be paid for his services? We must all be fools to assume that such power will be exercised with good judgment and without the objective of decimating those people who are opposed.

We will come later on to see where even the Attorney General has said, in another place, that the Strategic Services Agency will not halt crime. If it will not halt crime, what are we doing giving the type of powers to the Minister, even to set the salaries of the director, and so forth. I do not think that should be tolerated. We should also know—and this Bill, one way or another, should have stated—what are the clear parameters of the operation of the director and if we do not know, I think we are supporting a piece of legislation that would really put the noose around the neck, not only of politicians, trade unionists and people of public consciousness but, indeed, democracy itself.

If, as was pointed out by the hon. Member for Couva North, there already exist organizations, why the need for this? I want to point to the *Sunday Express*, January 01, 1995—I will get the page in a short while—but it states:

"The police Organized Crime and Narcotics Unit (OCNU) has found itself caught, not in the war against drugs, but in a war over drugs as rival senior officers starve the Unit of much needed attention, resources, and anti-drug strategy..."

So you see what has been happening? There are organizations, but it is being reported that there are certain wranglings taking place, so when one reads this one ought to surmise that loyalty of the senior officers to particular persons or political heads seems to be suspect and, therefore, the best way to deal with this is to bring a new organization that can be totally controlled by the political arm.

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I quote again, Mr. Deputy Speaker:

"One angry officer said: As far as I am concerned, two narcotic squads are operating in this country. One is the OCNU and the other is the OSS (Office for Strategic Services), and we in the OCNU are just the pawns.

The OSS has all the information about who are the major drug traffickers and they pass information directly to the DEA (United States Drug Enforcement Administration). They always tell us that we are not testing the (new Dangerous Drugs) law. But they have all the information and they are sitting down on it.

They give us a whole batch of inexperienced men and expect us to get our own information. Most of the men we have here cannot even write up a file properly, they have no experience in basic police work."

And then it is said, again, that:

"the officer responsible for interfacing between the Unit and the Commissioner reports instead to the Minister of National Security."

**Mr. Eckstein:** What are you reading?

**Mr. R. Palackdharrysingh:** "In-Fighting."

So you see, this is clearly an institution, as pointed out today, controlled totally by the political arm and, indeed, could be a death squad. We see every day, somehow, in the newspapers that people die; and in the *Daily Express* of Tuesday, July 25, 1995, page 15: "A mother cries out: How Did My Son Die?" She said when her son was arrested—this is Agnes John, a domestic worker of Picton Road, Laventille—and taken to the police he was healthy, and within a few days he was killed. No explanation.

So, we are seeing very clearly the writing on the wall to bring in a new order in this country and that order is one to institutionalize systems that could perpetrate fear; that could kill at will and have the sanction of law behind it. This, I contend, is the beginning of the destruction of democracy. We are talking about having this organization to assist also in the laundering of money—

**Mr. Eckstein:** No, no, to prevent laundering.

**Mr. R. Palackdharrysingh:** To prevent laundering. All right, I take that correction—to prevent laundering.

**Dr. Rowley:** Hush your mouth—you have nothing to say.

**Mr. R. Palackdharrysingh:** You should not talk. You are the man who has the account with Taurus which is so drastic. That is the way you operate and you come here to talk? Why do you not hush sometimes? The farmers' blood is on your hands—you! [*Dr. Rowley laughs*] You laugh at that? Do you have any social conscience whatsoever?

**Dr. Rowley:** Why do you not sit down?

**Mr. R. Palackdharrysingh:** Why do you not deal with the farmers even-handedly?

**Mr. B. Panday:** Address the Speaker.

**Mr. R. Palackdharrysingh:** My apologies, Mr. Deputy Speaker.

**3.40 p.m.**

**Dr. Rowley:** He has nothing to say.

Also if we are speaking about the laundering of money, very importantly it is not only the banking sector we are going to talk about, with the Central Bank setting guidelines, and so on. The banks themselves are concerned about the other financial institutions and those institutions create just as severe loopholes.

Again, I quote from page 3 of the *Business Guardian*, Sunday, May 7 which says:

"The loopholes

Only banks are covered. Big money can be paid to another deposit-taking institution, a trust company, a real estate agent, stockbroker, jeweller, or even an insurance company with no declaration to cover it."

So you see, today the problems are numerous. We have not been given, in essence, the systems that are going to be put in place to deal directly with the problems. What we are doing is, we are putting a *carte blanche* power of execution in the hands of the Minister of National Security and he expects us to support this.

This Bill before us is highly immoral. It ought to be highly offensive to all right-thinking citizens, and we cannot allow the passage of such a Bill. I only want to tell you that we have had other experiences right here in the region; the Mongoose Group in Grenada, and some of the atrocities in Guyana.

**Mr. Eckstein:** I would just like the Member to explain precisely how the passage of this Bill puts the power of execution into the hands of the Minister. Exactly how it does that?

**Mr. R. Palackdharrysingh:** Mr. Deputy Speaker, it is a simple thing. If you have a death squad and it takes orders, is that not how it happens? Will the Minister explain in his winding up, the killing recently of one of our citizens who lived at St. Augustine? I think he should explain that and then he would see. That is what is happening.

**Mr. Eckstein:** You did not answer my question.

**Mr. R. Palackdharrysingh:** How do you mean I did not answer your question? I am saying that this Bill is highly offensive; it cannot and must not be supported and if the Government has any good sense, rather than to seek to pass this Bill, it should withdraw it.

Thank you very much, Mr. Deputy Speaker.

**The Attorney General and Minister of Legal Affairs (Hon. Keith Sobion):** Mr. Deputy Speaker, I rise to support the Bill introduced in its second reading by the Minister of National Security. There appears to have been a misunderstanding as to the purpose of this agency by the Member for Caroni Central, in particular, also a misconception on the part of the Member for Couva North as to why this Bill seeks to give statutory effect to an agency which is already in existence in an administrative way.

If I may deal first with the position advanced by the Member for Caroni Central, he confused the creation of this agency with an agency which would carry out some kind of nefarious activity which he links to that of a Mongoose Gang. The provisions relating to the duties, responsibilities and functions of the agency are quite clear. They are contained in clause 6 of the Bill and one will see that the agency acts merely as an office for centralizing information that could facilitate the detection and prevention of illicit drugs and in the illicit traffic in drugs.

This agency is an agency which is already in existence. It is an agency which has already performed. I believe the Minister, in his introduction, spoke about at least one circumstance where the agency had co-operated with the DEA in achieving a major drug bust relating to the trans-shipment of drugs between Trinidad and Tobago and another island further north in the West Indies.

This agency is part of the arrangements which were conceived by the countries which signed the Geneva Convention in respect of the illicit drug trade and the signatories to that agreement recognized that there was the need for establishing some sort of co-ordinating agency which would act as a clearing

house, as it were, of information, which could then be passed on to the several law enforcement agencies which are involved in the drug interdiction campaign.

There are very many agencies. Quite apart from the specialized units within the police service, you also have the role of the customs agency as another agency which is also involved and which operates under a different ministry altogether. The objective of this agency is to act as this clearing house of information, to direct information to the proper or more appropriate agency as it determines on the basis of intelligence received.

The agency also has another function, and that is to liaise with external agencies of a similar nature. There will then be an exchange of information cross-country, as it were, across national borders, and then that information will be filtered to the respective enforcement agencies within the national jurisdiction of Trinidad and Tobago, or in the case of information provided to a foreign country, that information would then be passed on to the several enforcement agencies in that country.

I think it was in another debate that the question of the effectiveness of drug interdiction arose. When one analyzed the history of the enforcement agencies in the United States—and I think reference was made to a particular text which I do not have with me at the moment—one saw that over a period, beginning in the 1940s and before, and over a period of decades, one of the major difficulties that the United States enforcement agencies encountered was the fact that different agencies received information which they kept for themselves but which would have been better utilized if it were handed over, for example, to the customs or to some other enforcement agency.

So it was as early as the 1960s and 1970s that this concept of a centralized agency for the gathering and disseminating of information was developed. So in establishing this unit, what we are really doing is giving greater efficiency to our drug interdiction efforts, having amended the Dangerous Drugs legislation and following up on our commitment, having signed the Vienna Convention in relation to Dangerous Drugs. So it is a misconception to view this agency in any light other than the light of the provisions of clause 6, and having regard to those matters to which I referred.

The Member for Couva North raised the question as to why it was necessary to introduce legislation when the agency is already established and functioning. We are of the view that in an agency which is required to perform such a sensitive function—and I am sure it is an approach that the Member for Couva North will

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appreciate—that there should be some accountability. One of the principal reasons we decided on creating the agency by way of statute was to provide for an annual report to be laid in Parliament. That is contained in clause 13 of the Bill, which states:

"The Minister shall cause to be laid in Parliament an annual report on the operations of the Agency within one month after he has received it..."

**3.50 p.m.**

We have heard talk about accountability and in an area as important as this is, we thought that it was sufficiently important that the agency be accountable to Parliament by way of an annual report which would be laid by the Minister. If we had continued the operations of the agency within the administrative framework in which it has operated thus far, there would have been no need for that agency to lay an annual report on its operation in the Parliament. That was one of the reasons which guided our decision to have the agency enacted by way of this legislation.

I think some concern was expressed by the Member for Couva North on the appointment of the director. I think it was one of the minor points he raised. Essentially, the functions which are being performed here are administrative functions and really fall within the purview of the Minister with responsibility for national security. It really is an enhanced extension of that ministry to set up an agency which can deal with the collection and dissemination of information as the agency is required to do.

I think that in any careful reading of clause 6 which sets out in extension the functions of the agency, one would see quite clearly that they are functions which would normally fall within the purview of any ministry of national security; any ministry which is required to perform that kind of function. For example, clause 6(1)(d) states—

"advise on policy formulation in respect of the development of human resources engaged in counter drug trafficking activities..."

Those kinds of functions are merely the administrative extension of the Ministry of National Security in a very specialized area. Therefore, it is only fitting that the Minister should have the responsibility over the operations of that agency.

It is sometimes very difficult to frame legislation and bring it for debate before this Parliament because very often one gets a difference in approach to whatever is presented, coming from the Opposition Benches, particularly. I recall

that during the debate in the other place on the Environmental Management Agency Bill there was a strong view expressed from the Benches opposite that that agency should be more under the control of the Minister and why was the Minister trying to shelve his responsibility by establishing this Environmental Management Agency.

As a consequence of that approach, some amendments were made to give the Minister greater control over the Environmental Management Agency, as indeed, it should be. Moreso, in this particular case where the national security interest of the country is concerned, I think it is only fitting that that control be not given to an agency which operates on its own without any responsibility on the part of the Minister and moreso, without any accountability to the Parliament.

That is why the legislation is framed in that way, and I think on any careful reading of it, that Members opposite would understand, firstly, why this administrative agency has now been given administrative form, and secondly, why it is important, both from the point of view of responsibility on the part of the Executive and accountability in terms of the Parliament.

That basically, is the structure of this short piece of legislation; it contains merely 14 clauses; it establishes the agency under a director; it sets out, extensively, the functions of the agency at clause 6; and in later provisions, it deals not only with accountability in respect of the operations of the agency, but also with respect to financial management of the funds provided to the agency. One would see, in clause 10, that—

- "(1) The agency shall keep proper accounts...
- (2) The agency shall submit a financial statement in respect of a financial year to the Minister...
- (3) The Minister shall cause a copy to be laid in Parliament.
- (4) The accounts of the agency shall be audited by the Auditor General...
- (5) ...the audited statement of accounts...and report...are laid in Parliament within one month thereafter, or if Parliament is not in session,..."

We have all the elements of a very tightly organized agency with a very specific and focused responsibility which, in our view, would aid the drug interdiction efforts of the several existing agencies which now together form the main strike force, as it were, against the illegal drug trade.

I think that those were the relevant points that were raised.

**Mr. Humphrey:** Mr. Deputy Speaker, would the hon. Attorney General look at page 7, clause 6(2)(d) and explain what is meant by—

"prepare, update, monitor and co-ordinate all matters relating to a dangerous drugs supply-reduction programme;"

That seems to be a blanket clause. It covers "all matters relating to dangerous drugs supply-reduction programme." It means, therefore, that the agencies under the Commissioner of Police fall under this agency in a drug-reduction programme. It seems to be a blanket clause, unless there is some other explanation for it.

**Hon. K. Sobion:** Mr. Deputy Speaker, the main function of the agency is set out in subclause 1(a) to (m) and subclause (2) deals with additional functions. As I understand this, the intention is that because the agency would be the co-ordinating agency for receiving information, not only from local sources but also from international sources, it would be best poised to perform this function, but not in the sense that it would prescribe the other enforcement agencies. It would develop blueprints based on the information which is made available to it and after consultation with the enforcement agencies, a national plan would be developed in relation to this matter.

#### **4.00 p.m.**

The custom's agency will see one facet of the picture. The Organized Crime and Narcotics Unit will see one side of the picture, whereas the intention is that the Strategic Services Agency will have an overview of the operations and will therefore be best poised to develop a programme relating to dangerous drugs and the supply reduction programme. That is what I understand the concept of the legislation to be.

Mr. Deputy Speaker, I think I have touched on most of the relevant points which have been raised in relation to the Bill itself.

Reference was made both by the Members for Couva North and Caroni Central to recent events relating to the death of an individual in St. Augustine quite recently. The Member for Couva North stated that, from his information, and from information which he claims to have gleaned from newspaper reports, he was of the view that this was virtually fact—that there was, in fact, some death squad, as he termed it, which, in his view, and from the reports he read, had some state sanction.



Mr. Deputy Speaker, the hon. Prime Minister made it quite clear that there is no such entity in existence but that, did not, however, seem to satisfy the Member for Couva North.

I am drawn to make one brief comment about it. The Member for Couva North maintained that he was relying on newspaper reports which he has seen and read. I, myself, have seen and read some of the reports.

My attention has been drawn to an article which appeared in the *Sunday Mirror* of September 10, 1995. There is an article headlined: "Jamaican hitman tracking Abu Bakr, Muwakil, Omowale." The article—and I am very reluctant to criticize persons who write in the media because they have a job to perform as anyone else. But one would hope that one would seek to identify proper and informed sources before one makes the kind of wide and sweeping statements that appeared in this article.

This article suggests that a Jamaican hitman has been roaming Trinidad and Tobago for the past two weeks; that the person, whoever he may be, was paid US \$100,000, half of the contract, and sources said payment was being state financed—without any reference. Efforts to get further information on this from Government sources—apparently, the first sources were not Government sources; I am, therefore, left to speculate whether they were sources opposite to Government. Efforts to get further information—Government sources—proved futile.

I am a Member of the Government and my name appears in this article. No one contacted me and, indeed, I have spoken with every Government Member whose name is mentioned in this report and no one was contacted in relation to this article.

"...but *Sunday Mirror* understands..."

And, we do not know where it understands this from—

"that a secret meeting was held among the "Big 6".—Prime Minister Patrick Manning and Ministers Keith Sobion, Gordon Draper, Ken Valley, Augustus Ramrekersingh and Keith Rowley—after the shooting incident."

Of the six persons named, one was in Malaysia, and has not yet returned and the other was in Venezuela and has just returned. Without reference to any source, the statement was made that a secret meeting was held.

Quite clearly, this is an article which is designed to mislead and to evoke a certain reaction from persons who may think themselves hard done by the

contents of this article. I am not going to call it irresponsible journalism. I prefer that persons would read that article and come to their own conclusions. If that is what the Member for Couva North was relying on, if this kind of article—

**Mr. B. Panday:** The dailies.

**Hon. K. Sobion:** The Member does not read the dailies. He said so. If those are the sources upon which Members opposite are relying, I am a little concerned as to how the affairs of this country would be if run by those Members who now sit opposite. I am very concerned that, based on these kinds of uninformed sources, the Member for Couva North could stand here and speak categorically about a death squad.

Mr. Deputy Speaker, this Government has been making serious progress in its relationships with foreign countries and our foreign image is at a point that is particularly high. The next thing one would know is that there would be a report coming from an individual out of Washington under the sponsorship of a former US congressman, talking about death squads in Trinidad and Tobago. That is the next thing one would hear.

These allegations are totally without foundation and once criminal activity is perpetrated the police service have the obligation, and indeed, the responsibility to investigate and, when they have concluded their investigations to let the public know what their conclusions are—either persons are charged; or that the investigations are inclusive or some other recommendation falling between those two would be made.

The matter having been raised by both the Members for Couva North and Caroni Central, I just thought I should put it on the record that this Government has no knowledge of any death squad operating within the police service and outside the jurisdiction of the Commissioner of Police, or any other state agency.

**4.10 p.m.**

**Mr. A. N. R. Robinson** (*Tobago East*): Mr. Deputy Speaker, I would like to compliment the Attorney General on the calm, dispassionate and reassuring manner in which he made his contribution. I think it is a good example to some other Members on that side of the House. *[Interruption]* However, as he admitted, there tends to be a different approach to these matters from this side of the House, and that is quite natural. Anyone who listens to their national report would know that that presents one side of that picture. Anyone who listens to the Government would know that the Government seeks to present its side of the picture.

The purpose of an Opposition and the existence of other institutions in the country—for example, the media, learned institutions, professional organizations, economic bodies, sporting organizations—is to give some point of view which may not be the same as the Government's point of view. Therefore, it is very important that there be opportunity for all these views to be expressed, particularly on legislation of this nature.

I think it is a bit sad that this legislation is being introduced at this particular time when there is so much concern in the country concerning the conduct of persons at the highest levels of the society, about the credibility of politicians and concerning the proceedings in this House. I would have hoped that more reassuring legislation—not only presenting the legislation in a reassuring manner—and more reassuring action would have been taking place in this House at this time, in an effort to rehabilitate the image, status, and the standing of this Parliament and its Members. There is a great deal of cynicism, distrust and questioning of credibility in the country—anyone who travels around would know that that is so—and this situation needs very serious attention. When one gets this particular bit of legislation, a Bill “to provide for the establishment of the Strategic Services Agency and for matters connected therewith.” one must look to see what it really involves. There is an Explanatory Note and one looks at the that to see what it explains. What can one gather from the Explanatory Note? It says:

"This Bill seeks to establish the Strategic Services Agency of Trinidad and Tobago."

What does that mean?

"Clause 1 specifies the short title of the Bill, clause 2 defines certain words used in the Bill while clause 3 seeks to establish the Agency."

What does that mean?

"Clause 4 stipulates the method of appointment, the term of office, remuneration and functions of the Director."

What does that mean?

“Provisions dealing with procedure and staff of the Board are laid down in clause 5.

Clause 6 deals with the various functions of the Agency and clause 7 seeks to facilitate the transfer of officers in the Public Service or Police Service to the Agency.”

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And so it goes on. So the ordinary citizen or Member of Parliament seeking to find what this Bill is about, looking at the Explanatory Note, discovers nothing at all. How can this lead to confidence? How can this lead to trust?

The Bill itself says that this Bill—"may be cited as the Strategic Services Agency Act, 1995." The Strategic Services Agency Act establishing a Strategic Services Agency, the natural interpretation is that they are setting up a body which is an agent of the strategic services, and there appears to be much confusion in the Bill. We are told it is not a general agent of the Strategic Services Agency, it is only for the purpose of gathering and disseminating information and it already exists. All that is being done is to give it a legal character or a legal complexion, as the Prime Minister would wish to say.

A legal complexion is very different from a legal character. A legal complexion may be an appearance of legality without being legal at all, but a legal character is the substance of legality. It is very difficult to understand what the Government are doing or to know what the Government intend to do.

We are told that these are quite innocuous functions, very necessary, and they are not extensive at all. But the Attorney General eventually admitted that they were very extensive. In fact, they are comprehensive functions. I think that some of them should be read to the population so that there would be greater understanding of what this Bill contains.

Clause 6(1) says:

"The main functions of the Agency are to—

- (a) act as an office for centralizing information that could facilitate the detection and prevention of illicit traffic in narcotic drugs, psychotropic substances and precursor chemicals, for co-ordinating operations for the suppression of illicit drug trafficking and drug-related matters and for co-operating with the Services or the corresponding Services or other countries;"

That is only one statement of function and that relates to all sorts of matters to facilitate detection and prevention of the illicit traffic in narcotic drugs at home and abroad. I continue:

- "(b) develop strategic intelligence and make recommendations to Government on the formation of policies in relation to counter narcotics matters;
- (c) prepare drug interdiction strategy and stimulate action..."

So it is no longer limited to gathering and dissemination of information, but we now come to stimulating action. It does not say how, by what methods or means this action is to stimulate, but it is now to—I continue to quote:

"...towards and monitor the implementation of the agreed strategy;"

That brings it into contact with all the agencies, not only from an information standpoint, but also from an action stimulating standpoint. That goes much further than information. Clause 6(f) says:

"provide intelligence and analytical support for the appropriate operational and intelligence arms of the appropriate Services:"

What is analytical support?

- "(h) help the law enforcement effort by identifying links between individuals and organisations involved in the drug trade;
- (i) provide strategic intelligence to assist and promote the efficient and effective use of operational resources so as to enable the development of law enforcement strategies;
- (k) provide a nucleus of specialist intelligence personnel who are able to advise and assist investigating officers concerning operational priorities and deployment of resources;"

This goes far beyond the gathering and disseminating of information.

"(l) establish channels of communication with domestic and overseas Services and provide a national focal point for the promotion and exchange of information and intelligence about organised drug-related crime and major criminals in the drug trade;"

Then there is the catch-all phrase:

"(m) do all such things as are incidental or conducive to the attainment of the objectives of the Agency."

That is a fantastic assignment. I repeat:

"(m) do all such things as are incidental or conducive to the attainment of the objectives of the Agency."

**4.20 p.m.**

So we have come now, from the field of information, gathering and dissemination, to the field of action stimulation, to the field of action—

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comprehensive action. Do you see how it happens, Mr. Deputy Speaker? Then it goes on:

"In addition to the aforementioned functions, the Agency shall—

- (a) give its assistance to the Services to which particularly serious or complex and drug-related cases have been referred."

It does not say what kind of assistance. I repeat:

"give its assistance to the Services to which particularly serious or complex and drug-related cases have been referred.

- (b) provide a central point for the receipt of all disclosures made under the drugs legislation and develop such disclosures through the intelligence process and disseminate to the appropriate Services for further action;"

So what one has is a virtual prescription for the takeover of all the strategic services, by a director appointed on the advice of the Cabinet and subject to the directions of the Minister. That is what is in this legislation!

The point which the hon. Member for St. Augustine raised:

- "(d) prepare, update, monitor and co-ordinate all matters relating to a dangerous drugs supply—reduction programme;"

This is an extraordinary, frightening and incredible piece of legislation. There are many other aspects to it, but I think that is sufficient to indicate how far this has gone at this particular time. Nothing will divide this country more than this piece of legislation if it goes through this Parliament.

One asks oneself now that this body is being set up with these extensive functions and powers with a legal personality, what restraints—I think the Leader of the Opposition raised this—what safeguards does the ordinary citizen have? Where must the ordinary citizen seek recourse? This is not a country that became independent yesterday, we have just celebrated our 33rd anniversary of Independence, and this country has had a history of abuse of the police, even the police at the present time.

The constituency that I represent, for example, was terrorized at one time accused of having arms and ammunition. An arms cache was even found in a place called King's Bay also at Pigeon Point, a complete picture of guns, and the rumour was being spread that Robinson had brought these guns from Castro's Cuba in order to facilitate secession of Tobago.

The police were raiding people's homes searching for arms and ammunition. This terrorization of the population continued until the United States Embassy in Trinidad made available to a newspaper in Tobago the photograph of the arms that was published as having been found in Kings Bay, Tobago which had been taken from Grenada and brought and published as something which was occurring in Tobago.

So there is the experience of abuse. There are other instances and we have seen in this House where, a simple request for an independent enquiry into matters brought a ton of abuse on the heads of persons asking for the inquiry.

One must not assume that a government is a repository of virtue; on the contrary, the experience of this country is that people like O'Halloran and his crowd were protected for 25 years. So one must not assume. One may like to ascribe the best motives—and certainly I would like to—but experience tells us that we have to be cautious concerning the use of power wherever it resides and particularly where it resides in governments.

Certainly, this kind of legislation and the powers it seeks to confer on the agents, the purposes and objectives of which have not been carefully defined or clarified—certainly all of these matters do call for the utmost kind of scrutiny and caution in the approach to this legislation, and I would strongly urge the Government not to proceed to override all objections with their majority. Much is going to be heard about this outside, and experience tells me the fears that can be generated by this kind of legislation.

**4.30 p.m.**

So I would suggest that a joint select committee be appointed to look into this matter; and that every effort be made to arrive at legislation which is more acceptable to the country and which will not, inevitably, give rise to the kinds of agitation and division that this, as it stands, is bound to cause.

Thank you, Mr. Deputy Speaker.

**4.31 p.m.:** *Sitting suspended.*

**5.04 p.m.:** *Sitting resumed.*

**Mr. Gideon Hanoomansingh** (*Pointe-a-Pierre*): Mr. Deputy Speaker, I rise to make a very short intervention in this debate, and in particular to make reference to some of the points raised by some Members on the opposite side, in particular, the hon. Attorney General. I want also to refer to the contribution of

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the Member for Tobago East where he spoke about the intent and purpose of the agency and related that to, perhaps, good intentions but sometimes in specific terms, we may not always achieve the objective.

I have a few questions which I would like to pose to the hon. Minister with respect to the intent and purpose of the agency. If it is that he is saying it is to collect and disseminate information, I am wondering how this will work in general terms. Will it be that persons with information must go through the SSA? If that is the case, will other sources be considered in terms of relating information to that agency?

How will the agency treat with the question of confidentiality? What protection will be offered, say, to police officers who, time and again, feel that they are being betrayed by some of their seniors? Will there be a protection programme offered to people giving information to the agency?

Much has been said about the question of victimization. The phrase used this afternoon related to the death squad. This is of tremendous concern to me as an individual, as a citizen of the country, simply because of experiences related to me in times past. I would like to refer to the example of Guyana. We had difficulty sitting in this nation of ours and listening to the plight of our Guyanese brothers and sisters under the stewardship of a man called Forbes Burnham, who is no more.

There was a man who fled New Jersey in the United States, went to Algiers, found two people called Janet and Cheddi Jagan, who took him home to Guyana. A few months after, resting comfortably in their hospitality, he joined with Forbes Burnham and became a member of that party and subsequently did the bidding of Forbes Burnham.

It was only recently, when the PNC lost the election, and after all that had taken place with the man called David Hill, who called himself Rabbi Washington, that he admitted publicly that he had done the bidding, much to his regret, of Forbes Burnham, by killing people in Guyana who opposed the People's National Congress. When questioned further why he thought that it was his responsibility to do this, he said to me in an interview that he felt that he was acting in the best interests of the party he represented.

So to kill someone, to malign someone, to get involved in the execution and assassination of people, as far as David Hill was concerned, was a noble act for the benefit of the party he represented. When we reach the stage of desperation in terms of leadership, anything can happen. We have reached the stage in this



country where public opinion is that the worst performance by any PNM administration is under the leadership of the Member for San Fernando East. If that is not desperation, then I do not know what is.

Obviously we have to be concerned, not only as Members on this side representing the Opposition; I am sure that time and again Members on the opposite side also harbour some measure of fear because of what is happening. The quest for survival can lead to all kinds of desperate actions. That is why, when we hear the term, the death squad, it frightens us.

Not only was David Hill a person who committed these acts and felt that he was acting on behalf of the PNC and Forbes Burnham and persons who represented that party—and obviously history will recall all that happened to people in Guyana who opposed the PNC, who had to leave the country and run as though they were the criminals. In Grenada the same thing happened.

#### **5.10 p.m.**

Eric Gairy felt that it was his moral authority to take control into his hands, at whatever cost. We all know the actions of the Mongoose Gang and what it did. What happened subsequently to that country is that when one person influenced another to get rid of the dictatorial practices of Eric Gairy, that person did the same. He took over the government and, eventually, because of ideological differences, Maurice Bishop and Bernard Coard had their problems, and the difficulties, today, beset that nation.

Trinidad and Tobago, as a nation, is not far removed from some of the atrocities committed by people in other Caribbean states. That is why when one gives authority to people, one must question the authority, effectively, and forecast what the actions and possibilities would be.

It is very unnerving to be on this side of the House and accept a decision that is going to such power into the hands of maybe one or two individuals who would have had access to the type of information we are talking about. I raised the point earlier on about the possibility of accessing information from other sources. What would be the *modus operandi* of this agency? Would it be that all information relevant to illicit drug dealings must pass through that director or officer of the agency?

Is it that other people from other areas could call the ministry, for instance, or the Minister directly, and say, "I have this information," and the Minister could act upon that information. Or, must it be that it has to come specifically into the

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pool of information from the agency and a report is then given to the Minister? If that is the case, obviously, we are opening the way for corrupt practices, because the information that is critical to the resolve of the problem may not eventually get to the source that has to deal with the problem. That is of serious concern to me.

The hon. Member for Ortoire/Mayaro talked about transborder information. That is acceptable, simply because no one country can resolve the problems of illicit drugs—that is a fact of life and one which we have come to accept. Transborder information is not a new thing to Trinidad and Tobago; it has been in existence for quite a long time.

We would all remember, not so long ago, the same system of transborder information led to the arrest of a fugitive from Trinidad and Tobago, somewhere in Miami, who had skipped this country because of what was then called the Exchange Control Order racket. He was held and brought back to this country. What happened? The information system worked in one extent, and to the other—which, perhaps, was the more critical element of it—it did not work.

Crossborder information, yes, I agree. What about the whole question of money laundering? We have talked about it and we have heard about money laundering and of all the systems which would be put in place to take care of it. Of course there are legalities that would look after money laundering, but what about the unseen aspects of it, that appear to be legalistic, as happens in this country today?

We are talking about the banks and their dealings. There are people who are buying properties as though they are pieces of cake and when investigations are done as to the ability to source the finances—they do not get funds from the banks, yet they can purchase these properties and run legitimate businesses. They do business with the banks as well. Now, is that not a form of money laundering? Obviously, it is, and there are several other examples that we can talk about with respect to this legal money laundering system, right here in our beloved Trinidad and Tobago. How many of us really look at these issues and say to ourselves that what we are doing—closing an eye to some of these situations—would be putting future generations into further jeopardy?

This is our concern and I think this has to be the concern of every citizen of this country, including Members on the other side who control and run this Government.

We must find a system whereby we could deal effectively with problems of this sort. One has to listen to the stories of police officers who want to do their duties effectively and without malice, that they had hoped an opportunity would have presented itself when the Scotland Yard detectives were here, to give information that would have led to, perhaps, the prosecution of people who are involved in the illicit drug trade. It makes one wonder who is going to be selected to run this agency and be in charge of receiving the information that is to be fed to it.

Would this individual be a person of integrity, whose character would not be questionable? I hope this person would not have a track record somewhere along the route that would prove otherwise. I believe very sincerely, that if this is the system which would be adopted, then this piece of legislation here today, as noble as it might be, would not serve the purpose for which it is intended.

From time to time in this House we often question the issue of information. The hon. Member for Couva North made the point very eloquently, that in the absence of information to the public, we are at a disadvantage. I am not talking only about Members of Parliament in this case who are denied access to information, but it is a slap in the face; it is a total embarrassment to us, as citizens, as a country and as a people, when we have to read information relevant to our own country in foreign publications and when we are asked about certain issues, we are unable to give the information.

I would very much have difficulty in occupying a seat in the Parliament and giving any kind of approval to any system that is not thought of properly in the interest of the people of the country. We are at the crossroads. Every day we read of situations that threaten our lives. Every day it is painful to walk the streets of this country to get back to our cars or our homes. When one gets there and one feels that there is some measure of relief that one has reached home safely, what happens? The bandits are walking around with the most sophisticated weaponry. Obviously, there is a link between all that is happening. No one incident relative to illicit drugs could be divorced from the whole question of crime and criminal activity in Trinidad and Tobago.

Unless the Government could deal very discreetly, in some instances, in protecting the national security of the country, and taking into consideration as well, all the factors that would provide the citizenry of this country with safety, I would have difficulty in supporting any measure like this that is now before the House.

Thank you, Mr. Deputy Speaker.

**5.20 p.m.**

**Mr. Trevor Sudama** (*Oropouche*): Mr. Deputy Speaker, I rise merely to make a few points on this very, very important piece of legislation before us and to ask a few questions. Firstly, why is this presented to us at this point, giving, what the Member for San Fernando East calls, a legal complexion to an administrative fact and the existing operation of the Office of Strategic Services? I also would later question the relationship between the Office of Strategic Services and the Organized Crime and Narcotics Unit.

I ask, why now? Were there pressures coming from other sources—international sources—that there should be a Bill passed in this Parliament called the Strategic Services Agency Bill outlining the powers which this agency is supposed to have? Is it a perception that in North America or in Europe, particularly in North America, that this Government is lax in relation to any effective effort being made to deal with the illicit drug trade in Trinidad and Tobago? Is this, therefore, a reaction to that perception?

I inform this House that there is also another perception: the reason for that laxity is not legal inadequacy; it is that at the highest levels of the society and the Government there are persons who are compromised with respect to their association with drug lords. One wonders, first of all, whether this Bill has been brought to us in order to deal with that perception.

We make the point on this side that the intelligence gathering function is, indeed, a function of any Executive. But in a democratic society we must understand that intelligence means power and sensitive information gives the organization even greater power. In a democratic society there are also checks and balances that when one gives functions to the Executive, there is a countervailing check and balance on the exercise of these functions to avoid abuse of these functions.

So that the monitoring aspect of the legislation is, perhaps, just as important. The review aspect of the powers given is just as important and, perhaps, even more important in a democratic society than the powers that one actually gives to the Executive.

The Member for Tobago East has made the point that the powers granted here are very elaborate, very comprehensive, for the purposes of gathering information and for acting on it. We have outlined it. Do you want me to go over this again? How does one empower oneself with a function? Does one not have the power, resources to do things? If one's function is to do certain things then that means

that one has to be empowered to do it. Let me read this if you want to tell me that these are not powers which the agency will exercise in pursuit of its functions. Clause 6(1)(a) says:

“act as an office for centralizing information that could facilitate the detection and prevention of illicit traffic in narcotic drugs...”

The power to gather information. Where will this information come from? Will it fall from the sky? Let us take clause 4(4).

"The Director shall—

- (a) be responsible for the operational, investigative and administrative control of the Agency;"

Is that not vesting of power in the agency?

"(c) be the principal adviser to the Minister on matters relating to this Act."

It has the power to employ staff, give remuneration, exercise disciplinary control, establish procedures relative to the presentation, consideration and adjudication of grievances of employees—surely, the function of developing strategic intelligence and making recommendations to Government on the formation of policies in relation to counter narcotic matters. Does not that employ powers to be carried out? Clause 6(1) says:

- "(c) prepare drug interdiction strategy and stimulate action towards and monitor the implementation of the agreed strategy;
- (e) disseminate information and intelligence to the appropriate services;
- (f) provide intelligence and analytical support for the appropriate operational and intelligence arms of the appropriate Services."

Is this not giving a measure of power for intelligence purposes? They do not seem to understand the importance of information as a basis for action.

"(g) assist in identifying sophisticated drug-related criminal activity and those who engage in it;"

Is not that a power?

"(h) help the law enforcement effort by identifying links between individuals and organisations involved in the drug trade."

Is not that a power granted?

- "(i) provide strategic intelligence to assist and promote the efficient and effective use of operational resources so as to enable the development of law enforcement strategies."

**5.30 p.m.**

The question of action comes at the very end. This agency is being given power on which to mount very sensitive action of a kind which has to do with the security of individuals and, indeed, of the State.

It goes on:

- "(k) provide a nucleus of specialist intelligence personnel who are able to advise and assist investigating officers concerning operational priorities and deployment of resources;"

Is that not a power that they are giving the personnel in this agency?

- "(l) establish channels of communication with domestic and overseas Services and provide a national focal point for the promotion and exchange of information..."

**Mr. Eckstein:** Mr. Deputy Speaker, assuming that the Member had some information that this agency wanted, would he indicate in the legislation what powers that agency would use to get that information from him?

**Mr. T. Sudama:** Mr. Deputy Speaker, the police have all kinds of powers in getting—*[Interruption]* This is a point I would like clarified. How will this agency gather its power? The Minister has not explained that. If it does not have a power under this, there can be a strategic services agency doing nothing.

**Mr. Eckstein:** What power does the Bill have?

**Mr. T. Sudama:** Well if it has power to do nothing, why was this Bill brought here? There is already an Organization for Strategic Services? This is a most ludicrous situation for the Government to find itself in.

Clause 6(2) says:

"In addition to the aforementioned functions, the Agency shall—

- (a) give its assistance to the Services to which particularly serious or complex and drug-related cases have been referred;"

It has no power. What kind of assistance would it give? Assistance to sit down and say it does not have the power. *[Interruption]* I do not understand this.

It has the power to give its assistance to the Services to which particularly serious or complex and drug-related cases have been referred.

Why have they put that in the Bill if this agency does not have this power?

"(b) provide a central point for the receipt of all disclosures made under the drugs legislation and develop such disclosures through the intelligence process and disseminate to the appropriate Services for further action;"

That is the most significant part of the interdiction operation.

**Mr. S. Panday:** They could get information from the police and give back the information to the police.

**Mr. T. Sudama:** Let us proceed.

"(c) facilitate and monitor the enforcement of requests for assistance relating to the proceeds of drugs and other serious crimes, made under bilateral and multilateral confiscation agreements;"

To facilitate and monitor, is that not a power?

"(e) negotiate foreign technical assistance for the dangerous drugs supply-reduction programme;"

Is that not a power?

"(f) contribute to the training of specialised staff in action against drug trafficking;"

The power to train, is that not a power?

The point I was making, is that when such elaborate powers are given to an agency and it is asked to carry out such functions of a very sensitive nature—a totalitarian society is not concerned with how intelligence services operate and against whom, but in a democratic society we have to be even more concerned given the history of the abuse of information, and, indeed, of police powers in Trinidad and Tobago.

We are saying that this Bill does not make adequate provision for the review and monitoring of the operations of this very crucial agency which is being established by the Government.

Clause 13 says:

"The Minister shall cause to be laid in Parliament an annual report on the operations of the Agency within one month after he has received it, or if

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Parliament is not then in session, within one month after the commencement of the next session."

This is subject to amendment. I have a list of amendments before me and clause 13 is not contained in that. In other words, is the Minister going to eliminate this entire clause? The amendments relate only to clauses (4) and (10).

**Mr. Eckstein:** Mr. Deputy Speaker, that is all that is being amended.

**Mr. T. Sudama:** Mr. Deputy Speaker, the Minister said in his introduction that clause 13 was going to be amended. Did he not say so, or is his briefing bad? He is not clear about what he says in this House?

If clause 13 is going to be amended, and that will eliminate the need to present a report to Parliament which is just a very minimal exercise—when this report is laid in Parliament, what happens? Where is the opportunity for Members of this House to question, on the basis of that report, the actions, operations and intelligence gathering activities of the Strategic Services Agency? All that would happen is that a report would be laid in Parliament which gives no power or opportunity to this Parliament to exercise its true function.

This is unlike what happens in the United States of America where the Central Intelligence Agency and the Federal Bureau of Investigations are all monitored by the various sub-committees on national security of both the Senate and the House of Representatives. We have no such requirement here and we are putting these enormous powers and very sensitive information on drug-related activities in the hands of those people.

The question for us in this House is to determine how this power is going to be used. Will it be used to suppress action against some groups and to initiate action against others? Will it be used for political purposes? Will it be used to advance the political fortunes of the Government in power? Will it be used to target people in the society who the Government feels are opposed to it? How will this power be used? This is the critical question in this Bill. It is something to which the Government does not have a clear answer.

We on this side of the House are saying that we would be betraying the trust of the people of Trinidad and Tobago if we did not look at this Bill in the greatest detail. We are asking, and we support the plea from the Member for Tobago East, that this Bill be referred to a joint select committee and that we go through this Bill clause by clause.



And not only that, Sir. I would like to know whether the functions and powers currently exercised by the Office of Strategic Services are any different from the functions and powers given under this Bill. The Office of Strategic Services was established not by an Act of Parliament, it is an administrative Act and we, in this House are not sure what its functions are?

I would like a committee of this Parliament to be set up to question officers of the Office of Strategic Services to find out what it has been doing for the few years it has been operating, its problems. Why it needs additional powers—if, in fact, additional powers and functions are being given to them under this Bill—what has been its track record and, more particularly, what has been the relationship between it and the operational units, that is, the Organized Crime and Narcotics Unit, or the Multi-Operational Purpose Section and the Criminal Investigation Department.

**5.40 p.m.**

I want to know what the relationship is and I can only know that by getting evidence from people who are actually involved in the operation of these units and of the Office of Strategic Services. So for me to sit in this Parliament and merely accept the word of the Government, is something I cannot agree with, something I would not accept unless I have the opportunity to really question what they envisage by all these functions and powers.

Once we give them that power, and we have satisfactory review procedures by this House, we would know how the intelligence function is being carried out. Of course, there may be the odd instance of abuse and so forth, but if we are not in a position to monitor the activities of this agency giving it these very wide functions and powers and so forth, would not be in accordance with our role and function in this Parliament and the oath we have taken.

I saw a film and I want to recommend it to the Minister of National Security, it is not only fictional. It is better to see a film than to engage in a drunken orgy; The film is called "Clear and Present Danger" with Harrison Ford. I saw the film twice because I think it was very important to see. Now, what do you want to ask?

**Dr. Rowley:** On a point of clarification.

**Mr. T. Sudama:** There is no such thing as a point of clarification.

**Dr. Rowley:** I am just seeking your assistance. I was following the debate but I got lost when you made reference to your colleague the from Couva North, all that thing about drunken orgy.

**Mr. T. Sudama:** I read something in the TnT *Mirror* about a clique of seven Government Ministers—

**Hon. Member:** Six.

**Mr. T. Sudama:** Six? No, no it is seven, one is added to it which makes it seven.

**Dr. Rowley:** I thought you were cussing your boss again.

**Mr. T. Sudama:** One is added to it to make it seven—where after every function, they repair to a certain place and they stay there until the wee hours of the morning—in a drunken orgy. That is what I am referring to, so I say it is better for me to go and see a film, rather than to engage in these drunken orgies as reported in the *Mirror Newspaper*. [*Interruption*]

Yes, that is all right, Mr. Deputy Speaker, because they have not had much to talk about during the debate. I want to point out that this is a film, which was not all fiction and dealt with the problem of the contradictory objectives of people within their own intelligence service.

One aspect of the film was very revealing, that there were persons at the highest levels in this intelligence agency, or whatever one may wish to call it, who were in contact with the drug lords and, for political purposes, a deal was struck, that if you do something for me, if you call off the actions of a certain crack unit on the ground, I would reduce the flow of illegal drugs into America. A deal was struck at a political level to make the administration look good.

The point I am getting across is, there is information, there is an agency and that agency is subject to the direction of a politician and that politician makes a decision as to what direction that agency takes, whom it prosecutes, whom it fails to prosecute in the light of his own personal fortunes as well as the political fortunes of the administration to which he belongs.

I would advise, Mr. Deputy Speaker, that when you have some time, you have a look at that film. It is a very instructive film particularly in which it treats with intelligence matters, how they are handled. It also deals with the relationship between the legislative investigating bodies and the executive arm, and the conflict within the executive arm, where people have different agendas, and how

information in the hands of certain people is used to subvert the security of the State and for other dangerous purposes.

That brings me to the point of how we are going to select these officers. How are we going to select the director and the other personnel that would comprise this agency? There are two aspects to this: the first is, the person so selected must be technically competent and qualified. But there is another aspect to it—the person so selected, must be a man or woman of extraordinary character who would not be subject to bribery, corruption and the misuse of power. Because even if someone is technically competent and qualified but falls short on the other qualification of character, we are going to have the information in this Strategic Services Agency being put to very dangerous use.

These persons will swear to an oath of allegiance and secrecy. The penalty is recorded somewhere in this Act, that if one violates one's oath of allegiance one is subject to a certain fine.

**Mr. Eckstein:** The sum of \$100,000 or 10 years in prison.

**Mr. T. Sudama:** Mr. Deputy Speaker, it is known that the sum of \$100,000, is mere chicken feed to the drug lords, and those in possession of this kind of information could very well take the risk and say "\$100,000 or the possibility of imprisonment, I can take that risk if on the other hand I am given \$1 million to provide sensitive information in my possession." And the fact is, I am sure that this has happened in the police service and elsewhere, that people with access to important and sensitive information really have the opportunity to bargain for financial gain where the stakes can be very, very high.

### **5.50 p.m.**

You may set up this Strategic Services Agency and staff it with the wrong kind of people and end up in a situation where you are catching nobody—you are not interdicting anybody, if that is the right term. You are not involved in interdiction and we would just have a paper agency in place, not carrying out the functions for which it was established.

Then there is the relationship between this information-gathering activity and the operational activity. We have the history of the OSS and the Organized Crime and Narcotics Unit where these two organizations were working at cross purposes.

The OSS, we are told, had a closer relationship with the DEA in the United States than it had with its own operational unit here in Trinidad. We are told that

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this lack of co-operation is responsible, in part, for the poor results in interdicting drugs and arresting middle-level and upper-level drug traffickers. So you already have an existing problem. This is why I would like to sit on a committee to ask some questions of these people who are involved in this kind of activity, so that I would be in a better position to know what kind of provisions to put in the law to deal with this problem.

**Mr. Eckstein:** Which problem?

**Mr. T. Sudama:** The problem of the conflicting relationship between your OSS and the OCNU. It is reported here in the newspapers. That is the only place from which we can get a little information. Furthermore, the training that these people will undergo. There is a situation where, apparently, a big drug bust was made and the officers did not know the law sufficiently to charge these people for drug trafficking under the Narcotics and Psychotropic Substances Act. Instead of charging them with drug trafficking, they were charged with possession of cocaine and marijuana. I understand, from what is reported, that by charging them with drug trafficking they could have impounded the yacht valued at \$4 million; but by charging them merely with possession, they did not have the power to do so. That is a serious problem with respect to the training of people and their capacity to catch people in the illicit drug trade.

Quite apart from that, is the matter of the resources to which they have access. I understand there was some problem in that, quite apart from their training and so forth, the officers of the Organized Crime and Narcotics Unit were given revolvers with cracked barrels—that is what is reported—to fight sophisticated weapons in the possession of people who engage in the drug trade. This is the history of the Organized Crime and Narcotics Unit and its relationship with the Office of Strategic Services.

We are not told anything about this, or what extra powers are to be given to the Strategic Services Agency—how it is going to be different from the Office of Strategic Services; what additional functions and powers it will have; how it will be utilized; what is its purpose—but they want to come and drop a Bill on this Parliament, because the Member for Ortoire/Mayaro feels very confident that this is merely an information-gathering agency and it is performing a very innocuous kind of function—

**Mr. Sobion:** I never said that.

**Mr. T. Sudama:** Well, the implication you gave to this House—

**Mr. Sobion:** No, that is your interpretation—you are wrong.

**Mr. T. Sudama:** —Mr. Deputy Speaker, there could be nothing further from the truth. Therefore, we on this side are asking: let us satisfy ourselves—by going through this legislation; by getting comparative legislation elsewhere, but more importantly, by investigating the activities of the OSS and the OCNU, the two major agencies that seem to be views and recommendations. And having got that, I think we may be in a better position to get a Bill with various safeguards—a Bill which would outline and clarify various functions and powers; a Bill that would tell us something more about the capacity for recruitment and training which are supposed to be carried out. It is only after such a committee hearing that we could feel assured that we would be in a better position to handle something as far-reaching as this Strategic Services Agency Bill.

For example, there is a clause that says that provision may be made for the transfer of people from the police service to the strategic service or from any other public sector department for five years. There is no provision in this Bill as to what happens after the five years.

**Mr. Sobion:** You did not read the Bill!

**Mr. T. Sudama:** What happens after five years? They go back to their various—there is no provision for extending their service with the Strategic Services Agency. Do you have it here? Where is it that the people who have been seconded could have their service extended for a further period. There is no such provision in this Bill.

**Mr. Eckstein:** Every secondment is a fresh secondment.

**Mr. Sobion:** This is not one of his better days.

**Mr. T. Sudama:** Mr. Deputy Speaker, when they come to the Strategic Services Agency, what happens to them? Do they remain frozen in a certain position in that agency? Is there any provision for them for change—promotion or whatever? When people seek secondment to this agency there are going to be many questions: What am I getting into? What are the prospects in the Strategic Services Agency?

**Mr. Sobion:** Read clause 7(4).

**Mr. T. Sudama:** But that does not answer my question.

"An officer who has been seconded to the Agency in pursuance of this section may, with the approval of the appropriate Service Commission, be transferred

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from the Agency to an office in the Public Service or Police Service on the termination of his service with the Agency."

**Mr. Sobion:** What does that mean?

**Mr. T. Sudama:** Mr. Deputy Speaker, what I am asking is, what happens in the meantime while he is in the agency. You are saying that he can have a second period of secondment—

**Mr. Eckstein:** Or a third or fourth.

**Mr. T. Sudama:** What happens to him in that situation in his five, ten, or 15—year term, within the period that he is in the Strategic Services Agency?

Mr. Deputy Speaker, as I said, we need a lot of clarification on this.

**Mr. Sobion:** You should read the Bill before coming to the House.

**Mr. T. Sudama:** A lot of clarification with respect to these functions which are being given to this agency is needed; clarification with respect to the actual operation of the OSS and the OCNU and the history of their activities since they have been established; what are the problems and what kind of legislation we should put in place to address those problems.

**6.00 p.m.**

Thirdly, this whole question of ministerial control over the secret Strategic Services Agency. We are not happy with that and we are asking that the activities of this be subject to some form of incisive parliamentary review. We are making the point that this Bill cannot be supported without clarification; it cannot be supported in its present form; it needs extensive amendment. We are therefore proposing that this Bill, be sent to a committee of this House so that we could look at it incisively. And after such deliberations we would be in a better position to take a position on this Bill.

Thank you very much, Mr. Deputy Speaker.

**The Minister of National Security (Hon. John Eckstein):** Mr. Deputy Speaker, let me thank Members opposite for the contributions made on this Bill. I do not think that they had one of their better days, today, but I am grateful for whatever assistance they gave.

If I begin with the Leader of the Opposition. He spoke extensively on PowerGen and all these other matters and it would be very difficult to relate that to the matter before us. I just want to make some simple statements to see if I can convey to Members opposite an understanding of what is involved here.

First, this agency has no authority over any of the service agencies. You cannot show me in the legislation where it can compel any of the agencies to provide it with information that they have. It just does not have it in the legislation.

This agency has to rely on the co-operation of the various agencies of Government that are in the business of collecting information. We would hope that the agencies, like the police, the customs, the army, the coast guard section, in particular, would see the wisdom of pooling all the information available to the several units in the agency, which has a co-ordinating function.

**Mr. B. Panday:** Suppose they do not see the wisdom, what happens?

**Hon. J. Eckstein:** We are hoping that good sense will prevail. The fact of the matter is, that is where it is. You want to show me in the legislation—

**Mr. B. Panday:** I am asking for my own information, suppose they do not see the wisdom, what happens?

**Hon. J. Eckstein:** It does not succeed.

**Mr. Sobion:** So far it has worked.

**Hon. J. Eckstein:** In my presentation I spent quite some time indicating where the OSS had, in fact, succeeded and has done a number of things. That is the basis on which this agency is going to function—on the basis of the voluntary co-operation of the agencies that are involved. We are convinced that they must see the wisdom in pooling the information, because customs will have information, also the police, the coast guard, and that information is so much more potent when it is all pooled, that it is inescapable that they must see the wisdom. *[Interruption]*

The question of power and function, in my understanding—for instance, the Member for Oropouche; is a very persuasive speaker and if he has information, he can exercise that function by trying to persuade us to act in a particular way. He may or he may not succeed, but he does not have the power to compel the Government. But through the power of persuasion he can influence this Government to act in a particular way. This is how the agency is intended to operate—using the information available to it to seek to persuade the other agencies of Government to act in a particular way. It does not have the power to compel them to do anything.

**Mr. Humphrey:** Mr. Deputy Speaker, would the hon. Minister indicate what similar agency exists, for example, in the United States? In the United States you

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have international intelligence gathering, which is the CIA; domestic, which is the FBI; you have federal police; you have state police and you have a Drug Enforcement Administration that works in tandem with enforcement agencies. You have also the justice department; then, of course, you have the Congress that oversees everything. What parallel agency exists in the United States with such an agency?

**Hon. J. Eckstein:** I cannot answer that question.

**Mr. Humphrey:** This legislation calls for relating to similar agencies, internationally. What are the similar agencies in the United Kingdom, for example?

**Hon. J. Eckstein:** I mentioned the agencies, the NCIS in England, which is, in fact, drawn along similar lines.

Let me continue. This agency, for instance, has no enforcement capability. I told the Member for Oropouche a little while ago that if he had information which this agency wanted, they do not have the power to arrest him, to do anything, in order to get that information. This agency does not have that kind of enforcement capability. This agency cannot arrest anybody, cannot prosecute anybody. Far from what the Member for Caroni Central talks about, killing and executing, and all sorts of flights of fancy, the agency relies on the voluntary co-operation of the agencies that have that enforcement capability, that have that power.

This agency is a co-ordinating agency that collects information from the other agencies and international agencies, and then is in a situation to advise each of the separate agencies to act in a particular way if it is able to so persuade them.

Now in the absence of that, there has to be—

**Mr. Humphrey:** Could the Member give way? Mr. Deputy Speaker, clause 6(2)(g) states the agency shall:

"establish and maintain close contact with corresponding Services in other countries in order to achieve..."

Certain very, very specific objectives in information gathering. In fact, the legislation does recognize that there are parallel institutions operating elsewhere. In the United States, which we are operating most closely with, the DEA and the security services of Trinidad and Tobago have a much closer operational link than we do with European counterparts or the British counterpart. Which is the US



agency that fulfils this? There is a corresponding service. I cannot see any. It is important that they clarify this.

**6.10 p.m.**

**Hon. J. Eckstein:** This agency was established based on the United Nations model. I have indicated that already. I can send him the correspondence. This is the model legislation. We have used the text given to all member countries of the United Nations, for the establishment of such an agency which says—

"The central office..."

which is the co-ordinating office—

"would be in close contact with the governmental bodies engaged in action against drug abuse."

This contemplates that there are agencies involved in enforcement and all sorts of things out there, and this is the co-ordinating agency. It collects information from agencies abroad and feeds everything into this intelligence centre, so that as the individual service units require the information, they could ask for it and each one would be the stronger for it. Each one would have a greater capability to deal with the drug problem.

Without that information, what would happen? The police would have some information that nobody knows about; the customs would have some information that nobody knows about; the coast guard would have information that nobody knows about, and, as a consequence of that, the power that could come from collating and co-ordinating all this information would just not be there.

**Mr. Sudama:** I like the use of the word "power."

**Hon. J. Eckstein:** The power that the individual agencies can now exercise.

Basically, this is a co-ordinating agency that simply collects information. As I said, it collates that information and hires intelligence experts who can analyze the information. It is possible that one can have information and one does not know what to do with it. One does not know the value of it. What this agency would do is to employ intelligence experts, so that when the information comes in, it can be processed then handed back in a form which is usable.

**Mr. Humphrey:** When the Minister so directs.

**Hon. J. Eckstein:** No. Mr. Deputy Speaker, I ask the hon. Member for St. Augustine: Whom is he going to hold accountable in the final analysis for the

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security of this country? Whom would he ask? The Member for Oropouche? Who would he lambaste and hold accountable? It would be me, the Minister of National Security. What is the problem he has with that?

**Mr. Humphrey:** All this information must reside with the Minister? I am sorry for the Minister if he has that information.

**Hon. J. Eckstein:** I am not the agency.

The Member for Tobago East talked about this agency dividing the country. I think other people would say that certain activities on the part of the Opposition are designed to divide the country. However, what this agency is designed to do is to unite, not to divide. It is designed to bring the several agencies together.

**Mr. Maharaj:** Mr. Deputy Speaker, would the Minister not agree that the aims and objects of this agency can undermine the functions of the police service? That is what the Member for Tobago East was talking about.

**Hon. J. Eckstein:** Mr. Deputy Speaker, as the Member for La Brea said, this is like a library. It is basically a store of information on which the several agencies could draw. How can that possibly impair the function of the police service? It is possible that people might not understand, but that is the function of the Minister: to ensure that the various arms understand the functions. This agency is not designed to compete with, but to complement, supplement and improve the functioning of the various arms of the service.

**Mr. Humphrey:** I would not want to be that Minister.

**Hon. J. Eckstein:** Mr. Deputy Speaker, the passage of this legislation would not provide this agency, which has functioned for two years, with any more authority than it now has. What it would do is make it more accountable. When I looked at this legislation, I was amazed at the number of reports the director has to submit—a financial report, an audited report and an annual report. That means that the Parliament would have tremendous information about these activities.

**Mr. Sudama:** What happens when the reports are laid? Can we debate them and call in people?

**Hon. J. Eckstein:** All reports can be debated.

I really do not feel that there can possibly be any objection to collating all the information that is out there, to better deal with the serious problems with which we are confronted. Members cannot honestly say that they really object to the information out there being pooled. That is precisely what this agency is designed

to do. I am sure that in the fulness of time this agency could receive the full co-operation of all the agencies that have the capability to do the enforcement and, in fact, can get the information. This agency would not have any information which it does not receive, because it does not go out to collect any information.

As I said, what it would have within it, we hope, is those intelligence experts who can analyze and advise the police, army, coast guard or whichever agency, that given this information, it would be a possible lead which they may wish to explore and on which to take action. It is left now for the various arms of the services to decide how they are going to act on the basis of the information which is now available to them.

Mr. Deputy Speaker, I hope I have satisfied the concerns raised by Members, and I now beg to move.

**Mr. Maharaj:** Mr. Deputy Speaker, pursuant to Standing Order No. 51 which states—

"(1) When a Bill has been read a second time it shall stand committed to a Committee of the whole House, unless the House, on motion made, commits it to a Select Committee. Such motion shall not require notice and must be made immediately after the Bill has been read a second time, and the question thereon shall be put without amendment or debate..."

I wish to move a motion that the Bill be committed to a select committee..

**Mr. Deputy Speaker:** The Bill has not yet been read a second time. This is the question I am putting right now.

**Mr. Maharaj:** Sorry, Mr. Deputy Speaker.

*Question put and agreed to.*

*Bill accordingly read a second time.*

**Mr. Maharaj:** Mr. Deputy Speaker, I am deeply indebted to you and Members. I move a motion that this Bill be committed to a select committee of this House for consideration and report.

**6.20 p.m.**

*Question put.*

*The House divided:* Ayes 14

Noes 17

**AYES**

Maharaj, R.L.

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Panday, B.

Humphrey, J.

Sudama, T.

Sagewan, Miss I.

Palackdharrysingh, R.

Singh, Dr. C.

Hanoomansingh, G.

Panday, S.

Jurai, K.

Haniff, M.

Hosein, S.

Sharma, C.

Nicholson, Miss P.

**NOES**

Valley, Hon. K.

Sobion, Hon. K.

Mottley, Hon. W.

Ramrekersingh, Hon. A.

Rowley, Dr. The Hon. K.

Eckstein, Hon. J.

Baboolal, Dr. The Hon. L.

Collis, Hon. K.

Imbert, Hon. C.

Lasse, Dr. The Hon. L.

Pierre, TC., Hon. J.

Casimire, A

Narine, J.

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Hart, E.

James, Mrs. E

Allum, D.

Bereaux, H.

*Motion negatived.*

*Bill committed to a committee of the whole House.*

*House in committee.*

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

*Clause 4.*

*Question proposed, That clause 4 stand part of the Bill.*

**Mr. Sobion:** Mr. Chairman, the list of amendments has been circulated. There is a proposed amendment to clause 4 as follows:

Delete paragraph (b) and substitute the following therefore:

"(b) prepare an annual report on the operations of the Agency which shall be submitted to the Minister within one month after the end of the year to which the report relates."

It is a replacement of the existing paragraph 5(4)(b) to make it quite clear that the Agency shall submit a report within one month of the year. So there is a fixed time period, and we have eliminated the half-year report. There will just be one report at the end of the year within one month.

**Mr. Chairman:** One month after the annual report.

*Question put and agreed to.*

*Clause 4, as amended, ordered to stand part of the Bill.*

*Clauses 5 and 6 ordered to stand part of the Bill.*

*Clause 7.*

*Question proposed, That clause 7 stand part of the Bill.*

**Dr. Singh:** Mr. Chairman, I would like to get some clarification on this clause 7(1):

7(1)"An officer in the Public Service or Police Service may, with the approval of the appropriate Service Commission and the consent of the Minister,

consent to be seconded to the service of the Agency upon such terms and conditions as may be acceptable to the Director and the officer."

Under subclause (5) it states:

"For the purposes of this Act, a person shall be taken to be seconded to the Agency if being the holder of a substantive office in the Public Service or Police Service he has been assigned for duty with the Agency."

My concern here is subclause (5), whether a person wants to go on to the Agency or not, he can be assigned. Subclause (1) gives the conditions under which one can get on to this Agency by secondment; subclause (5) states if he is assigned duty there, he can be taken to be seconded. I think it is questionable whether a person can be sent there without his consent.

**Mr. Chairman:** Your question, is: if a person objects to go into the Agency, what recourse does the person have.

**Dr. Singh:** Initially he has to give consent whether he wants to go or not. Subclause (5)—as long as he is assigned duty—whether he consents or not, it is taken to be seconded. It would open avenues for other—

**Mr. Sobion:** Mr. Chairman, as I understand it, a person could only be assigned if the terms and conditions under which he is substantively employed in the public service or the police service permit that assignment.

In fact, in the existing Organization of Strategic Services, there are some officers mainly from the defence force, the coast guard and the other arm who have been assigned. They could only be assigned if their terms and conditions permit an assignment, otherwise the assignment would not be valid.

**Dr. Singh:** Then subclause (5) should be deleted. It is redundant.

**Mr. Sobion:** There are instances where a person may be assigned because his terms and conditions permit it—perhaps the specialist nature of the office he holds. That is the only reason why that is there.

**Dr. Singh:** If he objects to go into the agency he can still be sent.

**Mr. Sobion:** If his terms and conditions permit of assignment to other agencies then he has no choice. That is what subclause (5) provides for: the instances where consent is not really required.

*Question put and agreed to.*

*Clause 7 ordered to stand part of the Bill.*

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*Clauses 8 and 9 ordered to stand part of the Bill.*

*Clause 10.*

*Question proposed, That clause 10 stand part of the Bill.*

**Mr. Sobion:** Mr. Chairman, there are two amendments to clause 10 as follows:

- (a) In subclause (3) insert after the words "Auditor General" in line 2 the word "annually".
- (b) In subclause (4) delete the word "thereon" in line 4 and substitute the word "thereof".

*Question put and agreed to.*

*Clause 10, as amended, ordered to stand part of the Bill.*

*Clauses 11 and 12 ordered to stand part of the Bill.*

*Clause 13.*

*Question proposed, That clause 13 stand part of the Bill.*

**Mr. Sudama:** Mr. Chairman, I want to ask one question. After this report is laid in this Parliament, what happens?

**Mr. Chairman:** Does anybody on the Government side wish to answer?

**Mr. Sobion:** I would suggest that when the report is laid the Member for Oropouche should first read it. After, he then can debate the report if he so wishes.

**Mr. Sudama:** Would I have the option of questioning members of the Strategic Services Agency?

What would you want me to debate? Something put in writing and I cannot go behind that?

**Mr. Sobion:** I think I have answered the question.

**Mr. Chairman:** The question has been answered. The report would be laid in the House and opportunities would be allowed for debate on the report by a motion made.

**6.30 p.m.**

*Question put and agreed to.*

*Clause 13 ordered to stand part of the Bill.*

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*Clause 14 ordered to stand part of the Bill.*

*Schedule ordered to stand part of the Bill.*

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

*House resumed.*

*Bill reported, with amendment.*

*Question put, That the Bill be now read the third time.*

*The House divided: Ayes 17 Noes 14*

**AYES**

Valley, Hon. K.

Sobion, Hon. K.

Mottley, Hon. W.

Ramrekersingh, Hon. A.

Rowley, Dr. The Hon. K.

Eckstein, Hon. J.

Baboolal, Dr. The Hon. L.

Collis, Hon. K.

Imbert, Hon. C.

Lasse, Dr. The Hon. V.

Pierre, T.C. Hon. J.

Casimire, A.

Narine, J.

Hart, E.

James, Miss E.

Allum, D.

Bereaux, H.



**NOES**

Maharaj, R. L.

Panday, B.

Humphrey, J.

Sudama, T.

Sagewan Miss I.

Palackdharrysingh, R.

Singh, Dr. C.

Hanoomansingh, G.

Panday, S.

Jurai, K.

Haniff, M.

Hosein, S.

Sharma, C.

Nicholson, Miss P.

*Question agreed to.*

*Bill accordingly read the third time and passed.*

**ADJOURNMENT**

**The Minister of Trade and Industry and Minister in the Ministry of Finance (Hon. Kenneth Valley):** Mr. Deputy Speaker, I beg to move that this House be now adjourned to Wednesday, September 13, 1995, at 1.30 p.m.

I would like to inform hon. Members that we would be doing Bill No. 8—the Anti-dumping and Countervailing Duties Bill, 1992—on today's Order Paper, which would be Bill No. 1. We also hope to lay in Parliament the report of the joint select committee appointed to consider the Companies Bill as well as the Securities Industries Bill.

**Mr. Deputy Speaker:** Hon. Members, we have one Motion on the Adjournment.

**Leak Repairs and Water Diversion  
(Constituency of Siparia)**

**Mr. Sahid Hosein** (*Siparia*): Mr. Deputy Speaker, the motion is on the refusal and/or inordinate delay by the Water and Sewerage Authority to repair leaks in the Siparia constituency and the further diversion of water away from the constituency. [*Groan*]

Sir, I can understand the groan, because both you and Members in this House have heard me raise this matter time and time again. In the normal course of events, having done so, it is reasonable to expect that there would be some measure of positive response. If that were the case, I would not have been on my legs here this evening.

It is amazing that one comes to this House, speaks to the Minister concerned, and indeed to his Government, over and over on these issues, and gets little or no action. It raises the question—given the fact that there has been no improvement in the situation, in fact, there has been a worsening of it—whether the Government has any power at all over the Water and Sewerage Authority to ensure that there is some measure of equity in the distribution of its resources.

One has to ask the question: Is the legitimate voice of the people of Siparia going to be ignored yet another time? Or is it that they are being punished for some sin of omission? I have to ask that question, given the fact that I am concerned at the number of times I have had to get up in this House, in the short period I have been here, to address this same matter.

We would have heard, moreso in recent times, from both Ministers—the second Minister of Public Utilities, then the third, and now the second has gone back to be the fourth—of the millions of dollars allocated to WASA to purchase materials to deal specifically with leaks in the country. Yet, as far as I am aware, very little, if any at all, of those materials purchased is being made available to the staff at WASA to be utilized in dealing with the leaks in the Siparia constituency.

Again, one has to wonder, is it deliberate or is it in keeping with the trend that we are seeing, that vein running through previous administrations of continuous rural neglect? Of course, if that is the case, Siparia is indeed a rural constituency. It seems to me that that can be the only explanation.

If the sum of \$10 million is made available to purchase materials to repair leaks and none is allocated to the Siparia constituency, nor, indeed, some of the other rural constituencies, then it seems clear to me that the present administration

is continuing the trend of previous administrations. *[Interruption]* The Member does not understand. We are talking about areas where we have hundreds of leaks, and areas where we do not have a supply of water at all.

**Mr. Valley:** What about Simeon Road?

**Mr. S. Hosein:** We are not talking about Simeon Road; we are talking about virtually whole constituencies. We are not talking about isolated portions that cannot have a supply of water—for very good reasons, maybe terrain or whatever. The point I was making is not for the Government to go and suddenly develop a reservoir system; the issue has been for equity in the sharing of the resources which are available. That is all we are asking.

**6.40 p.m.**

To cut the matter short, Sir, a month ago, arising out of the concerns of both residents and me, I arranged a tour with the senior personnel at San Fernando, and they were able to officially identify 150 leaks and, unofficially, while going around, we were able to identify another 150 leaks. When I say official, they are listed, they know about those leaks, and that was a month ago, and when I called earlier this week to ask what was happening because I saw that nothing was taking place, I was told that in the interim, two leaks were repaired—in one month's time—and I must be concerned as indeed all the residents are.

It pains me, as it pains my constituents that though very little water is available, the little that there is, is allowed to leak away into the drains. That certainly must be of concern. In a country that boasts of an annual budget of \$10 billion we cannot find moneys to repair a simple thing like a leak. It makes one wonder.

That is why I am always concerned about how taxpayers' moneys are spent—whether we get value for money, and added to that, is the whole question of which I had been complaining in the past that there is a scarcity of water in the constituency and that situation has worsened progressively and has been so for the past six months. On making enquiries, I discovered that whatever little water was available previously, is now being siphoned and diverted into nearby areas, and one could dispute that as much as one wants, the evidence is there for all to see. So while we used to get a supply from the Caroni/Arena system, albeit not a sufficient supply, that is now being diverted to take care of the St. Patrick Water Project so that the Siparia constituency which is on one side, and the Oropouche constituency which is on the other side are starved of a supply of water.

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A similar thing happens on the other side of the constituency where we obtained and sourced a supply from the Navet system. That water, now, is being diverted into nearby constituencies, so that the situation has really worsened.

Of course, we would have heard over and over again in this House, that in order to address the concerns of the Member of Parliament, and indeed the people of Siparia, a new line—a much talked about new line—is to be installed, but given the present situation, even if that line is installed—up to this day, despite all the previous deadlines given, work has not started on that line, if ever it will. One really has to wonder.

It begs the question—if there is no water to be made available to the Siparia constituency, and a new line is installed where is the water going to come from? I hope the Minister would be able to adequately satisfy me and indeed the House on that question. At this time, very few areas that connected to the Caroni/Arena system and the Navet system are benefitting in any way. Because of the problem with leaks, even that water is wasted.

One has to ask the question again: WASA's action deliberate and are they operating under directives from some people? One has to ask, because we have been reading in the newspapers for some time about new management at WASA. We have been reading about the possible divestment of WASA. Is it a deliberate policy in order to have a public clamour for this transfer of management to take place sooner rather than later?

One has to ask those questions given the fact that one hears that so much money have been spent to purchase materials. Why are the leaks in the Siparia constituency where there is a critical water situation, moreso than in other constituencies that are affected? Why are the legitimate concerns of the residents of these areas are not being addressed?

As I said, if as a Member of Parliament, I have come to the House and I have raised the matter with the relevant Minister and indeed his Government and absolutely nothing has taken place, one wonders what really has to be done in order to get the matter addressed. Tell me, is it deliberate policy on the part of the Government to neglect these rural areas? I await the answer, of the hon. Minister.

**The Minister of Energy and Energy Industries and Minister of Public Utilities (Sen. The Hon. Barry Barnes):** Mr. Deputy Speaker, “Once more unto the breach...once more!” The situation in Siparia, as the Member for Siparia has said. He went on a tour with the senior representatives of WASA in the Siparia

constituency, he is right. What he did not say though, was that is that over the period March to August 516 leaks were repaired leaving 156 outstanding.

**Mr. Hosein:** Can the Minister indicate where in the Siparia constituency those leaks—

**Mr. Deputy Speaker:** Give him a chance to continue.

**Mr. Hosein:** No, no, no he is making a case and I want to know where for my own edification.

**Sen. The Hon. B. Barnes:** The Member for Siparia went around with the senior WASA representatives and they informed him and gave him the listing and that is the information that WASA has passed to me. However, we agreed that on August 31, 1995 there were still 156 leaks outstanding.

Leaks cannot be repaired before they occur and because of the age of the system, leaks are being repaired they are recurring at almost the same rate. Simple.

**Mr. B. Panday:** You send the water to identify the leaks.

**Sen. The Hon. B. Barnes:** There is another reality—distribution. I have said in this House, time and time again, that where you are transferring water, and it is passing through several districts before it gets to the areas that are on the end of the line—the fact is that it becomes impossible to do what the Member for Siparia suggests, that is, to stop the water at the beginning of the line to try somehow to get it at the end of the line.

The reality is that the Navet system was built in 1962, has been at peak for a number of years but the demand has grown. The Caroni/Arena system which was completed in 1982, has a capacity of 70 million gallons a day, and is operating, as long as the pumps are working, at its peak capacity. The Members opposite are fully aware that WASA, in order to augment the availability of water, has embarked on a well rehabilitation—well production programme that, at the present time has added about 15 million gallons a day to the system.

The Leak Repair Programme is a reality. It was in fact funded with, \$6 million and then it was supplemented. In the first thrust of the programme, all the repair materials which were available in Trinidad and Tobago were used up. The materials which are required to continue the repair programme had to be imported. They were imported under a World Bank Loan programme to the tune of \$50 million. Some of the containers arrived at the end of August. WASA had

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literally used up this country's entire stock of pipeline repair materials in the meantime to get the lead repair programme going.

**6.50 p.m.**

Let me say, Mr. Deputy Speaker, because I have said it in the House, that given the condition in which WASA found itself, where there have been identified some 570 miles of pipeline that is old and encrusted and needs to be replaced, that \$50 million, which was the extent of the World Bank loan, would not do it for us and would have to be concentrated on the most critical areas and programmed on the basis of the logistics of fluid flow and pipeline flow.

You start at your water-producing sources and try to make them as reliable as you can; you endeavour to bring your transmission mains up to an acceptable level and then you must tackle the booster pump stations—140 approximately booster pump stations, with only 14 having any standby equipment.

The reality is that where you are on extended scheduling, if on your appointed day a booster pump goes down, there is no standby, there is no spare. The pumps that have been ordered are beginning to arrive: the manufacturers have to make them. The condition of WASA was such that nobody would move until they were sure of payment. That is the history of the matter. First shipments of booster pump are now scheduled to arrive in November, 1995.

The concerns and, indeed, the frustrations the Member for Siparia has—and I think which virtually every representative here has—

**Mr. Sudama:** Not on the same scale—definitely not on the same scale.

**Sen. The Hon. B. Barnes:** And the Member for Oropouche is right. There are citizens in Trinidad and Tobago—and I am not included among them—who, by an accident of geography, because they happen to be in an area like St. Augustine where four pipelines meet—if no water is there, nobody has water; or indeed at Sea Lots, coming into Port of Spain—if no water is there, nobody has water. So that there are some citizens, 18 or 20 per cent of us, who are on a 24-hour supply. That is the logic of the transmission system. It defies politics, and until—

**Mr. S. Panday:** Who instituted it?

**Sen. The Hon. B. Barnes:** And until all of us understand that this matter is to be resolved, is not by addressing symptoms and repeatedly repairing leak after leak in the same pipeline, when, obviously, what it indicates to all concerned is that the pipelines are shot and need to be replaced.

**Mr. Sudama:** In the meantime people have to live.

**Sen. The Hon. B. Barnes:** Unless we can understand that for a reliable system, if you require two booster pumps and you have to schedule them, you are going to run into problems regularly.

Unless all of us are prepared to understand what needs to be done—and if we are not prepared to understand that, to bring WASA to a reliable system we need to do it on the basis of a systematic, logical approach, following the physical requirements of the system, then we will continue to be shouting at each other across the room and saying that some turncock is distributing unfairly, that leaks are not being repaired.

All of us, including me on Saddle Road, have seen WASA come back three or four times to stop a leak and two days later there is are leaks somewhere else—a very clear symptom. If it is happening in the heart of Port of Spain, it is also happening in Siparia. [*Interruption*] A lot is being done. The well fields have been brought back in Penal and the representatives opposite know that. In Clarke Road; in Fyzabad; in Mayaro; in Freeport; in Carlsen Field. They know that. In the Savannah; George V Park, Tucker Valley—making more and more water available for transmission down south, into the southern central regions. But until the transmission system is properly repaired and upgraded, we are going to have leaks and inadequate supplies.

Mr. Deputy Speaker, I made myself very unpopular by saying what I truly believe—that given appropriate funding and given the physical work that needs to be done we are looking at three years, reasonably, before we get the WASA system properly sorted out.

Mr. Deputy Speaker, I thank you for your attention.

*Question put and agreed to.*

*House adjourned accordingly.*

*Adjourned at 6.56 p.m.*

#### WRITTEN ANSWER TO QUESTION

#### **Foreign Investors (Tobago)**

*Pursuant to his reply to Question No. 179 the Minister of Finance (Hon. Wendell Mottley) furnished the Member with the following table:*

*Foreign Investors (Tobago)**Monday, September 11, 1995*

Table No. 1

The preferred parish:

<u>Parish</u>	<u>1990/1991</u>	<u>1992</u>	<u>1993</u>	<u>1994</u>	<u>1995</u>	<u>Total</u>
St. Patrick	11	11	16	12	9	50
St. Andrew	5	5	5	18	7	40
St. John	0	3	1	12	4	20
St. David	0	3	3	3	3	12
St. George	2	1	4	2	0	9
St. Mary	1	1	0	2	0	4
St. Paul	0	1	0	0	0	1
	19	25	29	49	23	145