

HOUSE OF REPRESENTATIVES*Friday, February 16, 1996*

The House met at 1.32 p.m.

PRAYERS[MR. SPEAKER *in the Chair*]**Attorney General
(Appointments)**

Mr. Speaker: Hon. Members, I wish to advise that following receipt of relevant communication from the Hon. Prime Minister, the hon. Attorney General and Member for Couva South shall now be the minister in charge of arranging the Business of the House.

Hon. Members, in accordance with Standing Orders 71(2) and 74((2), I wish to advise of the appointment of Mr. Ramesh Lawrence Maharaj as a Member and Chairman of the House Committee of the House of Representatives for the current session, in the place of Mrs. Kamla Persad Bissessar.

**DEFINITE URGENT MATTER
(SPEAKER'S RULING)**

Mr. Speaker: Hon. Members, at the last sitting of this honourable House on Friday, February 2, 1996 when the hon. Member for Diego Martin Central rose under the Agenda Item, "Request for Leave to move the Adjournment of the House on Definite Matters of Urgent Public Importance," I indicated that I had not given him leave to raise the matter because he had handed the Speaker written notice at 1.20 p.m., which was too late for it to be considered on that day. I pointed out that the practice in our jurisdiction is for the required written notice for that particular purpose to be delivered to the Speaker by 12.00 noon in order for it even to be mentioned at a sitting of the House which commences at 1.30 p.m. Since then, my attention has been drawn to certain newspaper articles in which the ruling of the Chair and the existence of the practice to which I referred have been questioned.

One daily newspaper, in its scathing editorial which was repeated for two consecutive days labelled it a dubious practice. Another newspaper referred to a particular Member of the Opposition who allegedly walked out of the Chamber following the Speaker's ruling, and who told the press on the outside of the

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House, that the Speaker's action was *ultra vires*. The hon. Member was described as irate and reportedly posed the question: Why did the Speaker not give as a deadline 9.00 o'clock a month before? Even a former President of the honourable Senate apparently got into the act and was quoted as saying that he was unaware of any 12.00 o'clock deadline.

The effect of those publications is to give the erroneous impression that the Speaker acted whimsically, capriciously, unfairly and/or partially by inventing, introducing and imposing an unreasonable deadline for the giving of the particular type of notice. Obviously, some journalists reporting on rulings of the Chair need to pay attention to what constitutes breach of parliamentary privilege. The Speaker certainly recognizes the importance of media freedom. True democracy demands this and, indeed, our Constitution expressly guarantees it while making clear that it is not an absolute freedom but one which is subject to existing law. The comments of the media on matters of public concern must be fair, and to be fair they must, of necessity, be accurate. It ought to be appreciated that freedom of the press, as it relates to Parliament, is subject to the limitation of breach of privilege.

For whatever it is worth, I am to advise hon. Members that an examination of our records for the years 1992, 1993, and 1994 reveals that a total of 55 Notices were received by the Speaker from hon. Members of the House advising that they intended to seek leave at the appropriate time to move the adjournment of the House for the purpose of discussing a definite matter of urgent public importance. Forty-eight of these Notices were handed in to the Speaker before 12.00 noon. Only seven were received after the noon deadline. Three of those seven late notices, including one received by the then Speaker at 12.30 p.m., were not accepted nor allowed to be raised in the House on the ground that they were submitted too late.

Hon. Members may care to note that in the House of Commons and in the House of Lords, at Westminster in the United Kingdom, a similar deadline of 12.00 o'clock exists where those Houses commence sittings at 12.30 p.m. In India and in Australia, deadlines exist for filing similar notices. These are by 10.00 a.m. for an 11.00 o'clock sitting in India and by 12.00 noon for a 2.00 o'clock sitting in Australia. For the guidance of hon. Members who may be new to this House and, indeed, even for the benefit of the older and more experienced hon. Members who may not have fully appreciated or remembered this particular practice, I wish to advise that notice of intention to seek permission to raise a

definite matter of urgent public importance must be submitted to the Speaker by 12.00 noon for the sitting of the House scheduled for 1.30 p.m. on the same day.

It would be in exceptional circumstances that such notices would be accepted after that time for consideration on that day. It is my hope that hon. Members would be guided accordingly. It may also be good for hon. Members to note that the primary object of the exceptional and extraordinary procedure of setting aside the normal business of the House to discuss a definite matter of urgent public importance is to draw the attention of the House to a recent matter of urgent public importance which has serious consequences but in respect of which, coming to the House by way of motion or resolution and giving the proper notice will be too late. The matter proposed to be raised should be of such a very grave character that it affects the whole country or its security, requiring the House to pay immediate attention by interrupting its normal business.

I thank you.

1.40 p.m.

PAPERS LAID

1. Audited financial statements and audited accounts of the Trinidad and Tobago National Petroleum Marketing Company Limited for the financial year ended March 31, 1995. [*The Attorney General (Hon. R. L. Maharaj)*]
To be referred to the Public Accounts (Enterprises) Committee
2. Working Paper on Equal Opportunity Legislation. [*Hon. R. L. Maharaj*]
3. The Anti-Dumping and Countervailing Duties Regulations, 1996. [*The Minister of Trade & Industry and Minister of Consumer Affairs (Hon. M. Assam)*]
4. The Anti-Dumping and Countervailing Duties (Subsidies) Regulations, 1996. [*Hon. M. Assam*]
5. Thirty-sixth Report of the Salaries Review Commission of the Republic of Trinidad and Tobago. [*Hon. R. L. Maharaj*]
6. The University of the West Indies Students Guarantee Loan Fund - Trustee Agreement. [*Hon. R. L. Maharaj*]

STANDING ORDERS COMMITTEE REPORT**Presentation**

The Attorney General (Hon. Ramesh Lawrence Maharaj): Mr. Speaker, I present the first report of the Standing Orders Committee of the House of Representatives (1995-1996) session.

MUNICIPAL COUNCILS 1996 ELECTIONS (SPECIAL PROVISIONS) BILL

Bill to make special provision for the publication and revision of the list of electors qualified to be electors in the municipal councils elections of 1996 [*The Attorney General*]; read the first time.

HABEAS CORPUS (AMDT.) BILL

Bill to amend the Habeas Corpus Act Chap. 8:01 [*The Attorney General*]; read the first time.

RENT RESTRICTION (RE-ENACTMENT AND VALIDATION) ACT, 1991 (EXTENSION OF)**[SECOND DAY]**

Order read for resuming adjourned debate on question [February 2, 1996.]

Whereas the Rent Restriction (Re-enactment and Validation) Act, 1991 (No. 36 of 1991) re-enacted the provisions of the Rent Restriction Act, Chap. 59:50, save and except subsection (2) of section 1 which was repealed and replaced therein:

Whereas it is provided by the said subsection (2) of section 1 as replaced, that the said Act shall continue in force until February 23, 1993 and may be continued in force for further periods of three years by resolution of Parliament:

And Whereas, by Resolution passed in the House of Representatives on February 12, 1993 and in the Senate on February 16, 1993, the said Act was continued in force for a further period of three years until February 23, 1996:

And Whereas the said Act will expire on February 23, 1996 and it is expedient that it be continued in force for a further period of three years commencing February 24, 1996:

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Be it Resolved that the Rent Restriction Act, Chap. 59:50, shall continue in force for a period of three years commencing February 24, 1996. [*Hon. J. Humphrey*]

Question again proposed.

The Minister of Housing and Settlement (Hon. John Humphrey): Mr. Speaker, the Rent Restriction Act provides for the right to restrict the rents on certain premises and to recover possession of such premises. The Act recognizes the rights of both landlords and tenants

Mr. Speaker, I will certainly not occupy 72 minutes. That should please the hon. Member for Diego Martin Central. Members on this side would have preferred to come to Parliament on this occasion to announce that there is no need to continue rent restriction. Unfortunately, the critical shortage of housing units in the society continues. Past and present governments have found it very difficult to come to grips with this nagging problem of the disability to direct the national energies and resources in order to satisfy the shelter needs of all our citizens. If there were not such a critical shortage, then we could safely remove the rent restrictions and enable the market place to resolve its problems. Quite obviously, the market has not been able to adequately service the needs of our people, therefore, we have to come to Parliament on this occasion to ask hon. Members to extend the Rent Restriction Act for a further three years.

One of the difficulties which we face in delivering housing units is the shortage of suitable land for housing. One of the reasons for this nagging shortage is that we are trying to crowd our people into too small an area of our land space. In fact, if we look at the settlement pattern of Trinidad in particular—Tobago does not suffer as badly as Trinidad does, but it also needs to be opened up with a road improvement programme to enable the people there to access the land more conveniently—an “L” shape that embraces from Arima in the east to Port of Spain and beyond which leads to Diego Martin West and around the Solomon Hochoy Highway to San Fernando, there is a high degree of settlement. In order to accommodate more housing land in that 20 per cent of the total land mass in Trinidad, it would mean taking more and more agricultural land out of agricultural production and alienating it for housing. This will have a very adverse effect on the national well-being because although housing is a very critical aspect of human existence, perhaps food is even more critical.

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It falls on us the obvious responsibility of opening up more areas for human settlement. That is why when we went to the electorate we presented an elections manifesto where we dealt with this problem. Allow me to quote from housing. Page 24 states:

“The UNC recognizes that housing is critical to the development process in both social and economic terms. It would take steps to distribute, develop and make land available at affordable prices for persons to build their homes.

It would pass appropriate legislation to give to squatters on lands belonging to the State and those of state enterprises, security of tenure. Steps would be taken for loans at special rates of interest to be available to poor persons for them to build their homes.”

Let me go back to the context.

1.50 p.m.

Mr. Speaker, the reason we directed our focus on the poor is that the market delivers for those who can afford. The state does not need to intervene to any great extent in the market-place for those in the society who can afford to pay the prevailing price of land and house construction.

Forty per cent of the society is in the poverty bracket. Forty per cent of our citizens cannot afford to access land far less the resources required for building houses, so we saw the mission of the state as being, not to get in the way of private enterprise and market forces, but to encourage private enterprise in the whole process of delivery, and to focus on helping those who cannot help themselves.

There are 100,000 families in Trinidad and Tobago who are poorly sheltered, inadequately sheltered or not sheltered at all, and it is a very, very, massive undertaking at this stage of our development to be able to deliver adequately to so many of our citizens. A large component of the poor have sought to solve their own problems and we have pledged to secure those and to assist them in improving the quality of their homes. But, Mr. Speaker, to provide accommodation for so many citizens requires the delivery of a great amount of land space and if we try to deliver that land space in the areas of the country presently adequately serviced by the road network and by infrastructure—electricity and water particularly—as I said before, we will have

to alienate land from other very important occupations. It means, therefore, that we must have a vision and commitment and it must be a very serious commitment to open up more of our country for the purpose of human settlements.

To achieve this, we need an orderly and planned approach. We cannot continue as we have been going in the past—what we call a *vaille-que-vaille* approach to settlements—where the planners have done very useful work and a number of our citizens have been trained in the skills of development generally, but where there is no cohesive direction established to enable all the participants in the process, in a concerted way, to deliver to satisfy our needs.

The very first stage that we envisage is to consolidate the planners into a proactive role; to end the days when our senior planners would be reactive to the process of development; to bring all of our practitioners into the process of delivery of shelter, and to pool the resources of the state and of the citizens, in this whole thrust, through private enterprise.

Let me read what we said in our manifesto, and then allow me to expand a little. Under the headline, ‘Construction’, at page 16 of the printed copy of the manifesto, I quote:

“No physical development projects can commence without proper planning or proceed if obstructed by government bureaucracy. The Town and Country Planning Division will be reformed and decentralized to speed up the process of plan approval as well as to provide the capacity for controlling unauthorized development.

The UNC will appoint an independent National Physical Planning Commission which will be given the responsibility for:

- Developing a Comprehensive Physical Plan for Trinidad and Tobago
- Developing a Code of Appropriate Standards
- Monitoring of the professionals who will be responsible for ensuring adherence to both the requirements of the National Plan and the Code of Standards. Appropriate penalties will be applied to ensure compliance.”

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Now, Mr. Speaker, just let me explain one thing before I proceed. This is a UNC Manifesto, and the present Government is a government of national unity comprising a coalition of two parties. This strategy is in fact very, very close, if not identical, to the strategy which was attempted in 1986 with the NAR administration. It is, therefore, shared by our colleagues in the National Alliance for Reconstruction. We have already worked out a common position on how we can plan in an orderly way, allocate resources and mobilize them in order to deliver adequate shelter.

I continue:

“The three main priority areas in project formulation will be:

- Repair and enhancement of the existing road network
- Infrastructure for agricultural production
- Adequate shelter with emphasis on housing.

It is anticipated that by directing and mobilizing all the resources of the nation’s construction industry towards building an adequate infrastructure for food production and human settlements, there will be massive job creation and an improvement in living standards.

In this regard a UNC Government will adopt the following proposals:

- Roads and bridges will be constructed on a large scale basis, giving access to unutilised areas of the country. Two major highway projects will be undertaken. One is a link between San Fernando and Mayaro and the other is an extension of the Churchill-Roosevelt Highway to Toco. The North Coast road will give access to the entire North for development for settlements, tourism, agriculture and for fisheries. This North Coast road will give another much needed access to Chaguaramas.
- A Ferry Port linking Trinidad and Tobago will be made between Toco and Matura at the most appropriate natural location.”

In fact, on examining this, we find Toco is in fact the most appropriate natural location closest to Tobago.

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- “— A massive road maintenance and improvement programme will be initiated with an instant response division being established to prevent pot holes from becoming craters in the nation’s roads.
- New settlements and those that will be expanded and enhanced will be based, in so far as it is feasible, on a philosophy where the land for development purposes is vested in communities and organized in co-operatives.”

Mr. Speaker, not to give the impression that Tobago has been left out in our thinking, we provided in the manifesto, a section on Tobago which reads as follows:

“The United National Congress recognizes the very special circumstances of Tobago and in determining the solutions to Tobago’s problems, we will always consult with the democratically elected representatives.”

2.00 p.m.

“We are aware of the substantial initiatives taken by the Tobago House of Assembly to facilitate economic, social and human resource development programmes in Tobago.

The United National Congress commits itself to reinforcing and accelerating these initiatives.”

I am very happy that we, in fact, have a government ably represented by the Members for Tobago East and West in the Cabinet of Trinidad and Tobago, which really reflects that and one which enables us to fulfil that obligation to Tobago.

In the Ministry of Housing and Settlements we have already taken certain initiatives towards accomplishing the objectives stated in the manifesto. I was delighted to find that the professionals in the construction industry have, in fact, organized their ranks under an umbrella organization called the Joint Consultative Council. In this organization there is one representative group which speaks for the engineers, architects, land surveyors, quantity surveyors, cost accountants and contractors—large and small.

It makes life much more convenient when one can sit with a small representative group to speak to such a wide cross-section of professional

disciplines. For example, the contractors are so well organized that there is no need to go out with single projects to invite competition among themselves. We have reached the stage where, when projects are identified, we can present them to the representative organization, which in turn, will present the projects to the whole spectrum of professionals. They are organized so as to divide their own ranks into specialist teams, each capable of delivering any aspect of construction.

The Government must, therefore, identify sufficient projects to enable all of the practitioners, both the contractors and the professionals to mobilise their resources fully so that we can deliver optimally to our people. We are not now in a position to do that for the simple reason that the development process, where shelter is concerned, is too confined.

One of the difficulties that we face is that although many years ago an exercise was undertaken to devise a national physical development plan, in the true sense, we really do not have a plan. We have a number of optional approaches that could be used in the planning and development process and that makes life very difficult for those involved in that process. There is too much discretion left to certain officers in the public service, starting, in fact, with ministers of the Government. When that discretion is not exercised fairly one would get distortions in the development process—sometimes worse than mere distortions.

This is why an attempt is being made to put the responsibility for developing the physical plan into the hands of an independent commission, and also to establish a code of appropriate standards. One of our difficulties in development is that when we borrow from the international agencies, their conditionalities, whether imposed or not, seem to make us think that we have to apply North American standards in the development of infrastructure. This country cannot afford to apply North American standards in providing roads, drains, water and sewage disposal facilities for all of our people—remember the figure, 100,000 units is required. The target is to try to deliver 10,000 each year for 10 years to be able to catch up with the shortage. We just do not have the resources to enable that. The approach used by our predecessors was to do a little at a time on the basis of those standards and to run out of funds. In many cases where projects were started they stalled because of lack of funds. Contracts were entered into and they could not be fulfilled because there was no money to pay the contractors.

This morning I had a meeting in my office to try to identify those projects which were stalled under the previous administration, to have them restarted and to hopefully complete them within the dry season. I am sure some of my

colleagues in this House would be glad to hear this because they have been asking me, “why was this project started several years ago and no work is being done on it.” They know that some of their constituents have applied for lands; the lands are sitting there, the Government started to build roads but they stopped. *[Interruption]* My colleagues can actually identify the areas I am speaking about.

Let me give a simple example of some of the constraints we face. When I toured the constituency of the Member for St. Joseph a couple weeks ago, in one squatter regularization project at Bamboo No. 3 I saw a new sewerage disposal plant; I saw a shining, gleaming, glistening pump. Outside the plant there was an electric pole with a wire dangling which was not connected to the plant. I asked the question, “if you have a plant which is completed, why not put it into operation”, only to be advised, Mr. Speaker, that not a single resident in that entire area had pipe borne water, far less a flush toilet, yet the plant was there at a cost of \$1.5 million. That is what we face! For example, we face other projects where the infrastructure has been laid down, where the plants have been built and the Water and Sewerage Authority cannot take them over, so they stay there and are not operational, and that is not the only problem.

For one of these mechanical plants to function there must be a certain amount of water delivered to the plant with what is required to be processed. If there are no houses built on the development, then there are no houses to deliver the water and the waste and therefore the plant cannot be started. But you cannot get houses on the site because you cannot get the final approval from the Minister of Local Government—take note—until the sewerage plant is operational. The sewerage plant cannot become operational because there is nobody to flush a toilet, because there are no houses built, because they do not have permission.

This is the kind of situation we have inherited and we have to deal with it. *[Interruption]* I am hearing from the Member for Diego Martin Central, “to discuss it around the Cabinet table”. They had four years of discussion around the Cabinet table and that is what they have handed to us!

A couple days ago I visited a plant. Let me give a little of the history of that plant: The plant was designed by a Trinidadian engineer, constructed by Trinidadian contractors, designed for a certain number of housing units and it is working now for many years without a single problem. It has now become a tourist attraction, believe it or not. They have added thousands of additional housing units to the very same system that was designed and developed initially, and it is functioning perfectly.

2.10 p.m.

Anyone who is interested—and if the babblers on that side would listen a little and take the trouble, instead of walking around meeting constituents; where there are 20,000 voters he might get 10 to come out and greet him—instead of doing that, take a drive to Trincity and see a plant at work.

Mr. Speaker, two days ago I met with the Executive Director of the National Housing Authority and my key advisers, and we took the decision to invite Prof. Phelps who was the designer of that plant to work closely with Prof. Peter Richards who is a landscape architect to design sewerage plants that can, in fact, be decentralized tourist attractions all over Trinidad and Tobago—very low cost, no long term maintenance design—which we can start to use immediately and therefore, housing can commence. That undertaking is now in the pipeline. We are going to have such a design, I have already discussed it with my counterpart, the Minister of Public Utilities, and we are going to do something about it. *[Interruption]*

Mr. Speaker, the Member for San Fernando East was once the Prime Minister of Trinidad and Tobago with the responsibility of solving these problems, and he is going about the place posing as a leader, but listen to the comments that we are getting from him. I went there myself and I am inviting him to go because it is an eye opener; I saw the alligators and the swamp birds in profusion, *[Interruption]* the caiman if one wants to call it that. Mr. Speaker, that is what the taxi-drivers take the tourists to see. It was not even designed with that in mind far less if we design it with that in mind.

Mr. Speaker: Hon. Members, I feel that we owe it to our colleague to allow him to be heard and to allow me to hear what he is addressing to me. Please.

Hon. J. Humphrey: Mr. Speaker, on the eve of the 1986 elections Members on that side sought to pull the wool over the eyes of a major part of our population, the squatters. After three months in office this draft legislation for regularizing the squatters of Trinidad and Tobago was handed to me today. *[Desk thumping]* The legislation that they were seeking to impose was torn up and dumped in the waste-paper basket where it belongs. *[Desk thumping]* Let me assure you, Mr. Speaker, it did not assist in the exercise of drafting this legislation, but that is a little premature for me to deal with.

Mr. Speaker, we have been told that the international lending agencies are totally inflexible, and when one gets tied to a loan one cannot go back to them and

get any kind of changes in the approach that is used. A multi-million dollar loan was imposed on this country by that regime. That is not workable. Listen to what he is saying, Mr. Speaker, in other words, they did nothing, everything they did was actually continued from what the hon. Member for Tobago East had started. Admit it at last! They did nothing. They came in and inherited things and did not even know how to properly manage them. [*Desk thumping*]

Mr. Speaker, there are lands that are developed; roads, water, sewerage disposal plants are built at tremendous cost and people will not build their houses. Why? They cannot get proper title to the land to be able to go to the lending agencies to negotiate a mortgage. The Member is asking, why? Mr. Speaker, they are asking, why? Let them tell the country why, because I just came in and this is what I met. Mr. Speaker, something has to be done about that.

I heard from the 'pits' somebody say he had a letter, I just saw a letter signed by that very Member for San Fernando East, establishing that the policy of the PNM Government was to demolish the houses of squatters built after 1979—I have it in writing—and they were going to regularize squatters; they terrorized people by threatening to break down their houses. Mr. Speaker, they should not be permitted to make any noises. The people of this country should take gags and tie them around the mouths of all those Members, especially the Member for San Fernando East who has become the "chief heckler", no longer is he a leader of men, he is a "heckler."

I was able to sit down with these officers of the Inter-American Development Bank and get agreement on what the strategy was, but I discovered something; I thought that the imposition on Trinidad and Tobago was from Washington, they pointed out quite differently. The imposition placed on Washington was from the previous government, they laid out the guidelines of what they wanted the loan to do for the housing thrust. Mr. Speaker, I sat down with the officers and we, in fact, discussed an alternative approach. We were able to adjust the existing programme so that in the very near future we would be delivering housing units. In the next stage of development I have been able to persuade them that the Government's role must be confined to the lower end of the market, and since it does not put a burden on the taxpayer, focus on delivery of land. The bank has indicated, in principle, that it would be prepared to support the financing of a unit that can be used to start the process of shelter. The previous government scorned the Sou Sou Land programme but the little people of this country know how difficult it is to survive when one has no income.

Unfortunately, none of the Members on that side, perhaps with one or two exceptions, would understand that. The IDB understands that people without income still need to be sheltered, they become parents and they have innocent little children to tend, and it is incumbent on the state to provide the wherewithal for these little people to, at least, shelter their families. *[Interruption]*

2.20 p.m.

I will continue for my 75 minutes. I was not going to speak for more than five minutes, but they have riled me, Mr. Speaker, and even at this age, I can be riled still. *[Laughter]*

Hon. Member: The Member has a good memory, Mr. Speaker.

Hon. J. Humphrey: The fact is, Mr. Speaker, we are going to adopt a new approach, but we cannot adopt even that approach unless we can identify suitable land to develop that will enable our people to settle and to assist them in the housing thrust. It is extremely important that we open up more of our country for settlements.

I do not think the Members on that side even understand the principle that I am enunciating here, the principle of human settlements. Their programmes where they boasted during the oil boom years that they delivered so many housing units—what they did, they built these dormitory communities without any support services and everyone had to travel from his home to Port of Spain, or to Arima, or to Tunapuna for his requirements—food, medicines, education for the children and jobs for the adults. They had to travel, and what that has done is put a tremendous burden on the citizens because they have to pay to travel. It has put a tremendous burden on the society as a whole because there is a road network that is choked, and we have to be subjected to traffic jams because of the way they organized the settlement process.

Human settlement in the context of this Government, is to provide housing accommodation for people in an environment where there is land for agricultural production; industrial activity; commercial activity; recreation; worship; and for all the aspects that go to making life easier. This is what we are trying to do, and this country can do it because we have the land space; we have the professional skills required; we have contractors with a lot of heavy equipment—most of it

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sitting idle today, even though it is not rainy season. Our approach is going to be opening up more of this country with comprehensive settlements and the Members of this Cabinet are working very hard to enable this.

In my ministry, we have done a couple of things that will make that easier to accomplish. I inherited 100,000 square feet of space and discovered that we paid \$2.25 a square foot a month rental for that space with at least half of it totally unutilized. I have discussed with my fellow Ministers and we got agreement to locate within that space, a division of government that is extremely important to the development process. That division is under the Director of Surveys and Sub-Intendant of State Lands, and is going to be located there.

I invited the Joint Consultative Council to assist and they have offered to assist free-of-charge to plan the space properly so that the Director of Surveys can, for the first time in his work experience, have offices that were, in fact, planned for him and his staff.

We have also discussed with the Town and Country Planning Division the possibility of having an office of that division located in that building. I have discussed with the professionals, the possibility of aiming for a one-stop shop in planning approvals and I have discussed with them the principle of an open-door policy where the private sector professionals can come and work closely with the state professionals in developing projects from the conception stage all the way through to delivery.

I know all these ideas have been rejected by the Members on that side who choke themselves with that black tie adorned with the balisier plant, but all the professionals have accepted it. It puts them further and further away from ever seeing this side of the House and I try to advise them to be a little more sensible.

I have taken one other initiative which will impact on Members of this House, and a letter is presently being drafted by the ministry to be sent to every single Member of this House inviting the MP to go into his constituency, rally the people and identify the settlement needs of their respective constituencies. They will then come back to the ministry where we will arrange for professionals to work with them treating them as clients and developing projects; if there is any interest—and I am appealing to the people on this side who I know are intelligent. I know the appeal will be wasted on Members on that side, but hopefully not to all of them—I will be inviting them to do the work by talking to their communities; seeing what the community's needs are in the context of enhancing

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the human and physical environments. When they come back to us; we will connect them with the professional cadres; we will then develop these projects and we will see a development thrust across the country where there will be a degree of equity and every one of our citizens will benefit from the development process.

There has been a very imbalanced process. I have never met a Member from Tobago who was satisfied that enough resources of Trinidad and Tobago were directed to Tobago; I have never met a Member of the southern constituencies of Trinidad who was satisfied that enough resources were directed to the southern-most part of Trinidad, nor to the east of Trinidad—neglected areas. This is a thrust to which I hope Members of this House will respond positively to enable an equitable programme of development throughout Trinidad and Tobago.

Mr. Speaker, the Rent Restriction Act needs to be extended for a further three years, however, we are hoping that down the road, there will be no need to restrict rentals. Landlords and tenants will have other options.

2.30 p.m.

[*Interruption*] Mr. Speaker, everyone of them has an opportunity to talk in this debate.

Mr. Manning: Minister of Planning, Oropouche?

Hon. J. Humphrey: Mr. Speaker, there is another reason why we must extend the life of the Rent Restriction Act and that is, it is under that Act that the rent assessment boards were established. Now the rent assessment boards have an important role to play in settling disputes between landlord and tenant, but those boards function not only under this Act. Those boards administer the relevant provisions of the Land Tenants (Security of Tenure) Act, Chap. 59:54 and Orders made under the provisions of that Act. [*Interruption*] Mr. Speaker, before I take my seat let me remind Members that on July 31, 1994 an amendment was made to the Rent Restriction Act that takes all accommodation provided after that date out of restriction. There are no restrictions for anything built after July 31, 1994. Yet we have seen very little benefit from removing the restriction.

Mr. Manning: Why?

Hon. J. Humphrey: What we have seen is a number of rental units provided for the high end of the market, and few or none provided for the low end of the market. So, Mr. Speaker—

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Mr. Manning: Hon. Minister—

Hon. J. Humphrey:—with those words, I beg to move.

Mr. Sudama: The Prime Minister wants you to give way.

Mr. Imbert: The Prime Minister, Mr. Sudama?

Hon. J. Humphrey: I have finished. Your turn.

Question proposed

Dr. Vincent Lasse (*Point Fortin*) rose. [*Desk thumping*]

Mr. Narine: Facts. Not fiction.

Dr. V. Lasse: Mr. Speaker, I rise to make my contribution on the Motion now before this honourable House, the Rent Restriction (Re-enactment and Validation) Act, 1991.

Mr. Speaker, I am of the view that in order to comprehend the Motion before this honourable House it is necessary to state that the Rent Restriction (Re-enactment and Validation) Act, No. 36 of 1991 re-enacted the provisions of the Rent Restriction Act, Chap. 59:50 save and except subsection (2) of section 1 which was repealed and replaced therein. But, Mr. Speaker, before I go into the reasons for an extension, I think it is proper for me, at this point in time, to deal briefly with certain comments made by the Minister of Housing and Settlements, the Member for St. Augustine.

Mr. Speaker, as was done when I presented this Act some three years ago, the Member for St. Augustine utilized 75 minutes speaking about everything—history, World War II—and did not really address the question of the Rent Restriction Act and the reason for its extension. Mr. Speaker, there is a saying, “What goes around comes around”, and we find that the Member for St. Augustine, as the Minister, is now requesting an extension of three years. I thought he would have given the reasons—

Mr. Panday: He speaks better from the Opposition Benches!

Dr. V. Lasse: —for doing this, but instead he came here and started off by quoting the UNC manifesto on housing which is really three lines. They recognized housing as a critical factor and, of course, they would make lands available or affordable. He spoke about squatter regularization—

[MR. DEPUTY SPEAKER *in the Chair*]

and thirdly, loans to the poor. But, Mr. Deputy Speaker, I have a problem with the Member for St. Augustine, because it seems to me that every opportunity he gets to involve himself in a debate which concerns construction of housing, he goes off on a tangent of building latrines instead of sewerage treatment plants. On the question of the sewerage treatment plant he was speaking of at Bamboo Settlement, I can recall, Mr. Deputy Speaker, when we went to Bamboo Settlement to explain to the persons there the terms and conditions under which they would be accessing their lots, the Member for St. Augustine, along with the Member for Oropouche and others, came there and insisted that what should be done instead was not to build a sewerage treatment plant because it costs too much, but that we should go back to the days of Rio and latrine, and again, today, I hear him with the same topic.

Mr. Manning: He has a latrine mentality!

Mr. Panday: It is world class, actually.

Dr. V. Lasse: Mr. Deputy Speaker, the Member for St. Augustine went on to speak about roads, drains and water, and I was wondering when he would come back to what we are here for. Mr. Deputy Speaker, many times I believed he was dangling precariously on the edge of being irrelevant but, as someone who is versed, he kept his line.

Mr. Manning: He is Minister of Planning; Minister of Agriculture—

Dr. V. Lasse: I want to make a point to correct a statement made by the Member for St. Augustine. He spoke about the construction work being held up at Tarouba and I must point out that that was done during the time when he was a Member of the Government, so he should check his records on this.

Another point he made which I think I must deal with at this time, is the IDB assisted programme. I mentioned this during the course of the debate. The Member said to us here that while he was on his sick bed, he summoned the representative of the IDB to discuss housing policy and the IDB loan. I find that is something rather strange.

Mr. Singh: He is hard-working. Is that strange?

Mr. Narine: Listen and you will learn.

Dr. V. Lasse: Whenever I have to discuss matters of national importance, I would always be accompanied by the Permanent Secretary, or somebody of that

nature. I would not invite a representative of the World Bank into my home while on my sick bed to discuss with him something of national importance.

Mr. Manning: Two of them alone! I do not know what you told the man.

Hon. Member: The same thing he said he told him.

Dr. V. Lasse: Mr. Deputy Speaker—

Mr. Humphrey: Would you give way for a second?

Dr. V. Lasse: I will give way.

Mr. Humphrey: Mr. Deputy Speaker, the Permanent Secretary and the chief planner in the Ministry accompanied the IDB representative, who in turn, was accompanied by one of his aides.

Mr. Panday: That is why he was saying that you were ill.

Mr. Humphrey: They would not understand that.

Mr. Narine: He is always ill.

Dr. V. Lasse: Thanks for the clarification. [*Interruption*] You see, Mr. Deputy Speaker, this is what the Member should have said. [*Interruption*]

Mr. Deputy Speaker, I now move to the IDB assisted programme. I believe the Member for St. Augustine, Minister of Housing and Settlements, is not fully in tune with that programme which was negotiated during the period of my colleague, the Member for Tobago West. What we did when we got into office was to look at all the programmes. What was good we went with and what was not good, we modified, and that was how the programme was set up.

Mr. Manning: Simple!

Miss Nicholson: You did not modify anything.

Mr. Manning: That was modified.

Dr. V. Lasse: It was modified because we observed that there was the question of affordability where persons had to pay up front \$25,000—\$30,000 before they could access a deed.

Mr. Narine: True!

Miss Nicholson: Nothing was modified. You have not given them their deed yet!

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Mr. Humphrey: In four years, not one!

Dr. V. Lasse: This was modified whereby persons can now access the deed when they pay a certain portion, for example, \$5,000 in some cases and \$3,000 in others. Having got the deed they can then go to a bank.

But you see, Mr. Deputy Speaker, there seems to be a fixation with the Member for St. Augustine, because he is continually referring to the land. We found that land by itself did not help a person to build a home. Instead of subsidizing the land we can construct a unit and subsidize the rent. We find that to be a pragmatic approach to deal with housing.

Mr. Manning: You see, the land point is a cultural point.

Mr. Humphrey: Explain that.

Dr. V. Lasse: I would give you a rundown of how many houses were built in a while.

Mr. Deputy Speaker, the Member for St. Augustine touched on the manifesto of the UNC, and I think it is only fitting, at this point in time, for me to re-educate him on the manifesto of the People's National Movement. [*Desk thumping*] Mr. Deputy Speaker, although when the Member for St. Augustine spoke on this debate the last time he quoted two pages—and this is *Hansard*—of the PNM's manifesto, let me say what the PNM manifesto said about housing. In keeping with the PNM manifesto of 1991, a comprehensive approach to housing has been initiated as well as a concerted effort to deal with the problem of squatting. Estimated expenditure in the 1992/95 period was TT \$355 million, broken down as follows: Sites and Services, \$141.7 million; squatter regularization, \$66.9 million; housing construction—and I want him to take note of this—housing construction, \$132.5 million, under the Public Sector Improvement Plan—

Mr. Humphrey: How much?

Dr. V. Lasse: —and we observe, Mr. Deputy Speaker, that as soon as this Government got into office they decided to decrease the PSIP relevant to housing by some \$50 million.

Mr. Panday: To pay for a debt you borrowed in 1991.

Mr. Imbert: 1991? Do not get confused, you know.

Dr. V. Lasse: Community facilities, \$14 million. Under Sites and Services, according to the PNM manifesto, pricing policy was modified to allow the cost of

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raw land and infrastructure to be spread over the life of the mortgage. Instead of paying \$25,000—\$35,000 up front, beneficiaries can pay as low as \$5,000 to obtain the deed. In 1993 and 1994 some 3,600 lots were developed in Bonair West; La Paille, Caroni; Harmony Hall, Gasparillo; Couva North; Debe; Malabar, Union Hall; Calder Hall, Tobago; and Orange Field Road.

Mr. Humphrey: How many houses were built?

Dr. V. Lasse: Mr. Deputy Speaker, under squatter regularization, and I am going back to the manifesto, infrastructure works have been completed at Bamboo Settlement No. 3; Madriga Triangle; Bridge Village, Pleasantville; Zone 8, Arima; New City, Valencia. Over 1,200 families have benefited from these development works.

Now, Mr. Deputy Speaker, the Minister was speaking about the legislation, and I will touch briefly on this. The main element of the squatter regularization is the payment of the premium, based on raw land cost at 25 cents per sq. ft. with partial recovery of infrastructure development and overall a subsidy of 40 per cent is being provided. This, again, Mr. Deputy Speaker, was subject to what I saw in the *Trinidad Guardian* today.

Mr. Manning: But they would never see that, because they do not read the *Trinidad Guardian*!

Dr. V. Lasse: The National Housing Authority infrastructure works are being undertaken on four sites, namely, Alexis Street, Morvant; Fairfield Estate, Princes Town; Morvant Old Road, Morvant; Five Rivers Estate, Arouca [*Interruption*] and, Mr. Deputy Speaker, I would end on housing construction because I believe it is relevant to the Motion now before this House.

On housing construction, 28 housing units have been completed at Bath Street, East Port of Spain; 48 units at Ramdial Mahabir Lands, Laventille; 52 units, Strikers Village, Point Fortin; 37 units at Bonair; 15 units at Buen Venue, La Romain; and an additional 105 units are being constructed by the Sugar Welfare Committee. Mr. Deputy Speaker, this is concrete proof of what the PNM Government have been doing within three to four years.

Mr. Narine: Performance! [*Desk thumping*]

Dr. Rowley: And that was only one facet of the programme.

Dr. V. Lasse: Let me come back to the Motion, Mr. Deputy Speaker. In order to understand why the Act should be extended, we should look at section 8,

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subsections (1) to (7) which dealt with applications to the Rent Assessment Board. Mr. Deputy Speaker with your permission, I shall read only certain parts of the various subsections because I believe the Minister, in presenting this Motion, fell short in not doing that.

Mr. Manning: That is right. He should have done that. A proper presentation should have been made.

Dr. V. Lasse: Mr. Deputy Speaker, section 8(1)—

“Where any premises are intended to be let as a dwelling-house or as a public or commercial building or as building land in any category of letting, any person proposing to let the same may apply to the Board to fix provisionally the rent which is to be the standard rent of the premises when they are so let and the Board may, after due enquiry, fix such provisional standard rent accordingly;

(2) Where any premises are intended to be let as a dwelling-house or as a public or commercial building or as building land, without having previously been let in the same category of letting, it shall be the duty of the person proposing to let the same to apply to the Board under subsection (1) before the commencement of the tenancy to fix the provisional standard rent.”

2.50 p.m.

Subsection (3) which is relevant, states:

“The landlord or the tenant of any premises to which this Act applies may at any time apply to the Board to determine the standard rent thereof appropriate to the category of letting in which they are let.”

Subsection (4) states:

“The Board may, at any time, by notice in writing served on the landlord, require him to apply to the Board within a time to be specified in the notice for the determination of the standard rent of premises let in any category of letting; and, if the landlord fails to so apply, he shall be guilty of an offence against this Act; and the Board may determine such standard rent as though he had so applied.”

These provisions were relevant in order to even start determining why there should be an extension of the Act. When this was tabled in the honourable House on February 5, 1993, I said then, among other things, that the Rent Assessment

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Boards which determine applications for rent reviews by both landlords and tenants under the provisions of the Land Tenants (Security of Tenure) Rent Review Regulations, and Order 1992, were created under the Rent Restriction Act, and as such, the life of the Act should be extended in order for the Rent Assessment Boards to legally continue in operation.

I also cited that it was very relevant. I spoke about the unsatisfied demand for housing in Trinidad and Tobago. I would develop this theme as I go further. But any reasonable and prudent person would have understood that if there was an unsatisfied demand for housing, there was all reason to have the Act extended. But you see, it was the view of the Members on that side when they were in Opposition that the duty of the Opposition was to oppose at any cost. The hon. Prime Minister was the one who said, their duty was to make the PNM Government look bad; their duty was to oppose at all cost. He told me once that he agonizes on his way to work because all he is thinking about is to make the Government look bad. But we, on this side, have no problem with that, as that Government is already making itself look bad.

We, on this side, will take a mature and statesmanlike approach to maintain the dignity of this honourable House. This is why, despite the clowning, we, on this side, would support this Motion, because we believe that the circumstances have not really changed significantly. Therefore, I speak of a reasoned approach. This reasoned approach has been and would continue to be the approach of the PNM.

I must refer to the intervention of the Member for St. Augustine when this was introduced, when the shoe, as they say, was on the other foot. The Member for St. Augustine spoke about the total failure of the management of national resources—his typical words—to provide for the needs of the people of Trinidad and Tobago, when, in fact, the Member for St. Augustine was an integral part of the Government which managed this country during 1987 to 1991.

The Member for St. Augustine also spoke about the genesis of the Rent Restriction Act and the conditions under which it existed in 1941 during World War II. All this is history. He went on to state, and I must quote here from the *Hansard* of January 5, 1993:

"It is quite clear that at that time we could not mobilize resources required to satisfy the needs for shelter of our people, both for homes and other types of shelter...commercial etc., because we were contributing to the war

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effort... so even though it was recognized that it was important to provide adequate shelter at that time, 1941, we realized that we could not provide adequate shelter. Therefore restrictions had to be imposed on that shelter that existed."

You see, at this point, in my mind, I thought the Member for St. Augustine could have simply said that he agreed with extending the life of the Act, but he went on to speak for 75 minutes. What he did, in speaking for 75 minutes, was quoted two pages of the PNM 1991 manifesto, the whole section dealing with housing. What he said after quoting those pages were, and I quote:

"I do not think anybody could fault the objectives as stated in the PNM manifesto."

3.00 p.m.

He said that. What one is seeing is a confused mind. He stood up to quote the PNM's manifesto in order to make a point but turned around and said that he agreed.

Mr. Deputy Speaker, I want to set the record straight by indicating how much the PNM government had done between 1992 and 1995. This is relevant to housing construction.

[MR. SPEAKER *in the Chair*]

On assuming office in December, 1991, our approach was to critically examine the existing policies and programmes with a view to identifying those that can fit into our manifesto promises, modify them where appropriate, and carry them through. We had been able to achieve some success in doing so.

Mr. Speaker, we had decided to reactivate a comprehensive approach to housing which I hope this Government would see wisdom in following. We implemented the provision of fully serviced lots, which was started before we took office; the construction of apartments and starter houses; the provision of adequate community facilities in public housing developments; and wherever there were 400 or more lots developed under the IADB assisted programmes, community facilities were constructed. We went on to provide low interest housing mortgage loans; tax incentives and, of course, the regularization of squatters and provision of security of tenure for squatters, which we felt was very important.

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Mr. Speaker, I look forward to legislation being brought by the Minister of Housing and Settlements, because before leaving office we had already put in place an amended bill to deal with the regularization of squatters, so we would have an opportunity to see what he is speaking about and, of course, deal with whatever is presented in a reasonable way.

In 1995, the PNM administration had allocated the sum of \$123.5 million for housing construction settlements, and it was rather strange that this sum has been cut by some \$50 million when the budget was presented. I wonder if this Government is serious about the construction and provision of homes for the homeless. Why is it that they have decided to reduce the \$125 million for the PSIP by some \$50 million.

The People's National Movement had decided to continue implementation of a National Housing Authority Construction Settlements Programme and had put in place a \$214 million Accelerating Housing Construction Programme which we saw featuring prominently in the budget of this Government. We do hope the Minister of Housing and Settlements would be given the opportunity to carry out these programmes, because I observe that one of these projects, located at Morvant, where infrastructure works have been completed for the development of some 112 units has ceased—I hope I am wrong.

Mr. Speaker, I wonder why a project at Morvant has been singled out to be stopped by a Government spouting national unity? That is all. I wonder why?

Mr. Panday: To pay a \$900 million debt which you squandered.

Dr. V. Lasse: What happens in a case like that where lots have been developed and prepared for the construction of 112 units for which contracts have been awarded *[Interruption]* The Member for Pointe-a-Pierre wants to find out about Toruba. I would tell him that the Toruba project was stopped by the NAR Government. *[Interruption]* The Member would not understand anything any way.

As I was saying, Mr. Speaker, there ought to be 112 units constructed at Morvant. That would present an opportunity for employment in the area because we have calculated that for every unit to be constructed some five persons can gain employment. We are talking about over 500 temporary jobs that would be lost in the Morvant/Laventille area if that project is stopped.

Another point which is relevant also is the fact that wherever land is developed and is allowed to lay there, squatting would commence. So, I am

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appealing to the Government, on behalf of the Minister of Housing and Settlement—because I believe the strategy of the Members on that side is to make him look bad—to allow the projects which have already started, and where contracts have been awarded, to continue and not single out projects in certain areas.

Mr. Speaker, let me deal briefly with the achievements of the PNM administration with respect to the construction of houses. For 1994—1995 the plans and achievements under Sites and Services, as of November 30, 1994 of the Project Execution Unit of the Ministry of Housing and Settlements had reached to a stage of practical completion. The yield for these projects were 3,762 serviced residential lots. Occupation of some of the sites commenced in 1994.

3.10 p.m.

As at October 31, 1994, 2,031 beneficiaries selected lots; 1,673 have executed lot sale agreements and 408 deeds of title were issued. The PNM earmarked sites to be developed in 1995 by the Project Execution Unit, for example, in Caroni Village and Couva North, Phase 11. These sites would have yielded an additional 400 serviced lots. Also, in Toruba North, the National Housing Authority has decided to complete infrastructural works. If the hon. Member needs further information—

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

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

Question put and agreed to.

ADJOURNMENT

The Attorney General (Hon. Ramesh L. Maharaj): Mr. Speaker, I beg to move that this House do now adjourn to Friday, February 23, 1996 at 1.30 p.m.

Mr. Speaker:. Hon. Members, leave has been granted to the Member for Diego Martin Central to raise a matter on the Motion for the Adjournment of the sitting of the House.

**Trinidad and Tobago Publishing Company
(Prime Minister's Ban)**

Mr. Kenneth Valley (*Diego Martin Central*): Mr. Speaker, I appreciate very much your granting me leave to raise the following matter at this sitting as a matter on the adjournment. The matter relates to the actions of the hon. Prime Minister in excluding the *Trinidad and Tobago Publishing Company* and its employees and/or agents from access to official Government functions; access to members of the Executive and other sources of information.

The facts relating to this matter were outlined earlier this month in the media in general. On Thursday, February 1, 1996 the *Trinidad Guardian* reported "PM bans *Guardian*." It goes on to outline clearly what the Prime Minister said.

"Prime Minister Basdeo Panday last night declared that he intends to bar all members of his Cabinet from speaking with reporters from the *Guardian* newspapers in an effort to force the removal of the newspaper's editor-in-chief."

One would note that later on the hon. Prime Minister denied that he ever wanted the editor-in-chief to be fired.

"In the presence of the media complement at last night's opening of the San Fernando liaison office of the United National Congress, Panday also announced that reporters from the *Guardian* will be banned from attending events organized by the Government. He said that the invitation to the *Guardian* to last night's UNC event had been a 'major slip up.'

Said Panday: 'I will not speak with the *Guardian* once Jones P. Madeira is employed there.'

Panday describes Madeira as a 'racist, vicious and spiteful' whom, he claimed, was intent on destroying his Government."

In another part of the article the Prime Minister is reported to have said:

"Panday said he has already raised the issue of Madeira with Anthony Sabga, Chairman of the Ansa McAl Group which has a controlling interest in the Trinidad Publishing Company, publishers of the *Guardian*.

The Prime Minister also issued a call to *Guardian* reporters to write to Sabga calling for Madeira's dismissal on the grounds that he was preventing them from getting stories as a result of the ban."

Of course, a similar article was carried in the *Daily Express* expressing similar views. The facts with respect to that statement—at least, it was confirmed by the other arms of the media. On the Friday, the headline read:

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[MR. VALLEY]

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“PM sticks to his Guns”

and in small print:

“But Robinson laughs off talk of ban”

The article goes on to say that:

“*Guardian* reporters were last night denied copies of a speech delivered by Prime, Minister Basdeo Panday, at the Maha Sabha headquarters in St. Augustine.

Copies of the speech were delivered to all members of the media present except the *Guardian* reporters. Information Ministry official, Cheryl Johnson, who was responsible for distributing speeches at the ceremony refused comment on why none was made available to the *Guardian*.”

Mr. Speaker, what was worse, is the article on the following day, February 3, when it was reported that the hon. Prime Minister called out his supporters and the headline read:

“Panday: Use every means.”

He did not even qualify it by saying legal. He did not even suggest that the means had to be legal. Other persons, at other levels, would have been charged for inciting so that there was a situation that was extremely critical in our country. More than that, the issue did not simply remain in Trinidad and Tobago. If one has access to the internet one would know that this issue was carried on the internet and other branches of the external media. For example, on February 1, the internet was informed—

Mr. Speaker: Just out of an abundance of caution, lest Members get involved in answering some of the comments from the other side, which should not be made, I just want to indicate that in matters of this type the practice that I have inherited from previous Parliaments is that one has 15 minutes for doing this. I just wanted to indicate that for the avoidance of doubt.

Thank you.

Mr. K. Valley: Mr. Speaker, thank you for the guidance. I am aware of that and I hope you give me the injury time. I will be very quick. I just wanted to put the facts on the records.

I was making the point that it was on the internet so it did not merely remain in Trinidad and Tobago, but it was all over the world. Everybody with a computer

can go on internet and see that on February 1, PM warns the *Trinidad Guardian* to fire Madeira; February 2; the Prime Minister continues his war against the *Guardian*; February 5, temporary cessation in hostilities between the Prime Minister and the *Guardian*; February 6, Panday refuses to discuss *Guardian* with the journalist; February 7, press complaints authority to be established; February 9, Prime Minister agrees to lift the ban on the *Guardian*, February 12, the Media Association pleased with the settlement, February 13, threatened resignation at the *Guardian* averted.

3.20 p.m.

One can get copies of these articles and pull them down from the internet. The whole world knew of this threat to democracy and our Constitution. This whole episode has been very damaging not only to our Constitution and democracy, but also to our economy at a time when we can least afford it.

As a fact, this new Government without a track record is not known for spending time beforehand in coming to decisions, so that on the few decisions it had to make, quite a number of them had to be reversed. There is a certain level of uncertainty with respect to the economy and one sees that reflected in our exchange rate which has been known for its stability since the liberalization of the foreign exchange way back in 1993. [*Interruption*] It was then, but it is not now! In two months you will see!

Even though the newspapers recorded on February 10, that this matter had been settled, it raises a number of issues. We have not yet heard from the Government on its official position. We heard the Chairman of the *Trinidad Guardian* said that this matter was put in abeyance pending negotiations. Of course, it begs the question. One would have thought that the whole concept of press freedom was non-negotiable. When one sees the editors of the *Trinidad Guardian* threatening to resign, one would know clearly—and more importantly taking into consideration the fact that on February 1, the Prime Minister could have reported that he had already spoken with Anthony Sabga—it meant that this issue was in a “hush-hush” situation even before it came into public domain, and the Government was attempting some kind of negotiation to compromise the freedom of the press.

It is only now that we are hearing about this press complaints authority. The only time an individual who has been a lawyer for about 29 years knows there is a need for a press complaints authority in Trinidad and Tobago is when he becomes Attorney General and his Prime Minister makes a major *faux pas* with the press.

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Instead of advising the Prime Minister to apologize and go forward, he is talking about a press complaints authority.

I simply want to put on record some of the things this Attorney General said on August 26, 1994 with respect to press freedom on the motion Freedom of Information. He said:

“This Motion is asking for this Government to give effect to the spirit of the human and fundamental right to the freedom of the press and the freedom of expression by the Government . . .

This is a Motion to promote individual rights, and I am putting it in the context that I am probably taking on a Herculean task because this Government’s policy has been to take away safeguards and to take away individual rights.”

That is what he said about the government then. The human rights guy is not defending Mr. Madeira’s human rights. He is attacking that. He continued:

“Democracies, throughout the world, as I have said, have introduced measures to make government more accountable, and also to make freedom of expression and the freedom of the press more than just a right to let off steam. They have introduced measures to give effect to it. Article 19 of the United Nations Universal Declaration of Human Rights states that the right to freedom of opinion and expression includes the right to seek, receive and impart information and ideas.”

The critical one given the limitation on time is:

“Therefore, there is a moral and constitutional obligation on this Government to take steps to ensure that the freedom of the press is enjoyed, not in a narrow legalistic sense, but in a wide sense. That is to say, the freedom of the press includes the right of the public to get Government’s information.”

At present he is condoning the banning of a major sector of the media from getting government information. We are told that the issue is not raised in the Cabinet. It seems as though nobody in the Cabinet has even pebbles. They know what happens with the God Almighty. They know the path that Ramnath and my Friend here have travelled. I hope that by raising this issue this afternoon that the Government would be given an opportunity to say clearly where it stands on the question of press freedom. I think we want an unequivocal statement without any

dressings about a press complaints authority. We want a commitment to the constitutionally guaranteed position of freedom of thought, expression and press freedom with all its connotation. We also want to know clearly that no branch of the media or any of its parent companies would be dealt with in any way other than fairly and equitably.

Because of the involvement of the McAl Group in Trinidad and Tobago the Government is attempting to bring pressure on it to fire its editors and run its editorials. [Interruption] Nobody has to tell me about integrity. I learnt integrity as a little kid. Nobody can pay me to lobby for them. We want an assurance from this Government that the McAl Group will be dealt with fairly and equitably and that the editors at the Trinidad Guardian would be left to do their business. From time to time every politician would see an article that he/she does not like and believes that the information is incorrect.

3.30 p.m.

Every week we were written about in the *Trinidad Mirror*, but what did I do with my friend Ken Ali? I invited him to drink a beer. "Let me try to make sense with you." That is what we did. We do not try to ban newspapers. It is quite different when it happens at a lower level. When it happens at the level of the Prime Minister, all that is required is an unequivocal apology from him and then we can go forward.

I thank you, Mr. Speaker.

The Attorney General (Hon. Ramesh Lawrence Maharaj): Mr. Speaker, the issue which has arisen and which has been advocated here by the hon. Member for Diego Martin Central does not involve any threat or contravention of freedom of the press. What the issue involves is whether journalists can use the guise of the media to promote division and to undermine national unity. No one was prevented from gathering or publishing any information. No one was prevented from printing any matter. As a matter of fact, it is recognized that where there is prevention of the gathering of information—where the state has taken steps to prevent the gathering of such information—that can amount to contravention of a freedom of the press, but in this matter, the *Trinidad Guardian* was allowed and could have printed anything it wanted.

Mr. Speaker, the Member for San Fernando East, as Prime Minister, prevented the *Mirror* and the *Bomb* newspapers from entering press conferences. The Member for San Fernando East as Prime Minister did not call press conferences.

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[HON. R. L. MAHARAJ]

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He had secret meetings with individual editors. That was a contravention of the freedom of the press.

Mr. Manning: It is very nice of the hon. Member for Couva South to give way. Just for the record, the Member for San Fernando East never debarred anybody from attending any press conference.

Hon. R. L. Maharaj: Mr. Speaker, that is not true. The records would show that the Member for San Fernando East as Prime Minister did so, and I did not hear anything from the Member for Diego Martin Central or the Member for Diego Martin West. It is only as they are in opposition that the Member for Diego Martin West, the Member for Diego Martin Central, and the Member for Port of Spain North/St. Ann's West are talking.

In countries where freedom of the press is recognized, they have recognized that it is no attack on the freedom of the press if media ethics are developed. In European countries, in England, in the United States of America and Canada, there are complaints commissions, not to prevent the press from writing what it wants, but for complaints against journalists and editors, and for bodies to adjudicate so that reports can be published so that media ethics can be developed.

So, Mr. Speaker, the Member for Diego Martin Central does not know what he is talking about when he states that a complaints commission to promote media ethics would undermine the freedom of the press. As a matter of fact, in the United Kingdom, there is a press council, a press complaints commission and that press complaints commission exists although there is a common law right of the freedom of the press, and that is not an infringement on the freedom of the press.

In Sweden, since 1916, there was a press fair practices board which enjoined newspapers to contract to ensure that the rulings of the press ombudsman would be carried out. This machinery is not only for politicians, governments, or opposition, but members of the public to complain against the actions of journalists and editors.

In the United Kingdom, there is a broadcasting complaints commission which is a statutory authority and which exists in order to deal with unjust and unfair treatment in broadcasting. There is also a broadcasting standards council which would ensure— *[Interruption]*

Mr. Speaker: Hon. Members, believe me it cannot be done this way. I am entitled to hear. The people who have taken their time to come to hear you gentlemen are also entitled to hear. Please!

Hon. R. L. Maharaj: Mr. Speaker, I am much obliged.

Apart from a broadcasting complaints commission, which is a statutory authority in the United Kingdom, to deal with unjust and unfair treatment of journalists and editors in broadcasting, there is a broadcasting standards council set up under statute where complaints of bad taste, indecency and offensive and obscene publications, can be made. That authority has the power to monitor the levels of sex and violence on television and also for a code of conduct for journalists and broadcasters to be set up.

In 1984, in the United Kingdom, an independent broadcasting authority was set up to ensure that political coverage was on a balanced basis and that it did not offend good taste. In 1990, a few years ago, that was replaced by an independent television commission. The United Kingdom, European countries, Canada and the United States had similar bodies, and they have all committed themselves to the Universal Declaration of Human Rights. They have also signed the International Covenant on Civil and Political Rights which guarantees the freedom of the media, so it is recognized that these bodies do not offend the freedom of the press. As a matter of fact, there is no body in Trinidad and Tobago to deal with publications which are defamatory, but with which editors and journalists can use their skilful reporting to undermine national unity, promote race or any other aspect in the society. There is no machinery for a complaint to be investigated and for the newspaper to be compelled to print counter statements.

In these countries, it has been recognized that where newspapers and journalists can promote partisan interests and divisions these bodies are there, not to prevent the media from printing anything, but to develop media ethics and a standard of journalism in the society.

This Government has been able to do what the other governments have not been able to do. It has been able to get the media to agree that there should be machinery to deal with complaints in Trinidad and Tobago. The Government could have gone without that agreement; it could have taken measures without that agreement. However, the media has agreed and it should be congratulated and complimented for being able to say that it does not agree with the Opposition; that it wants machinery where media ethics would be enhanced and journalism improved.

3.40 p.m.

This Government is committed to the enjoyment of the freedom of the press. This Government recognizes that a democracy cannot function without a free press. This Government is there to ensure that the freedom of the press will be upheld.

I want to refer this House and the national community to some of the things the PNM has done to the press and we did not hear them at that time. In a report on April 23, 1960, the Prime Minister, at the time, Premier Dr. Eric Williams, burned the *Guardian* at Woodford Square and, in effect, he said, people should not buy the *Guardian*. [Interruption] Mr. Speaker, that was not compromise of the freedom of the Press! That was not destroying our democracy!

Mr. Speaker: Hon. Members, do you honestly think it is necessary for me to ask that we be able to hear the Member?

Hon. R. L. Maharaj: Mr. Speaker, on November 24, 1986, Prime Minister George Chambers refused to speak under television lights. He ordered the TTT crew to be out of the velodrome otherwise he was not going to speak. Ms. Ria Taitt, the political reporter, was pelted with ice cubes. There were people like Mr. Padmore stating that the *Guardian* was, in effect, trying to undermine the Government. That was not a compromise of the freedom of the press.

As a matter of fact this Government did not interfere with TTT in preventing the opposition party from having proper coverage of political views. The High Court of Trinidad and Tobago, Justice Deyalsingh, on a Motion filed by Suruj Rambachan ruled that the PNM Government violated the freedom of the press in its policy at TTT. That was not compromise of freedom of the press!

This Government did not prevent newspapers from getting newsprint and had to file a constitutional motion in order for them to get newsprint. Mr. John Eckstein, whilst he was a minister and the Member for San Fernando East was the Prime Minister, went on television and accused Mr. Gideon Hanoomansingh of being less than honest and his ministers refused to appear on the programme as long as Mr. Hanoomansingh was the presenter. His ministers included the Member for Diego Martin Central and Diego Martin West and Mr. Hanomansingh was removed from the programme. That was not interference with the freedom of the press!

The Member for Diego Martin East, the then Minister of Works and Transport—[Interruption]

Mr. Speaker: I once more draw the notice of hon. Members to the fact that there is a time limit and insofar as one is prevented from being heard in silence, injury time will be given, as indeed it was given to the Member for Diego Martin Central.

Hon. R. L. Maharaj: Mr. Speaker, the Member for San Fernando East is getting chill in his bones. The Member for Diego Martin East, as Minister of Works and Transport prevented the TV 6 reporter, Natalie Williams from entering a government building to attend a press conference. That was not a breach of freedom of the press! *[Interruption]* Where were you at that time?

Mr. Speaker, all of a sudden, under this Government of national unity, where a journalist can be seen to be using the media as a way of trying to destroy national unity and to promote division, this hypocritical Opposition gets up in this Parliament to say what has been done is a breach of the freedom of the press.

In concluding, I am saying that if there is any government in Trinidad and Tobago for oppressing the press, destroying the freedom of the press, undermining the freedom of the press, it is the PNM Government.

I thank you.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 3.47 p.m