

HOUSE OF REPRESENTATIVES*Friday, June 14, 1996.*

The House met at 1.30 p.m.

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

1. Report of the Auditor General on a Comprehensive Audit of the Revenue Protection Function of the Customs and Excise Division of the Ministry of Finance. [*The Attorney General (Hon. Ramesh Lawrence Maharaj)*].
To be referred to the Public Accounts Committee.
2. Annual Report and Accounts of Trinidad and Tobago Unit Trust Corporation for the year 1995. (*Hon. R. L. Maharaj*).

**SCHOOL TEXTBOOKS
(STANDARDIZATION OF)**

The Minister of Education (Hon. Adesh Nanan): Mr. Speaker, for the information and benefit of Members of this House, parents and guardians, and the general public, I wish to place on official record the measures recently taken by this Government of national unity through the Ministry of Education to address the problem of school textbooks.

This Government is aware of the many varied and long-standing problems created by, what appears to be, an uncontrolled situation with respect to frequent changes in prescribed books for both primary and secondary school students. While neither being mindful of the legitimate interests and concerns of booksellers and publishers, nor of the need for updated texts, which reflect the current state of knowledge and practice in the various disciplines, this Government is deeply concerned over the heavy financial burden that parents and guardians must endure year after year. The problem is that books used in one year cannot be used in the next year, even by members of the same family. This Government is seriously committed to remedying this situation. The way forward is to standardize school textbooks. This does not mean all schools will be using the same text but rather schools will be free to select from a range of texts approved by the Standing Committee which is to be appointed shortly by Cabinet.

School Textbooks
[HON. A. NANAN]

Friday, June 14, 1996

As Minister of Education, I have taken the following actions:

1. A Circular Memorandum No. 99 dated May 28, 1996 instructing principals of all primary and secondary schools not to prescribe new texts for the 1996/1997 school year. The books to be prescribed for the new academic year should be the same ones used in the 1995/1996 academic year.
2. Instructed principals to arrange for the sale of second-hand books.
3. Instructed school supervisors to ensure that all schools adhere to the guidelines for prescribing texts for the 1996/1997 academic year.
4. Undertaken measures jointly with the Ministry of Consumer Affairs to ensure textbooks are sold according to the approved mark-up. The Ministry of Education will be monitoring this.

I am confident that these measures taken by this Government of national unity will help to alleviate the financial burdens which parents and guardians have had to endure through no fault of their own, brought on by the previous regime.

Thank you, Mr. Speaker.

**T&TEC/POWERGEN
(PRINCIPAL AGREEMENTS)**

The Minister of Public Utilities (Hon. Ganga Singh): Mr. Speaker, on July 21, 1993, the former Government of Trinidad and Tobago directed T&TEC to invite proposals from potential investors who were willing to participate in a joint venture project involving the generation assets of T&TEC in Trinidad.

The Government, in reviewing the various options available to T&TEC, had decided that this was the best approach to meeting the future generation needs of the country. A Joint Venture Project Team was established on August 3, 1993, with the International Finance Corporation (I. F.C.) as advisors.

A number of firms were invited to pre-qualify, and of the 15 firms that pre-qualified and to whom were issued information memoranda, six submitted proposals. After an assessment of the proposals, T&TEC selected the joint proposal submitted by SEI and Amoco. Negotiations commenced on May 4, 1994 and concluded on December 23, 1994.

The Power Generation Company of Trinidad and Tobago (PowerGen) was incorporated on November 22, 1994, to acquire the generation assets of T&TEC in Trinidad and to perform the function of generating electricity.

The vesting order transferring the generation assets to PowerGen came into effect on December 23, 1994.

Mr. Speaker, several agreements were negotiated and executed in order to facilitate the completion of the transaction. These agreements are as follows:

1. Formation Agreement
2. Government Implementation Agreement
3. Shareholders' Agreement
4. Power Purchase Agreement
5. Labour Agreement

Consistent with this Government's commitment to transparency and accountability, I now have the honour to lay on the table of this honourable House the following agreements:

1. Formation Agreement
2. Government Implementation Agreement
3. Shareholders' Agreement
4. Power Purchase Agreement
5. Labour Agreement

together with an executive summary of the same.

Mr. Speaker, we lay these documents in Parliament having requested and obtained the written consent of the parties to these agreements.

I would be grateful if these documents are lodged in the Parliamentary library for the perusal of hon. Members. A copy would also be provided for the hon. Speaker's library.

I thank you, Mr. Speaker.

1.40 p.m.

PROTECTIVE SERVICES (COMPENSATION) BILL

Bill to provide for the payment of compensation to officers of the protective services who suffer injury or die in circumstances arising out of and in the course of employment with the state. [*The Minister of National Security*]; read the first time.

The Minister of National Security (Sen. The Hon. Brig. Joseph Theodore): Mr. Speaker, I wish to present the Protective Services (Compensation) Bill. This Bill is designed to provide compensation for members of the police service, the prison service and the fire service who suffer injury, or die, in the course of their duty. For several years members of the various divisions of the protective services have died, were injured, paralysed or had suffered extensive injury while in the course of their duty.

Negotiations and discussions had been going on for some time. While the Police Service Act, the Prison Service Act and the Fire Service Act do cater for compensation to be claimed in the event of injury or death, each case had to be negotiated and there were no guarantees on the matter of the payment.

This Government has decided to bring this Protective Services (Compensation) Bill which would cover these three arms of the protective services to ensure that payments are made expeditiously to their widows or families when injury results in death, or to themselves when they are injured.

The major problem that came about was the length of time it took to settle the majority of these claims. This Bill is designed to ensure that a formula is prepared for computing the amount of benefits to which the person, or the person's nominee, is entitled. Furthermore, a committee has been formed to consider the applications from the claimants.

Mr. Speaker, as you know, increasing demands—

Mr. Valley: Mr. Speaker, on a point of order. I am looking at Standing Order 47, "Introduction and First Reading of Bills", and it does not appear to allow the Minister to carry on for this length of time. It does not even provide—

Mr. Speaker: There is provision for his introducing it. That is permissible.

Mr. Valley: Under Standing Order 47?

Mr. Speaker: That is permissible.

Mr. Valley: But, I am looking at Standing Order 47—

Mr. Speaker: Please proceed.

Hon. Brig. J. Theodore: Mr. Speaker, I am dealing with the background leading up to the Bill. Of course, one would amplify at the appropriate time.

Mr. Speaker, increasing demands have been made on members of the protective services, in particular, the police service, and as this honourable House knows there is the matter of the overcrowding of the prisons. This Government feels that it is appropriate, and important, that such a Bill be brought at this time.

While for many years it has been known that such a bill was needed, it has not reached this stage and I am very pleased to be in a position to move the first reading of this Bill in this honourable House and trust that the purpose for which it has been advocated would be met.

ARRANGEMENT OF BUSINESS

The Attorney General (Hon. Ramesh Lawrence Maharaj): Mr. Speaker, I beg to move that this House proceed at this stage with Motion No. 2 and thereafter with the continuation of the debate on the Immigration (Caribbean Community Skilled Nationals) Bill, after which we would proceed with Motion No. 1 under "Government Business".

Mr. Valley: Mr. Speaker, please. When the House adjourned on the last day, the information we had—

Mr. Speaker: The Minister having announced, it is not really in order for you to do that. I am going to put the question, and if, indeed, you require some time to consult with him I am quite prepared to allow that. Do you want to do that?

Mr. Valley: Yes, Mr. Speaker.

Hon. R. L. Maharaj: Mr. Speaker, I do not understand the objection. On the Order Paper there are bills and motions and we are asking to proceed with the motion for the acquisition of lands. There is no obligation on us to tell the Opposition that we are going to proceed with that motion. That is on the Order Paper and motions are normally proceeded with. We are also going to proceed with the Bill which we indicated that we are going to proceed with. The motion that we are going to proceed with first—before the bills—is a motion dealing with the acquisition of lands.

Mr. Valley: Mr. Speaker, you are aware that for good order, the Leader of Government Business would normally inform the Opposition of the order in which he plans to proceed with the matters on the Order Paper for the next sitting. That is done, quite simply, so that the Opposition would be able to prepare. Here we have a matter that the hon. Member wishes to proceed with and there was no foreknowledge that the Member wished to pursue that matter in that order.

I am suggesting that the hon. Member takes the point and that we proceed with the debate which was in progress at the last sitting so that we can maintain good order in the House.

Mr. Sudama: Do you recall what you used to do in this House?

Mr. Valley: Yes.

Hon. R. L. Maharaj: Mr. Speaker, I have been in this Parliament, in Opposition, whilst the Member for Diego Martin Central was Leader of Government Business. It had been the practice of his government not to inform the Opposition with respect to motions of acquisition of lands. Therefore, there is no convention of that. Motions for acquisition of land are simple matters and we see no plausible objection for the motion for the acquisition of land not to be dealt with.

Mr. Panday: This is for public purposes.

Hon. R. L. Maharaj: Which is for public purposes.

Question put and agreed to.

LAND ACQUISITION

The Minister of Agriculture, Land and Marine Resources (Dr. The Hon. Reeza Mohammed): Mr. Speaker, I beg to move the following Motion standing in my name:

"Resolved:

That this House approve the decision of the President to acquire the lands described at Appendix 'B' for the public purposes specified."

Mr. Speaker, for the benefit of Members of this House, the description of the lands, and the purposes for which they were acquired, are itemized in the appendix to the Order Paper with which all Members were provided. It should be noted that

the procedure of acquisition in one of these cases was initiated as far back as 1988. Parliamentary approval is therefore long overdue.

Through you, Mr. Speaker, I wish to advise this honourable House that the 1994 Land Acquisition Act is due to be proclaimed on Monday, June 17, 1996, after much delay by the previous administration.

The Ministry is enhancing the efficiency of the process of acquisition.

Mr. Speaker, the parcels of land as identified in appendix 'B' refer to:

- (a) land located at Penal in the ward of Siparia in the county of St. Patrick comprising 15 parcels situated at Penal between the Moora Dam and the Penal Power Station which are being acquired for a water pipeline reserve for the generation of electricity.
- (b) one parcel now or formerly belonging to Usuf Ali Syne which is being acquired for road access to the Moora Dam and water pipelines facilities.

Mr. Speaker, proceedings for acquisition were initiated on December 19, 1994 and authority to commence work under section 4 of the Act was issued on December 22, 1994.

The land listed under parcel No. 2 at Palmiste, in the ward of Naparima in the county of Victoria is being acquired for a national park. This is in keeping with the provision of a facility to be used for the promotion of healthier lifestyles for all citizens of Trinidad and Tobago.

1.50 p.m.

We only need to look at the physical appearance and well-being of the hon. Prime Minister who has used and continues to use this park on a regular basis. Proceedings for the acquisition of the subject parcel were initiated on May 13, 1993 with the section 3 Notice published, following which the authority commenced work on June 9, 1993 under section 4 of the Act.

Parcel 3 which refers to land situate off Cipriani Avenue, Morvant, is being acquired for the purpose of providing an access road off Cipriani Avenue. Proceedings for acquisition were initiated on June 9, 1988 with the authority commencing work on the said parcel the notice being issued on June 27, 1989.

Hon. Members, these acquisitions are in keeping with sections 3, 4 and 5 of the existing Land Acquisition Act, Chap. 58:01.

Land Acquisition
[DR, THE HON. R. MOHAMMED]

Friday, June 14, 1996

I wish to reiterate at this point, my Government's commitment to ensuring that these parcels are the last to which chronic delays, which now attend the process of compensating persons whose lands have been acquired by the state, are eliminated, and that effective Monday, June 17, 1996 the procedure becomes more humane and efficient.

Mr. Speaker, on a previous motion raised on December 1, 1995, the former Minister of Agriculture, Land and Marine Resources and Member for Diego Martin West is alleged to have said that the allocation of financial resources was one of the main reasons for the Act not being proclaimed under the former administration. The philosophy of this Government is that the proclamation of the Act should not hinge on whether or not there are funds. The Act should be proclaimed to allow this Government of national unity to further its plans.

Mr. Speaker, I beg to move.

Question proposed.

Mr. Colm Imbert (*Diego Martin East*): Mr. Speaker, notwithstanding the fact that on the last occasion we were gathered here in this honourable Chamber, the Attorney General in his usual style indicated that the Order of Business at this sitting would follow a certain pattern, we find ourselves debating a Land Acquisition Motion which we have no difficulty with, because it is necessary to correct the misinformation and misconception given to this honourable House by the Member for Princes Town.

The hon. Member for Princes Town conveniently forgot to indicate that the landmark legislation for land acquisition under which this Motion is being debated was formulated, conceptualized, prepared and passed in this House by the People's National Movement administration in 1995—put that in your pipe and smoke it—and the thing is, we are seeing a pattern of behaviour from the Government as they seek to take credit for our work; as they seek to take credit for the work done by the former Minister of Planning and Development who was directly involved in the conceptualization, preparation and passage in both Houses of Parliament of the landmark Land Acquisition legislation. They attempt vainly to take credit for that. They also seek to take credit for the projects and the land acquisition items themselves.

Let us look at the parcel comprising 17.2499 hectares in Palmiste, which I believe is the normal residence of the Member for Couva North—this side is a

national government—we were the ones who initiated plans to create a national park in that area. If one looks at the dates, the survey plans, signed by the Director of Surveys, are dated December 12, 1994. It was we on this side, who were proceeding with the process of acquisition to regularize the situation in the county of Victoria in the ward of Naparima in the area known as Palmiste in South Trinidad. We on this side, the truly national party, are the ones who sought to have all the survey work done and completed by June 30, 1995 for the regularization of the pasture in the Palmiste, Phillipine area. Did you hear the area, Mr. Speaker?

If one also looks at the first item, parcels of land containing together 0.8173 of a hectare more or less, situate at Penal in the ward of Siparia in the county of St. Patrick. This is to deal with the matter raised by the Member for Caroni East who is going to get himself into trouble if he continues on this misguided witch hunt in state enterprises—because he is taking basket and calling people's names—tarnishing the reputation of innocent people because he has been misinformed by mischievous persons.

If one looks at land acquisition Motion, No. 1 for a water pipeline reserve for the generation of electricity in Penal—the Penal Power Station—one of the largest power generation stations in the country.

2.00 p.m.

As I see this Motion before me, it reminds me of the good work the PNM did in sorting out the problem with the generation of electricity. Unless this land acquisition process is completed, the arrangement with the generation partner in Trinidad and Tobago Electricity Commission would be incomplete. We had put things in train. There is the Survey Order No. 5, 1995 on a plan of survey signed by the Director of Surveys, November 1995. We were doing our work. That electricity generation agreement had laid the foundation for the industrial development of Trinidad and Tobago. If we had not taken steps to deal with land acquisition for a pipeline reserve for the generation of electricity; to bring in foreign capital, technology and the latest equipment to give Trinidad and Tobago Electricity Commission the resources necessary to take this country forward into the 21st Century, then we would have been in a situation. If the PNM had not acted judiciously and expeditiously to deal with the emerging crisis in electricity generation, then this country would have been in trouble.

Land Acquisition
[MR. IMBERT]

Friday, June 14, 1996

This Motion scratches the surface of the foundation that the PNM laid in this country over the December, 1991 to November, 1995 period. As I see these land acquisition motions come through, I remember all that we did to stabilize the economy in this country; set the stage for industrial and economic growth, and to build the foreign reserves in Trinidad and Tobago, from a net deficit when we came into office, to reserves in November, 1995 exceeding US \$700 million. This was because of the good work of the PNM administration. I have to go back to look at what we on this side did to deal with the electricity problem in Trinidad and Tobago.

Land acquisition is just one part of it. There are many other parcels of land on which we initiated the survey work. I expect that the new administration, the UNC/NAR coalition, would bring to Parliament more and more evidence of the outstanding and tremendous work that the PNM did in rebuilding this country after December, 1991. As I look at this Motion for a water pipeline reserve for the generation of electricity, I recall the benefits that would come to this country from what we did for electricity.

Look at water! This is a water pipeline reserve. Water is essential for the cooling of the generation equipment. We have put in place a programme to create different categories of water that could be used in this water pipeline reserve which is going to the electricity generation plant in Penal. We were going to categorize water into potable water, industrial water and treated waste water and therefore achieve maximum efficiency in the use of the country's resources.

Because of our work the Member for Caroni East can now *gambage* all over the place. He can come in Parliament to lay on the Table what we did and talk about the kind of water that would go into this pipeline for the generation of electricity. He can indicate in glowing terms to this Parliament the excellent agreement which we were able to resolve with the Severn Trent people. When he came into this Parliament to confess and admit that the UNC/NAR coalition had no choice but to accept the arrangement that was entered into with Severn Trent for the benefit and long-term development of Trinidad and Tobago, and he was extolling the virtues of that agreement, I thought to myself that we could not have had better public relations for the People's National Movement, than the statement of the Minister of Public Utilities. He extolled all the benefits that would be derived from that water improvement arrangement which we put in place, leading to the type of secondary and industrial water that would eventually go through this water

pipeline in this reserve for the generation of electricity in the Penal area. It takes me back.

Look at this! The arrangement includes a road access to the Moora Dam, water pipeline facility and an access road in the Morvant area. All this was done by the administration of the People's National Movement. All these hon. gentlemen and ladies on the other side are taking credit for the work of the People's National Movement. I am amazed that the Member for Princes Town could come into this Parliament to talk about the work they are doing with the legislation and improving the land acquisition process.

I remember when we brought that land acquisition legislation into this honourable House, the hon. Member for Oropouche had nothing good to say about it, in his usual style. He criticized the legislation, the process of acquisition which was contained in the legislation and the methodology that we used.

Mr. Speaker: Are you on a point of order?

Mr. Sudama: He is misleading the House. We all supported the Bill when it came to the House.

Mr. C. Imbert: I am not giving way.

Mr. Speaker: If the Member is not giving way, you must sit.

Mr. C. Imbert: Thank you, Mr. Speaker, for your wise ruling as usual.

When the land acquisition legislation was debated in this Parliament last year, the Member for Oropouche had nothing good to say about it. Everything was bad with the legislation. He spoke for 75 minutes and it was pure criticism. Now the neophyte Member for Princes Town, a political infant, comes into this Parliament with barely six months experience, having no knowledge of the level of misinformation and diatribe that we had to suffer in this Parliament for the last four years, from Members as those for Oropouche, Couva South and Couva North. They attacked everything that we did. There was propaganda against the land acquisition legislation. The hon. Member for Princes Town comes into this Chamber and talks about the work they are going to do with this legislation. He seeks surreptitiously to assume unto himself the responsibility for the legislation.

It is a pattern of behaviour. I have seen a leaflet which has been handed out in Trinidad and Tobago during this election season. This is directly relevant to the matter at hand. I got this piece of mischief from a disgruntled UNC activist in my

Land Acquisition
[MR. IMBERT]

Friday, June 14, 1996

area. He had been by-passed as a candidate, so he was disgruntled. I was passing through, he handed this to me and told me to look at the nonsense those people had published. One of the items is directly relevant to the Motion on hand today.

2.10 p.m.

Look at this! They talk about a Government of national unity. I do not see any beam here. I see only a rising sun. That is the Government of national unity. They intend to marginalize the minority partner in their coalition. There is nothing in here that talks about the National Alliance for Reconstruction. Turn the page: Government of national unity—its achievements.

Mr. Speaker: I think we could all take judicial notice of the fact that on June 24 there will be a local government election. It was announced in the House, but in all seriousness I do not think it is necessary, with the few hours that we have, to concentrate on that. I think we should concentrate on the matter before the House.

Mr. C. Imbert: Mr. Speaker, as my hon. colleague from Diego Martin Central pointed out, I was warming up to the point. The point is, on page 3 of this piece of mischief, one of the achievements of the so-called Government of disunity is a national park at Palmiste, Phillipines. Have you ever heard more rubbish, Mr. Speaker?

If one looks at this land acquisition Motion before the Parliament today:

“The following parcel of land containing 17.2499 hectares more or less, situate at Palmiste, Phillipine, in the Ward of Naparima in the County of Victoria ...”

I am reading the Motion so that I cannot be accused by the other side of not dealing with the point.

“ ... described in the Schedule hereto and coloured raw sienna on plans of survey signed by the Director of Surveys and dated 9th December, 1994 ...”

Eighteen months ago! Eighteen months ago the PNM established the framework for the national park in Palmiste, but I am seeing a document being handed out in which the Government claims to have established a national park at Palmiste. Come on! They should be ashamed!

Mr. Speaker: Hon. Members, I honestly do not believe that this is the way you want to proceed with the business of the House of Representatives. I honestly do not believe this. You may proceed, please.

Mr. C. Imbert: Mr. Speaker, I am always guided by your ruling. I will ignore the mutterings of the Members on the other side.

What were the features of the legislation that we sought to bring to this Parliament under which this Motion is being debated today? It tells me that the Member for Princes Town just does not understand. He, too, is taking basket from the more experienced Members on the other side. One of the features of the land acquisition legislation, hon. Members, was the fact that when the Government acquired land, they had to pay for it right away. I do not know if they are aware of that. Under the previous land acquisition legislation, a person's property could have been acquired and after 15 or 20 years that person could still have been waiting for compensation, but the caring PNM administration, the true party of national unity, in 1995, decided that they would deal with this long outstanding burning issue of persons' lands being acquired and their waiting for years for compensation.

So, in the new legislation, which we brought to this Parliament and passed, we made it mandatory that property to be acquired from then must be compensated for within a particular time. So it was a tremendous advance in the law. What we in the PNM recognized was that unless there was a direct need for land belonging to the public, the Government should not seek to acquire it and leave persons waiting for compensation. We recognized that to be wrong; that it was unfair to acquire people's property and leave them in the doldrums for 20 years waiting for compensation. We, therefore, changed the law, notwithstanding the opposition of the Members for Oropouche, Couva South, Couva North and the entire other side. We made it much easier for persons to receive compensation when their lands were acquired by the state for public purposes.

We also cleaned up many issues—the whole question of river reserves which tied back to reserves generally. What we are talking about here is a pipeline reserve, and there is a problem in Trinidad and Tobago on the whole question of Government reserves. There are problems with highway reserves. There are problems with drainage reserves and water pipeline reserves. There are problems with utility corridor reserves. As I said before, if that political infant from Princes Town had taken two minutes to look at the debate in this Parliament on the land acquisition legislation, then he would not have come here and tried to take credit for the good work of the People's National Movement with talk about proclaiming law.

Land Acquisition
[MR. IMBERT]

Friday, June 14, 1996

What is the point of proclaiming a law if one does not have the machinery, funds and resources to implement it? What is the point in proclaiming a law if one is scrambling afterwards to compensate people, to put one's bureaucracy and one's bureaucratic machinery in place to implement it? There are two schools of thought. One is that one puts one's house in order first. One gets all the systems in place, establish a proper fund for the compensation of land acquisition and establish machinery for surveys and so forth to make sure that the Lands and Surveys Department is functioning efficiently. One must do all that, proclaim the law and then proceed with the swift and smooth process of acquisition.

The other school of thought which is now being propagated by the Members on the other side is: Do not worry whether there is machinery, equipment and facilities to implement legislation, just proclaim it, so that the hon. Member for Couva South can put it on his curriculum vitae [*Interruption*] I am talking plural here, Mr. Speaker, for the learned Member for Couva North, because the Member for Couva South has more than one curriculum vita, so it is curriculum vitae.

2.20 p.m.

It is clear to me that it is the intention of the hon. Attorney General, when he demits office—which would not be too long from now—to hold up his CV and say; “Look at how many laws I proclaimed! Look at how many laws I passed!” Mr. Speaker, he would get into a numbers game and say: “I passed 23 laws in six months. Or, I passed 47 laws in 12 months. I proclaimed Acts like the Land Acquisition Act.” He cannot implement the Act so why is he proclaiming it? It is a nonsense, Mr. Speaker.

There is a governmental process if one wants to change the way we do things in Trinidad and Tobago. If one wants to change the process of land acquisition—which is what we are debating today—one has to understand the various steps involved. One would have to get the legislation drafted and that is important. One has to ensure that, in an important piece of legislation such as the Land Acquisition Bill, that one has an input from all the various interest groups. One should not rush to the Parliament, as this Government of national disunity and disharmony is doing. It rushed to the Parliament, willy-nilly, *Bravé dange*, with bogus, defective and an incompetent legislation. They rushed and railroaded it to the Parliament. One does not do that, Mr. Speaker. That is not how governments operate. An efficient and competent government does its homework first. One should conceptualize the legislation, prepare a draft, engage in consultation, fine-tune the draft, then take it

to the legislative lawyers, to let them look at the wording of the law. One goes through a process and then comes to Parliament to pass the legislation and depending on the state of the machinery in the public service, one decides whether to proceed immediately with implementation.

The companies legislation is a case in point, Mr. Speaker. In the companies legislation where there was an agreement that that law would not be implemented for a period of time so as to allow companies in Trinidad and Tobago to acclimatize themselves with the new way of doing things as a result of that companies law, a whole process was gone through. I think the period there was over a year, Mr. Speaker.

When we brought the Land Acquisition Bill to this Parliament, on which this very Motion is hinged, we recognized there were weaknesses in the Land and Surveys Department. We were seeking to incorporate all the skills of chartered land surveyors in the country, to bring them into the process to speed up the whole process of implementation of government's decision-making. We used the same approach in terms of audited accounts for state enterprises. We implemented a system where private auditors could assist the Auditor General's Department by doing preliminary work and audits of state enterprises which would then facilitate the final audit by the Auditor General's Department.

Mr. Speaker, in the same way, we were seeking to incorporate all the chartered land surveyors in the country, in partnership with the Lands and Surveys Department, to clear the backlog of acquisition and all these matters in this land acquisition process. I heard the Member talk about something from 1988 and complained that it had taken so many years to come to this House. Mr. Speaker, who did the land acquisition in 1988? Who was in government? Who did not complete the process? Who did not complete the survey work? I would like to know. It is easy for people to come into this honourable Chamber and talk glibly when they do not know what they are talking about.

Mr. Speaker, I go back to the whole question and the process of land acquisition, which we transformed, radically, in 1995. We recognized that there were weaknesses in the bureaucracy, the administrative system, the methodology used in land surveying, and so forth. We therefore thought it imprudent—we did not think it appropriate—to proceed with the proclamation of this legislation immediately. We thought we should first put the machinery in place, make sure that the Lands and Surveys Department and the Ministry of Planning and

Land Acquisition
[MR. IMBERT]

Friday, June 14, 1996

Development were equipped to deal with the whole concept of land acquisition; that an adequate pool of funds was available in the requisite vote in the Ministry of Planning and Development, so that persons whose land was to be acquired under the new legislation, would be compensated promptly. We put time-frames inside there. We changed the whole system so that the Lands and Surveys Department could go onto lands and carry out preliminary engineering surveys, and so forth, to determine whether or not we still wished to acquire the land.

One of the fundamental changes that we made to the land acquisition was to introduce a, sort of, safety valve, an escape window, so that the Government's surveyors could go onto the land to do preliminary work to determine whether the land was, in fact, suitable for the purposes for which it would be used in the future. The legislation changed all of that, allowing Government's technicians to go onto the land and to save the country much expense and time.

In many instances in the past, land had been acquired and when the time came for construction it was found that either there were unsuitable soil conditions; the land was in a slip zone; or the land was unstable and not suitable for construction purposes. We therefore changed the whole system of land acquisition so that the state would be able to do proper surveys prior to land acquisition.

Another thing that we did was to deal with the whole vexed question of government reserves. In many instances—supported by Members on the other side, such as the Member for Oropouche—persons built properties on river reserves, on top of pipelines, on top of road reserves, and so forth. One of the biggest problems that we had was—Mr. Speaker, the blissful ignorance of the Member for Oropouche is apparent. If one drives up the Churchill Roosevelt Highway, at this time, in the El Socorro area, he will see that a person has built a dwelling house around a 33 KV high tension pylon—one of those large electricity towers—right in the El Socorro area. The person has built his house around that; the four walls of the house encloses this 33 KV line.

Mr. Speaker, I, as a former Minister of Works and Transport, had no end of problems in particular areas of the country where persons—supported and encouraged by the Member for Oropouche and others—decided to occupy road reserves, river reserves and, as I said, built on top of pipelines. When we sought to explain; “Look, if you build your structure in the middle of the river reserve, not only are you endangering other people with the problem of flooding, but you are

endangering yourself.” Do you remember in October, 1993, the problem we had in North Trinidad, where persons built properties on the banks of rivers and the raging flood waters was the result? We had a meteorological phenomenon in October 1993, which swept away these unstable properties in the river reserves and it is a problem that we have throughout Trinidad and Tobago. Let us look at the same reserve we are talking about here, Mr. Speaker:

“Fifteen (15) parcels of land containing together 0.8173 of a hectare more or less situate at Penal between the Moora Dam and the Penal Power station in the Ward of Siparia in the County of St. Patrick...”

I am certain, when one checks all of these 14 different properties here, one will find that in certain instances substantial construction has taken place in the very pathway where this pipeline reserve is going to pass. I am certain of it! One of the things we sought to do with the new land acquisition legislation was to deal with all of that and to try to sort out the logistical problems, where persons, encouraging great danger to themselves, families and properties, had built structures in dangerous locations.

2.30 p.m.

That is one of the things we did with this land acquisition legislation, Mr. Speaker. *[Interruption]* I am hearing the Member for Caroni East and I can say without fear of contradiction that he, too, although he was not in this Parliament, was one of those who encouraged persons to build properties in environmentally unsafe areas, in river reserves and road reserves. I remember receiving a letter from the Member for Caroni East concerning a property that was smack in the middle of a dangerous area. The people could have been killed just like that individual whose property is constructed with four walls along a high tension electricity pylon. *[Interruption]* A responsible party would have advised those persons not to build properties in an area such as that.

Can you imagine, Mr. Speaker, someone, as I have said, building his property around a high-tension pole? Any number could play. Any minute the building could catch fire and everyone could die inside there, but the Member for Caroni East thinks it is a good thing and that is the kind of abuse about which I spoke when I said that in this Parliament we had to withstand the diatribe of the Member for Oropouche. We were seeking to deal with situations where persons were endangering their own health bringing legislation to this Parliament to deal with Land Acquisition for the safety of the public, and yet Members on the other side

Land Acquisition
[MR. IMBERT]

Friday, June 14, 1996

are encouraging persons to put the lives and that of their families at risk in this whole concept of land and land acquisition.

It is amazing. If one looks at what has taken place in this country over the last six months, one sees there is a complete disregard for law and order. Why is that? Why are ordinary citizens taking the law into its own hands and why is there such disrespect for normal protocol such as obeying the rules of the road, traffic signals and so forth? It is because the party on the other side, in its whole approach to the concept of land acquisition, has demonstrated to people of this country that it is a good and proper thing to break the law and to encourage danger and environmental hazards.

The hon. Member for Couva South came into this Parliament with all kinds of motions that Point Lisas is a hazardous zone; it is a threat to the population in the Couva area; we must close down the Point Lisas Industrial Estate; and that no more energy plants must be built in Couva. I had heard it time and time again from the hon. Member for Couva South, and this brings me back to the whole concept of how they dealt with land acquisition. They sent a message to people that they can do whatever they please. They could do what they want; go where they like; build where they want. They could go in the river and build, go on the road and build, they could build their houses on the white line in the middle of the road. That was the message that they sent to people during the last four years and they are still sending that message.

Now that the hon. Member for Couva South is in Government, he conveniently forgets what he did and the motion he brought in this Parliament, and all the comess and confusion of getting Maxi-Taxi loads of people to come and march in front of the Red House to protest the environmental hazards in Point Lisas. He forgets all that and now the focus of the present administration is to put more and more energy sector plants in Point Lisas, the same place that was said to create an environmental hazard. Do you see why they call him Janus, Mr. Speaker? That is why they refer to him as that creature of Greek mythology—two faces—that is what Janus means, Mr. Speaker, two faces. Janus. His name is Janus. *[Laughter]*

Returning to this Land Acquisition Motion, Mr. Speaker, in the words of the hon. Member for Princes Town and I do not blame him, as I said and as I say from time to time there are a few Members on the other side for whom I have little regard. *[Words expunged]*

Mr. Sudama: Mr. Speaker, the man should be curtailed.

Mr. Speaker: I wish to say to the hon. Member that we came close to that on a previous occasion and as indicated, that insulting language has its place. To say that not every Member on that side is a scamp is to suggest that some of them are. There are limits to where one goes. Whether or not there is a Local Government Election coming, that is a no, no and should not be permitted. I direct that the statement should be expunged from the record.

Mr. C. Imbert: My sincerest apologies, Mr. Speaker. That was a slip of the tongue.

Mr. Sudama: Always slipping like a slipping gear.

Mr. C. Imbert: What I was saying is that there are some Members on the other side for whom one has a bit of regard.

Mr. Manning: Which one?

Mr. C. Imbert: We are talking about the hon. Member for Princes Town. It is marginal, on the border. But there are some Members on the other side for whom one could have a bit of regard.

Poor fellow, he should go back into the *Hansard* and read, do some research. He should go to the parliamentary debates in this Chamber and read what the hon. Member for Couva South and the hon. Member for Oropouche used to say. Even the hon. Member for Naparima, I suggest that he checks what he used to say. *[Laughter]* It is very interesting reading; especially what he used to say about the hon. Member for Couva North.

The hon. Member for Princes Town has brought this Motion and I ascribe to him all honourable intentions and let me clarify what I had said earlier. The Member for Princes Town is not a scamp. I do not know if that clarifies what I had said?

He has come into this Parliament, and has been told—at least I am assuming that, this is what I have gathered from what he has said. I cannot see a decent young man like the hon. Member for Princes Town doing this on his own—go inside and take credit for the PNM land acquisition and give the impression that it is yours.

Land Acquisition
[MR. IMBERT]

Friday, June 14, 1996

2.40 p.m.

Mr. Speaker, I see this pattern of behaviour, every day when I open the newspapers—today it is land acquisition, yesterday it was health sector loan, the day before it was agricultural sector loan. Poor fellow misguided into telling the national community that is the agricultural sector loan of the Government of disunity on that side. If it is not land acquisition today, which they want to take credit for—

Mr. Speaker: Hon. Members, the speaking time of the hon. Member has expired.

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

Question put and agreed to.

Mr. C. Imbert: I thank you, Mr. Speaker, and hon. Members on the other side for extending my speaking time.

Mr. Manning: A still tongue keeps a wise head.

Hon. Member: What about a slippery tongue?

Mr. Sudama: What about if you are two-tongued?

Mr. C. Imbert: Mr. Speaker, the point I was making is that the hon. Member for Princes Town has brought this Motion here today and sought to give the impression that this is the work of the other side.

As I said, I open the newspapers every day and I see the same pattern of behaviour. I see the Minister of Health, the Member for Caroni Central, taking credit for the health sector programme developed by Dr. Linda Baboolal and Mr. John Eckstein in the 1992—95 period. I see the hon. Member for St. Joseph taking credit for everything the hon. Member for Diego Martin Central did.

I ask the hon. Member for Princes Town when next he comes into this Parliament to take credit for the work of the PNM, to do some research.

There is a water pipeline reserve for the Moora Dam for the generation of electricity. What is the purpose of that? Also, a national park in Palmiste. Who did that? An access road in the county of St. George. Who was responsible for that?

Everything in this Land Acquisition Motion was the work of the People's National Movement.

The Land and Surveys Department was moved by the PNM administration from the Ministry of Planning and Development to the Ministry of Agriculture, Land and Marine Resources because we thought there were synergies—and, generally, the whole question of surveys and land acquisition and so forth—and it was best to take the various strengths of the Ministry of Agriculture, Land and Marine Resources and the Land and Surveys Department and put them together.

The hon. Minister of Agriculture, Land and Marine Resources has an important portfolio. He would see that tremendous groundwork, not just in land acquisition—although that was done by the former Minister of Planning and Development before the department was transferred—was done by his predecessor.

I ask the hon. Minister when next he comes to this Parliament to present, for the benefit of the House of Representatives, a land acquisition motion, that he does some research on the reasons the land was acquired and give credit where it is due.

If the People's National Movement administration had not transformed the process of electricity generation in this country, had not done all the groundwork and so forth, then this Land Acquisition Motion would not have been before this honourable House today.

There are other parcels of land that need to be acquired for completion of the agreement with the foreign partner in the generation of electricity. Much work was done in 1995 by the predecessor of the Member for Caroni East in the Ministry of Public Utilities.

All the land acquisitions have to do with the partnership arrangement for the generation of electricity and there are a number of other parcels of land which require the attention of this honourable House lest we be in breach of the agreement with Southern Electric. I ask him to expedite the process.

Mr. Speaker, the Members on the other side like to talk much. If one looks at this document, one would see that the Director of Surveys completed his work on November 14, 1995. Today is June 14, 1996; seven months after. Why has it taken seven months for this land acquisition document to come to Parliament? One calls that inefficiency. This is a demonstration of incompetence. All the hon. Member

for Princes Town had to do was to take the work that we had done in October 1995 and come to the Parliament in December with this Land Acquisition Motion.

I am not certain but I remember that the agreement with Southern Electric had an expiry date and the acquisition process for land had to be completed by a particular period, and there was a penalty.

I want the hon. Minister of Agriculture, Land and Marine Resources to tell me whether the Government of Trinidad and Tobago is in breach because of its incompetence in taking seven months to bring a routine, mundane, standard, straightforward Land Acquisition Motion to Parliament.

I want the Government of national disunity to tell this Parliament whether we are in breach because of their incompetence. The delay of seven months is totally unwarranted and it begs the question: Is this the way the Government of national disunity is operating? Things that should take seven days, are taking seven months to do!

Hon. Member: Look who is talking!

Mr. C. Imbert: Mr. Speaker, this Government came into office and met a well-oiled governmental machine. It met a number of programmes in place; a number of systems—management systems and so forth. What has it done? It stopped everything, mashed up everything, suspended everything, reviewed everything and in the process, the country has suffered.

It is not just land acquisition. As far as I recall, the deadline for the completion of this Land Acquisition Motion before the Parliament today has expired and I want the hon. Member to tell me if that is so. I do not know if he knows because he is just taking basket! Has the hon. Member for Caroni East advised him as to whether the deadline for the land acquisition has expired? Does the hon. Member for Caroni East know?

Mr. G. Singh: It is well within the time!

2.50 p.m.

Mr. Speaker, the tardiness, the sloth, the slackness and incompetence of the present UNC/DAC coalition is no more evident than in this Land Acquisition Motion; and in the way they are going about running the entire country. In several ministries, we had laid the groundwork for massive infrastructure development programmes and industrial reform. All they had to do, Mr. Speaker, was take the

ball and run with it. That is all they had to do. In the case of the water supply they had to come with their political “tail” between their legs to the Parliament and say that they are going ahead with the Severn/Trent agreement. *[Interruption]* I do not want to talk about those mysterious 25 cars which the hon. Member for Caroni East claimed had disappeared and mysteriously re-appeared. *[The Member for Caroni East rose]* You will have your chance.

Mr. Speaker, having been a member of one of the most successful governments in the history of Trinidad and Tobago, *[Desk thumping]* it pains me when I look at the efficiency with which we operated, the way we had gone about restructuring the entire economy; restructuring the public service, the whole Public Service Reform movement by my colleague, the hon. Member for Port of Spain North/St. Ann’s West. He was in the process of reforming the system of public service administration in the self-same Ministry of Agriculture, Land and Marine Resources which was one of the pilot ministries for the Public Service Reform effort. Mr. Speaker, I wonder if the hon. Member for Princes Town knows that?

It pains me when I see a land acquisition bill coming to this Parliament six months behind time. It tells me that the Government does not know what it is doing. We were supposed to have a massive road development programme going in Trinidad and Tobago right now! We had negotiated a \$800 million programme with the Inter-American Development Bank for refurbishing and rehabilitating roads throughout the length and breadth of Trinidad and Tobago. *[Interruption]* If the UNC/DAC coalition had simply followed through with the work which we had done, as we speak, the roads throughout the length and breadth of Trinidad and Tobago would have been reconstructed and rehabilitated. *[Interruption]* Our commencement date was March, 1996. Here we are in June, and we are looking at March 1997 as, perhaps, the only possible date for the initiation of construction work under the Comprehensive Highway Maintenance Programme developed, formulated, put together and prepared by the People’s National Movement government. Same thing with the National Drainage Development Programme. When I see that this Land Acquisition Motion is seven months late—a trivial routine matter; one page, and they take seven months to bring it into this Parliament—that is incompetence, Mr. Speaker. It tells me why the National Drainage Development Programme is also going the way of all flesh—dust to dust.

Mr. Speaker, we had also laid the groundwork for drainage rehabilitation in North, Central and South Trinidad and I, myself, had engaged in two years of negotiations with World Bank officials. I want to see them come into this

Land Acquisition
[MR. IMBERT]

Friday, June 14, 1996

Parliament and try to take credit for that! Because we had done all the design work; prepared all the contract documents—we had concluded all of the preparatory work. All they had to do was take the ball and run with it. But if they are going to take seven months to photocopy an addendum to a Cabinet Minute [*Laughter*]*—*that is all they did. They photocopied an addendum to a Cabinet Minute, because I remember the Cabinet Minute. All they did was photocopy one page and bring it to the Parliament and it took them seven months to do that, Mr. Speaker! And they talk about efficiency and performance. It is an absolute disgrace, Mr. Speaker, and it is the way they are running this country. They have shut down the country, [*Interruption*] with their vindictive witch-hunting, and their overwhelming desire. [*Interruption*] I heard my good Friend, the hon. Member for Tobago West, on a political—[*Interruption*]

Mr. Speaker: Hon. Members, it is extremely difficult for the *Hansard* Reporters faithfully to perform their work when several people insist on speaking when the hon. Member is on the floor. It cannot work like that. Believe me, it cannot!

Mr. C. Imbert: Thank you, Mr. Speaker. I can understand why this Land Acquisition Motion has taken seven months to come to this Parliament, when there is an hon. Member, like the Member for Tobago West, getting up in a public place and saying that when they come in, they are going to fire everybody, public servants and all! How can one operate a government like that? [*Interruption*] It is in the papers! Let the hon. Member get up and deny it! That when a new government comes in, the top people in the public service and in the quasi public service must go!

Dr. Lasse: That is dictatorship.

Mr. C. Imbert: This country is too small for that, with a population of just 1.2 million. I mean, it was in the spirit of elections, Mr. Speaker, I know she does not mean it.

Hon. Member: I hope so.

Mr. Valley: She means it.

Mr. C. Imbert: What! Mr. Speaker, when there is a person who has been in government once, been in Opposition; in their third or fourth term of office—I do not know how many terms the hon. Member has been here—[*Interruption*] Three? Getting up in a public place and saying, the way that the UNC/DAC vaps

coalition is going to do business, is to create disunity and disharmony. I am paraphrasing.

Miss Nicholson: I will reply tonight.

Mr. C. Imbert: Because when you get up and say ‘You see you, Mr. Permanent Secretary, you is a PNM, get outa here.’ Because that is what the hon. Member for Tobago West is, essentially, saying—*[Interruption]*

Miss Nicholson: I will reply to you tonight.

Mr. C. Imbert: —that when you get in, you must fire all the top public servants; all the CEOs in state enterprises; fire all the top officials in state enterprises. *[Interruption]* How can one run a country like that? Is that national unity, Mr. Speaker? Public servants, permanent secretaries, who have served—

Mr. Assam: Fire Imbert!

Mr. C. Imbert: —through a number of regimes?

Mr. Speaker, when I was appointed Minister of Works and Transport, my chauffeur *[Interruption]* assigned to the office of the Minister of Works and Transport had driven for Hugh Francis, had driven for Carson Charles, and he was a bit concerned about whether the incoming—*[Interruption]* I will come back to the whole question of Land Acquisition in a short while, Mr. Speaker. *[Interruption]* He was a bit concerned as to whether he would continue to drive for the new minister; and I said, “Certainly” and he drove me for four years, and is now driving the new Minister of Works and Transport.

Mr. Singh: And he drove Carson Charles, before you.

Mr. C. Imbert: And he drove Carson Charles and Hugh Francis; and the Confidential Secretary in the Ministry was Secretary to Francis; Secretary to Charles; Secretary to me, and is Secretary to the new Minister. At least, I can say in one ministry they do not appear to be subscribing to the vicious line of the Member for Tobago West that, when you come in you must fire all the top public servants. I came and met a Permanent Secretary there who was brought in by Carson Charles. I left him right there, and he performed faithfully and well for me for four years. *[Desk thumping]* What did the hon. Member for Tabaguite do, in line with the way they are operating this Land Acquisition Motion? I can understand why it is seven months late. *[Interruption]* When the hon. Member for

Land Acquisition
[MR. IMBERT]

Friday, June 14, 1996

Princes Town went in, he probably thought everybody around him was a PNM. Paranoia, Mr. Speaker.

Hon. Member: He is an American.

Mr. C. Imbert: The Secretary is a PNM, the Permanent Secretary is a PNM, the driver is a PNM. That is probably the kind of paranoia that is instilled in all members of the UNC/DAC vaps coalition. *[Interruption]* What did the hon. Member for Tabaquite do? He sent his two permanent secretaries on leave immediately. All symptomatic of this paranoid, neurotic, vindictive approach of the UNC/DAC vaps coalition that was brought to fruition, Mr. Speaker, in the words of the hon. Member for Tobago West in a public place where that hon. Member indicated that when a new regime comes in—

Miss Nicholson: On a point of order, Mr. Speaker.

Mr. Speaker: What is the point of order?

Miss Nicholson: Mr. Speaker, I want to find out what the Motion is about, Sir.

Mr. Speaker: No, that is not a point of order. What I would say is this. If you think that there is contravention of one of—

Miss Nicholson: The point of order is irrelevance.

Mr. Speaker: If you think that there is contravention of one of the Standing Orders and you care to bring that to my notice, I will deal with it.

Miss Nicholson: Mr. Speaker, he is contravening all the Standing Orders. *[Laughter]*

Mr. Speaker: Would the hon. Member please continue.

3.00 p.m.

Mr. Imbert: I am not going to ask you for injury time, Mr. Speaker, but could you advise me as to how much time I have left?

Mr. Speaker: You have about four minutes left.

Mr. Imbert: As I said, all they had to do with this Land Acquisition Motion was photocopy it, taking seven seconds, but they took seven months to bring this here. As a matter of fact, I am certain that a PNM Minister could have done the

entire thing, photocopy it, bring it to the Parliament and pass it in the four minutes that I have remaining, Mr. Speaker. [*Desk thumping*].

Mr. Speaker, it is no wonder that this thing took seven months. It is clear the Ministry of Agriculture, Land and Marine Resources has shut down, just like the Ministry of Education when the approach of an incoming government is to fire public servants, to get rid of senior people, just move them out because they are PNM, or perceive to be PNM. People in this country have a right to belong to the political party of their choice. It is in the Constitution. Right now there are people in the office of the Prime Minister who are UNC party activists, who get up on political platforms and talk on behalf of the UNC. They work in the office of the Prime Minister. But that is their right. It is the same way, under the Bill of Rights in the Constitution, people have a right to belong to the political party of their choice.

I want to say that I never found one public servant in the Ministry of Works and Transport—and there were public servants inside there who were personal friends of the former Minister, who went to Queen's Royal College with him. I remember that one of the top public servants in the ministry was a personal friend of the former Minister of Works and Transport and I welcomed him with open arms, and he turned out to be one of the best performers because of the way I dealt with him. I did not say, "you see you, you are a NAR", I said, "you are a qualified engineer; you are a public servant; I want you to handle this sensitive area of administration for me". He did an excellent job.

I would ask the Members on the other side, if they want to remain in Government for any period of time, if they want to last out the five years—I know the hon. Member for Tobago East is a man of principle, and he made a statement in a public meeting that the coalition would stay together so long as he does not have to compromise his principles, and his principles will be compromised very soon by the United National Congress. They are trampling on the principles of the Member for Tobago East every day. I know that sooner or later he is going to walk.

So that I support this Land Acquisition Motion and the only regret I have is that it was not brought in the first seven days of the Government of national disunity.

I thank you, Mr. Speaker.

The Attorney General (Hon. Ramesh Lawrence Maharaj): Mr. Speaker, we see that the PNM is in its true colours, very petty, simple-minded, not constructive and very obstructionist.

Mr. Manning: The language does not become you.

Hon. R. L. Maharaj: Mr. Speaker, if they have their problems in their party, they do not have to bring it to this House. The Member for Diego Martin East got up and insulted the Member for Diego Martin West, the previous Minister of Agriculture, Land and Marine Resources. He said that this is a simple thing to have photocopied and any Minister of Agriculture, Land and Marine Resources could have photocopied this and brought it to the House. Well, before the elections were called, is he saying that the Member for Diego Martin West was so incompetent, so inefficient, with no regard for the people's problems? He did not have to come to this House and insult his own colleague. If they have there problems in their party, they could deal with them. I know that they are having their problems. I know that the Member for Diego Martin East wants to be leader and the Member for Diego Martin West wants to be leader. But here it is they have come to this august body, the people's Parliament, to settle PNM squabbles.

For 75 minutes, the Member for Diego Martin East has stated that this is a simple matter and why has this Government taken seven months to photocopy an ordinary document. It is correct. This was an act of the previous administration and it is correct that the previous minister—

Mr. Manning: Mr. Speaker, I thank the hon. Member for Couva South for giving way. I wonder if he would care to tell us what is the date of the survey plan that accompanies this Land Acquisition Motion.

Hon. R. L. Maharaj: I am not talking about that. The Minister of Agriculture, Land and Marine Resources will answer that. I am responding to the nonsense that the hon. Member for Diego Martin East was talking for the last 75 minutes. I am responding to the fact that he is saying that his own Minister of Agriculture, Land and Marine Resources in his administration was incompetent. All that I am saying is that we agree with that, but he should not come to this Parliament and say that; he should deal with that in the PNM party.

Mr. Speaker, I could understand why the Member for San Fernando East is having problems with the Member for Diego Martin East.

Mr. Manning: The Member for San Fernando East is not having problems with the Member for Diego Martin East.

Mr. Speaker: Hon. Members would appreciate that in this place it is absolutely necessary to have some semblance of order. While the Member for Couva South is on his legs, it is perfectly legitimate for the Member for San Fernando East to ask him to give way, as he did just now. But to get up, without asking him to give way, and make a statement which would be recorded, is not right. I ask the Member for San Fernando East to take note of that. It is discourteous.

Hon. R. L. Maharaj: Mr. Speaker, I know that the hon. Member for San Fernando East is afraid to say that the Member for Diego Martin East is giving him trouble, so we understand his difficulties. But I could understand how he is having difficulty with the Member for Diego Martin East. As a matter of fact, many people are having problems with him. We know that two people are fighting for leadership of the PNM and the Member for Diego Martin East is saying that this PNM is so strong. But that is a party with no deputy leaders and two people fighting and the political leader walking all about washing motor cars. If that is the kind of unity they are talking about, well, then, they do not understand unity.

I think it will be correct and quite justifiable for me to say that the hon. Member for Diego Martin East reminds us of the clown of the Parliament. His contribution, really, was shameless, to say the least, because he could not have made any contribution to the extent to show why this order should not be made.

3.10 p.m.

Instead of making a constructive contribution, he utilized 75 minutes of Parliament's valuable time when so many other matters could have been dealt with.

Mr. Speaker, when one looks at the contribution of the Member for Diego Martin East, what did he say? He said that everything that this Government is doing, they were doing, but the population decided that issue. The population decided that the PNM was incompetent, inefficient and was totally unable to govern Trinidad and Tobago. He sounded like is a political cry baby; a cry baby with political tabanca. He made all these statements when there are so many important matters to talk about.

Mr. Speaker, what we have before this House is a simple matter. It is a matter in which decisions can be taken as the law provides for a resolution to be passed in order to give effect to land acquisition. This is really a procedural motion, especially where the other side is saying it was a policy decision of the last administration to effect this. If it was a policy decision of the last administration to

Land Acquisition
[HON. R. L. MAHARAJ]

Friday, June 14, 1996

effect these matters, what is the justification—when there are other matters on the agenda—for this Member talking about these matters?

Mr. Valley: The Member wants to deny us talking in Parliament?

Hon. R. L. Maharaj: I am not denying the Member the right to talk in Parliament. This is the reason we could not have brought these matters before. The Opposition takes so long to deal with one matter that we have to plan the order of business in the House. We could have brought this before. If the Opposition would not talk irrelevant matters and waste time we could have had other matters.

Mr. Speaker, yes, the people are suffering, but the Opposition, in its role as obstructionists, has contributed to that.

May I welcome the hon. Member for Diego Martin West to this House? I notice he has not been here for some time.

Mrs. Robinson-Regis: He was here last week, you were not here?

Mrs. Persad-Bissessar: Welcome him for today.

Hon. R. L. Maharaj: Welcome for today.

Mr. Speaker, the Member for Diego Martin East is trying to get credit—*[Interruption]* Do not ask me about time, or you would make me say things I do not want to say in this House about you and your time.

Dr. Rowley: As usual!

Hon. R. L. Maharaj: I must be indebted to you for giving us the information about Pouchet. *[Laughter]*

Dr. Rowley: Mr. Speaker, joke is joke, but I am not making that kind of joke with this gentleman. I want to go on record as saying that I do not communicate in any form or fashion with that gentleman. That comment is malicious and I ask him to withdraw it. *[Desk thumping]*

Hon. R. L. Maharaj: Mr. Speaker, the Member is asking me to withdraw it? We have the information, additional information, from the Member for Diego Martin West. I would not talk about the communication here. I do not intend to withdraw it.

As a matter of fact, the information was assisted by the Member for Diego Martin East, and I mentioned it on a public platform.

Mr. Imbert: Mr. Speaker, would the hon. Member give way?

Hon. R. L. Maharaj: Mr. Speaker—

Mr. Imbert: Mr. Speaker, would the hon. Member give way?

Mr. Speaker: It should be quite clear to the hon. Member for Diego Martin East that the Member for Couva South is not giving way so, the correct thing to do then would be to take your seat. The Member for Couva South may continue.

Dr. Rowley: Mr. Speaker—

Mr. Speaker: If it is on a point of order, I would deal with it; if it is to ask the Member to give way, I would not.

Hon. R. L. Maharaj: I am not giving way.

Dr. Rowley: Mr. Speaker, I am asking the Member to withdraw it!

Hon. R. L. Maharaj: Mr. Speaker, I said I am not withdrawing it!

Dr. Rowley: Then you are a liar!

Hon. R. L. Maharaj: Mr. Speaker, I ask—

Dr. Rowley: Mr. Speaker, I apologize for my language.

Mr. Speaker: Hon. Members the fact that we are going into a local government election is absolutely no reason to demean ourselves in our eyes and in the eyes above us. I ask you, I appeal to you hon. Members, I implore you to try to lift the standard—

Dr. Rowley: Talk to him!

Mr. Speaker: I have nothing further to say on it.

Mr. Imbert: Mr. Speaker, I am looking at Standing Order 36(5) which states that:

"No Member shall impute improper motives to any other Member of either Chamber."

Mr. Speaker, the hon. Member for Couva South imputed that I improperly assisted him in mischief against the Members on this side.

Mr. Speaker: Would the Member for Couva South please continue.

Hon. R. L. Maharaj: Mr. Speaker, I am not accusing anybody of improper conduct. That is proper conduct; giving vital information for the people of Trinidad and Tobago.

Mr. Imbert: Mr. Speaker—

Mr. Speaker: Hon. Members, if it is your wish that the House should be suspended for a while—

Mr. Valley: I think so, Mr. Speaker.

Mr. Speaker: You know you cannot speak to me like that. You know that that is not right.

Mr. Valley: Sorry, Mr. Speaker.

Mr. Speaker: What I am saying is that if it is the wish of hon. Members that the House should be suspended, or that the Speaker should suspend one or two Members from today's sitting, I assure you that that would be done!

I am saying that if it is the wish of hon. Members that, in terms of behaviour in the House today, we should suspend or Members should be suspended, I want to indicate that it is a course that I am prepared to take.

Please, would you continue Member for Couva South.

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

Mr. Speaker, I am supported by the hon. Member for San Fernando East who publicly said that this gentleman spoke to a politician, whom he knows, about this matter before it was revealed—the politician in Trinidad.

Mr. Manning: Would the hon. Member give way?

Hon. R. L. Maharaj: No.

Mr. Speaker, all that I was saying is that the Land Acquisition Act did not have its origin with the PNM. As a matter of fact, the NAR administration was responsible for drafting a land acquisition bill which, in effect, attempted to reform the laws with respect to acquisition. After all the work was done by the NAR administration, when the PNM got into office, it sabotaged the bill. In effect, the PNM could have passed that bill very quickly, but it took them until 1994 to pass that Bill.

3.20 p.m.

Mr. Speaker, from 1991—1994 it took a government three years to pass a bill which was already drafted—all the technical work was done. The Member for Diego Martin East comes to this House today to, in effect, pat the backs of the PNM for reforming land acquisition laws in Trinidad and Tobago. The PNM was not concerned and they were not interested in people who had to wait for compensation for years.

When the PNM was not taking steps to reform the laws from 1991 until 1994, the Opposition in Parliament put so much pressure upon them that they had to pass the law in 1994. The whole fight for reform of the land acquisition laws was the fight of the people on this side of the House, not the fight of those people on that side of the House. These are the political parties on this side of the House who are responsible for land acquisition reforms in Trinidad and Tobago.

As usual, the hon. Member for Diego Martin East got up and says things which are not true. Imagine the Member got up in this Parliament today, and said that the Member for Couva South undertook on the last occasion that we would not debate this Motion. I was not here when the House was adjourned on the last occasion. Only last week the Member was prepared to tell an untruth. He mentioned the Member for Couva South. When he says things, he does not like to admit what he says. I know he does not like to admit to whom he talks and when he talks to them and what he says.

The Member said the land acquisition for the Palmiste Park was the idea of the PNM Government. That is not true. In effect, all those decisions were made during the NAR administration and steps were taken then in order to have this implemented. It is the political parties on this side of the House which are responsible today for Palmiste Park going to the people for their recreational purposes. The Member for Couva North moved a motion in 1976 in this House to that effect. Mr. Speaker, enough is enough.

Why would the hon. Member for Diego Martin East get up in this debate and talk about the PNM being responsible for these matters? Do you know what he also talked about? The Member talked about the acquisition of the parcel of land which is to be used for the pipeline facilities and about T&TEC.

I remind the Member that out of the \$500 million which was paid to T&TEC, \$350 million went to the National Gas Company and \$200 million was used for the LNG project in La Brea. The \$200 million was used for the LNG project and out of

Land Acquisition
[HON. R. L. MAHARAJ]

Friday, June 14, 1996

that a substantial sum went to Trintoplan with respect to Dr. Lenny Saith. That money was thrown away by the PNM administration; the LNG plant thrown away by the PNM administration. The Member had the brass face to get up in this House although his Government threw away that kind of money which could have been utilized for education to in effect have a development plan for Laventille; a development plan for Beetham Estate. They threw away that money yet he got up to say that they must be given credit for these matters.

Mr. Speaker, the Member for Diego Martin East should apologize to this population for throwing away \$200 million. As a matter of fact, the Member for San Fernando East should get up after I make my contribution and apologize to the people of Trinidad and Tobago for allowing the Member for Diego Martin East to insult the population and also to apologize for throwing away that money. But they would not do that. That is the contempt which the PNM has always had for the population of Trinidad and Tobago. The reason for their being annoyed as to the performance of this administration is that they are seeing that this country is not being run on autopilot. This country is being managed. Things are happening. The Member talked about law and order. Law and order has been restored in Trinidad and Tobago. [*Desk thumping*]

Mr. Speaker, it would not be right for me to speak on certain matters today. I would say that the record of this Government shows that since this administration took office the measures it took in order to have law and order restored, the PNM administration did not do that in the 4 1/2 years it occupied office. I know why it could not do that; I know why it shadow-boxed with law and order. The shadow boxing would have continued but God intervened and saved this country from the PNM.

Mr. Speaker, it is incorrect for the Member for Diego Martin East to say with respect to drainage and all these matters, that the last administration put all these things in place for matters to fructify at this time.

As a matter of fact, when this administration took office, in almost every area lack of management was reflected; lack of administration and inefficiency. What was responsible for that was that the poor public servants were not receiving leadership and direction. The PNM Government was not providing leadership. One sees that the PNM in Opposition cannot provide alternative leadership. That disease is continuing. That is why today the PNM is asking for the Member for Arouca South to lead the PNM.

Mrs. Robinson-Regis: Mr. Speaker, could the Member give way? I know he does not respect women. I thank the Member for giving way. If the Member is now a Member of the PNM, I did not know. As far as I know, we have a political leader. Nobody has come to me with any such request.

Hon. R. L. Maharaj: Mr. Speaker, I always respect women that is why I gave way to her. I would not give way to the Member for San Fernando East. The mistake the Member is making is that the PNM does not have a political leader. The PNM has a person sitting in the office of political leader. The *de facto* leader of the PNM is the Member for Arouca South, and a very good leader too. As a matter of fact, the major debates in this Parliament cannot be done unless the Member for Arouca South is present. Requests have been made time and time again, “let us postpone this matter for the Member for Arouca South.”

I feel sorry for the Members for Diego Martin West and East. They would not succeed in their struggles and ambitions to take away leadership from the Member for San Fernando East.

Mr. Speaker the Member for Diego Martin East had the brass face to talk about the process of legislation. What does he know about the process of legislation? When he talked about the process of legislation, he showed his ignorance about it.

The Member tried to give an explanation for this Land Acquisition Bill which the PNM was so incompetent to pass and took four years to pass—in 1994—not becoming law.

This Land Acquisition Act, according to the Member, was so important for the people of Trinidad and Tobago. It was so important to redress the injustices of the people whose lands were acquired by the state so that they could get prompt and adequate compensation. The Member recognized that; the PNM recognized that but it took the PNM four years to pass it and the Member is proud of that incompetence. He then said his party demitted office without proclaiming the piece of legislation.

3.30 p.m.

What explanation did he give for that? He gave the explanation that it could not have been proclaimed because they had to put infrastructure in place for the legislation. This legislation does not need any compensation fund. Money has to be allocated for compensation for people whose lands are taken by the state. That is

Land Acquisition
[HON. R. L. MAHARAJ]

Friday, June 14, 1996

done under the previous law and this law. Is it difficult to allocate money for compensation? What is the difficulty about it? What infrastructure had to be put in place for him to do that? Is printing some forms difficult to do? A bill was already drafted. It took four years to be redrafted and when it came to Parliament, they left office and did not proclaim it. Who has to proclaim it? This Government of national unity. In what space of time? Less than six months. That is government action, performance, management, leadership, dedication, commitment and not hypocrisy!

That administration should be the last one to talk about matters like these, because it must recognize that when Parliament passes a law, the intention of the people is reflected in it. When the policy of any legislation is adopted by the people of Trinidad and Tobago through the Parliament, it is the obligation of Government to have that law implemented as quickly as possible. In respect of law and order, the PNM administration was not interested in implementing laws which it passed. This land acquisition legislation is not the only one. All the drug legislation was passed; they paraded all over the country and got the Chamber of Commerce and the media to say that they were dealing with crime. No machinery was put in place for those laws to be implemented. Has any forfeiture of assets of drug people occurred? Has money laundering been dealt with? All these laws were passed. There was big noise that the PNM administration was attacking the drug lord. What has happened?

The PNM, and Member for Diego Martin East especially, should be the last to talk about law implementation, institution and structures to implement legislation. They do not have commitment for that. The PNM Government did not have a commitment to promote law and order.

When the Member for Diego Martin East comes to this House and speaks about the Member for Princes Town, the hon. Minister of Agriculture, Land and Marine Resources being a political infant and neophyte and trying to make personal remarks against him in respect of a contribution well made, he should realize that this side of the House is different from the other side. I would tell him the major difference. On this side of the House there is leadership which can take people who are new in politics and build on their character and keep a team together. Not his side of the House! On his side of the House, infants remain infants; newcomers remain newcomers and those who cannot stay quiet always try to talk about everything to try to prove that they have ability. When that happens steps are taken to suppress whatever ability remains of the individual.

I would tell the Member for Diego Martin East that although the Member for Princes Town is a newcomer to this House, he is a new Minister. In the short space of time he has made more progress than he made in his ministry during the four and a half years that he was there. According to the Member for Diego Martin, the Member for Princes Town could not have made a photocopy of this order to bring it to the House. He said it was a simple thing. Any competent government could have made a photocopy of this to bring to the House. He succeeded the last Minister of Agriculture, Land and Marine Resources who is the Member for Diego Martin West. He was able to do it. *[Interruption]* It does not matter when the survey order was made. It is the responsibility of the Government to ensure that all those things are done quickly.

Seven months have passed and during this time in Parliament, we have passed several pieces of legislation. The Parliament sat so many times in seven months, that I think if I count, it would be seen that we sat more in seven months, than we sat in four and a half years of the PNM.

I believe that the hon. Member for Diego Martin East did not have anything to say. He decided that he would talk for 75 minutes to frustrate the legislative policy of this Government. He believes that in every matter which comes before this House, even though a matter was their policy and they supported it, many Members should talk to frustrate the policy and programme of this Government. We tell them that we welcome relevant debate and we are not going to allow the PNM to frustrate our agenda. In spite of debate, long periods and irrelevant matters, we would get through legislative agenda.

One must recognize that in any country where there is democracy, there would be occasions of change of government and a new government would have to confront itself with matters with which the last administration dealt. It would be totally irresponsible of any new administration to adopt the attitude that because it was done by the last administration, it would not be brought forward to the House. Therefore, it is the duty of the new administration to consider what has happened and bring it to the House. Similarly, it is the duty of the Opposition which was in administration to ensure that it does not try to obstruct the policies which it agreed to implement.

3.40 p.m.

Mr. Speaker, this happened in 1991. Before the PNM won the election, much hard work was done by the NAR administration and most, if not all of the

Land Acquisition
[HON. R. L. MAHARAJ]

Friday, June 14, 1996

programmes, were continued by the PNM. As a matter of fact, it was to that extent that the Member for Diego Martin Central had written a book, *In Defence of the People*. The things that he wrote in that book were totally different from what his Government was then putting forward. So it is not unusual for governments to have to carry out matters which a former administration started. I hope that governments would continue to do whatever is in the interest of the people regardless of changes of government.

In this case, the land acquisition reforms were started by the NAR administration. The Member for Couva North had been fighting for those matters by introducing a motion in the Parliament. It was the duty of the PNM Government to continue that. It might have taken a long time to continue it, but it was their duty to do it. Similarly, the land acquisition for Palmiste Park was started by the NAR administration and continued by the PNM administration.

The Member for Diego Martin East mentioned the environmental damage to the Point Lisas Estate and, I think, the Demerara matter. He said words to the effect that the Member for Couva South had taken a different posture, in Opposition, to the one he is taking now, and that he is two-faced. That is totally untrue. The PNM Government knew that danger existed for the people of Couva and the Couva Housing Scheme. They did not release that report to the population. It was the Opposition which got that report and confronted the Government to do something about the matter. The PNM Government did not do anything about the matter. When this administration took up office, we started to address the situation and the Minister of Planning and Development is working very hard. There has already been improvements in redressing that problem.

So what is the difference in posture? They created the problem and could not solve it for many years and here it is they want this Government to solve it in six months. I know they have a high regard for our competence, but some matters cannot be solved in six months. It will take a longer period of time.

The same thing happened with the people in Demerara Village. In Demerara Village, there were people suffering from lead poisoning. The Government knew of the problem. They did not tell the people of the problem. They kept the report secret because they were committed to secret government. The hon. Member for Arima could not have done it because he was on this side of the House. They asked the Member for Couva South to help them and he went. There were several meetings and the Member for Couva South, in opposition, provided representation

for the people of Demerara Village. All that the villagers were asking was to be relocated on reasonable terms and conditions, and the PNM Government was not prepared to do that. The PNM Government was putting high terms and conditions which the people in Demerara Village could not afford. The PNM Government wanted these people to be made vagrants. The record is there that we took the position that the people ought to be relocated on terms and conditions that they could afford.

The PNM left office knowing that the lead poisoning was damaging the brains of children. *[Interruption]* Mr. Speaker, it must be a very weak government which cannot do anything if one Member of Parliament tells the people not to move. That is an admission of weakness, but it is not new to them. They said that they could not solve the crime problem because the Member for Couva South was a lawyer appearing in defence of people. They could not keep law and order because the Member for Couva South was appearing as a defence lawyer and was finding all the loopholes in the law.

Whenever crimes were committed they could not solve them because of the Member for Couva South. They were in government and they say they could not solve the problems. That shows weakness, inefficiency and incompetence. I am not saying that I have much brain: it is because the other side does not have any. I am amazed when the Member for Diego Martin East gets up and makes these statements about these matters.

This is a simple Motion, but do you know what you will see here, Mr. Speaker? Member after Member will get up and talk and try to frustrate the passage of this Motion and try to go late into the night. We on this side of the House said that in order to serve the people, we will sit late into the night or early hours of the morning because we are the trustees of the people. They are the beneficiaries of that political power, therefore we do not allow time of day or night to prevent us from doing the people's business.

We want to serve them an invitation. We do not mind all of them speaking. We are prepared, in order to deal with the people's business, to meet at any time, any day.

Dr. Keith Rowley (*Diego Martin West*): Mr. Speaker, I just want to make a very brief intervention for the records. Let me begin by apologizing to you and to the House for having used very brief, unparliamentary language which the

Land Acquisition
[DR. ROWLEY]

Friday, June 14, 1996

circumstances warranted at the time. However, given the rules by which we are bound, I apologize. I hope you take no offence.

Mr. Speaker, it is a very frightening situation for me to sit here and listen to one of the officers of the state, namely the Attorney General, carry on with the kind of reprehensible conduct with which he has carried on this afternoon. I would like to go on record as saying that I have had no communication whatsoever with the Attorney General of Trinidad and Tobago outside of this Chamber. Any communication I have had with him was across here in the full view of Members. The Member got up here this afternoon, following a statement he made publicly about some Frenchman, involving the former Prime Minister, the Member for San Fernando East, a statement which caused him to say that he is considering appointing special counsel on all such important matters. For the Member to get up here and make the statement that he made and look at me straight in my face, tells me that we have a monster for an Attorney General. *[Interruption]* That does not matter to me, Mr. Speaker.

3.50 p.m.

What I find frightening is that anybody who holds public office, especially the office of Attorney General, symbolised by the scale of justice, could get up here and behave in the way he has behaved. Of course, Mr. Speaker, I can tell you, this Attorney General does not need anything from me to slander or malign anybody, so forget that.

The Attorney General spoke much about who should take credit and who should not. Mr. Speaker, I do not want to get into that because it does not matter. The bottom line is, they are the Government, they are responsible for the country today and they have certain things to do. The Attorney General was hoping for us to lose sight of that fact. I was not here when my colleague from Princes Town spoke so I do not know exactly what he said, but assuming that what he said led the Member for Couva South to say what he said, I think there is some problem. Let me begin by correcting a statement which he made that the NAR Government had completed and drafted that Bill on Land Acquisition. That is not true, Mr. Speaker. It is true that the work was initiated.

When I became a Minister in 1991, I met a committee under, I think it was Permanent Secretary, Dorothy Blackman, in charge of a team of technocrats, looking at this whole question of the review of the Land Acquisition Act. That work was in place. We continued to work with that committee to completion and

that eventually led to the preparation of that Land Acquisition Bill, which was brought to Parliament and was passed.

I do not know what all this story is about, Mr. Speaker. What I do know is that, as part of the divestment of 49 per cent of T&TEC's generating capacity, we had an arrangement, as the Government of Trinidad and Tobago, to deliver to PowerGen certain parcels of land which were important to T&TEC's outside plant; mainly routes for pipelines, waterways, sites for transformers and substations, and so forth. The new company, PowerGen, was so concerned about the bureaucracy of delivering this in a timely manner, that the Government and the new company entered into an arrangement which said that if these parcels of lands were not delivered and encumbered by a certain date, the Government would have been penalised some substantial sums.

Mr. Speaker, when I look at the item on page 2 of the matter before us today and I look at the 15 parcels of land which are on the schedule which says; a water pipeline reserve for the generation of electricity—if my memory serves me right, these parcels of land form part of the wider package of land which the Government is committed to handing over to PowerGen by a certain date, failing which, certain severe penalties will apply to the state. I do not know what the Minister said in his presentation, but I hope when he is winding up he would be in a position to tell us that these parcels of land are now being delivered in a timely manner to PowerGen, so that the state will not have to pay substantial thousands of dollars in penalties.

[MR. DEPUTY SPEAKER *in the Chair*]

I have heard much from the Attorney General about who did not do what and so forth. Mr. Deputy Speaker, as an integral part of the process for having these lands transferred from the state to PowerGen, one had to have the land surveyed. If one looks at the document before us, notwithstanding all the carryings-on of the Attorney General, one would see that the survey order for these parcels of land was No. 5 of 1995.

Mr. Deputy Speaker, one will also notice that the Director of Surveys completed the exercise by November 14, 1995. The general elections took place on November 6, 1995. On November, 7, 1995, there was a new government in office but all the public servants were still there carrying on with the state's work. This matter was completed by November 14, 1995. The Government brings it to the Parliament in June 1996, and the Attorney General sits here and makes a big

Land Acquisition
[DR. ROWLEY]

Friday, June 14, 1996

to-do about the previous government not doing what it was supposed to do, and suggesting that we delayed matters, and so forth. As of November 7, Mr. Deputy Speaker, the responsibility for carrying this matter through the processes lie with the present Government, of which the Attorney General is a part.

How could he come here today, having a simple matter completed in November 1995—I do not know what reason the Minister gave for bringing the Motion now, but if he did not give a reason then I am asking him when he winds up this matter to tell this House, why it is only now being brought here. He would also have been told, I presume, by the public servants, that there was a deadline to meet with this matter. He must tell this House whether, in fact, today's passage—which we support—of this Motion will enable him to have the state discharge its responsibility so as to evade the penalties with respect to PowerGen. He must tell us that, not all the hoo-haa that the Attorney General carried on with. He must tell us the facts relating to the matter.

If, in fact, as I suspect, Mr. Deputy Speaker, this matter has been delayed unduly and the state is not in a position to deliver these lands to PowerGen by the date that they were supposed to have delivered them, and penalties now apply for the state to pay for that action. The responsibility for that negligence lies solely with this Government.

Mr. Deputy Speaker, you will recall that it was the identical situation with the Rent Restriction Act. The Rent Restriction Act was going to expire by the end of February and this Government came into office in November. They busied themselves with all sorts of things, some relevant and some not so relevant and they eventually brought the Act to Parliament after it had expired. We pointed out to them that this matter had already expired and would require re-enactment. The same Attorney General who carried on here this afternoon, gave us a long discourse of legal luminary terms. He spoke about all kinds of things, trying to denigrate our position. The end result was, Mr. Deputy Speaker, he had to come back, after having passed the first nullity, and we had to assist him in re-enacting that Bill. Shameless as he is, he did not apologise for his behaviour; he called on us to honour him for having come back to re-enact the Bill.

Today, it is the same behaviour. Having not brought this matter before—I do not know why, there might be a very good reason for it, but I am saying to you, Mr. Deputy Speaker, the document before us is there for all to see; this survey was

dated November, 14, 1995—the Government must tell us why it is only now coming to the Parliament.

4.00 p.m.

I guess he might tell us. He speaks about obstruction of the Government's agenda and I am hoping that someone on the other side would tell us what the Opposition did to obstruct the Government from bringing this legislation before the Parliament at an earlier time.

On the last two occasions when the Parliament met—while I appreciated the situation because I, too, wanted to go to the Stadium and watch the football game—you may recall that the Leader of Government Business was in the forefront of adjourning the Parliament twice to go to football. Yet he comes here today to say the reason for not completing this matter is as a result of obstruction from the Opposition. If the Government ends up paying \$500,000 in penalties to PowerGen, it can in no way be attributed to the Opposition.

Mr. Deputy Speaker, I do not have any problem with their taking credit for projects and it does not arise. What arises, is when the Government makes an issue of a matter and presents it in a way that is incorrect, what are we to do? The Government having presented it in a way that is not correct, because we are afraid to offend the Attorney General, we must not say anything about it? We are not afraid of him, you know.

He talks about fighting crime and whatever and last night a gentleman drew something to my attention about his crime fighting because he has a strange way of fighting crime. He pointed out that there was a Witness Protection Programme in this country for a fellow called Clint Huggins who was under that protection, and this fellow ever so often would walk out of his confined area. Whenever he leaves the area, the Defence Force would inform the police who would then inform the Attorney General because he was the Attorney General's witness in a very high profile case, so the system was in place that the Attorney General should be informed. There was Attorney General, Keith Sobion, Clint Huggins walked out a few times, the system worked. The Defence Force informed the police and the police informed the Attorney General. Huggins went out, he came back many times and he lived. There was another Attorney General after Keith Sobion, the Member for Siparia. Huggins came out once, the system worked. He goes out and comes back, he lives. We got another Attorney General, Huggins went out once, and he never came back. I say no more, Mr. Deputy Speaker. When the Attorney

Land Acquisition
[DR. ROWLEY]

Friday, June 14, 1996

General is talking about who told him what, one of these days in his garrulous state, mouth will open and story is going to jump out.

Hon. Member: A lot of stories.

Dr. K. Rowley: Mr. Deputy Speaker, we are talking about taking credit. I sat here last week and I listened to my colleague from Princes Town read a long statement about the Agricultural Sector Loan and he gave a great overview as to what is to become of the agricultural sector as a result of this loan.

I saw an article in the *Daily Express*, the verbatim section under the headline "A New Dawn for Agriculture" as a result of a \$73 million dollar loan. It outlined comprehensively, all the areas of reform that will take place as a result of this loan and all the actions that will follow to benefit farmers, including a social mitigation programme and technical assistance programme and so forth. Nowhere, either in the parliamentary statement or in the verbatim report in the *Daily Express* is any reference made to the genesis of all of these things that are to bring a new dawn to agriculture? If any reference had to be made, it had to be made to the previous Minister because I negotiated that loan which took a year and a half.

The policy document was signed in August last year by me, a PNM Minister in the last administration, and the Government was changed in November. The Minister spent all his time trying to renegotiate the loan because they believed they could re-invent the wheel, and after six months of trying, without changing a comma, dotting an "i" or crossing a "t" he ended up signing the identical loan last week and saying it is work he had done in six months. The Agricultural Sector Loan which was supposed to bring a new dawn to the sector was the work that was done by the previous Government, my ministry last year. It took a year and a half and the policy document was signed at the completion of the negotiation by Keith Christopher Rowley, Minister of Agriculture, Land and Marine Resources of the PNM.

[MR. SPEAKER *in the Chair*]

They have put out a document, Mr. Speaker, as part of their election campaign which makes reference to their major achievements and there are a whole series of them, but I will not talk about the trivial ones, I am talking about the main ones. They take credit for awarding exploration rights for Block 2A, Block 2B and Block 2C to BHP/Elf Aquitaine. For what are they taking credit? It is puerile, but I just have to rectify the situation. It was the PNM Government that adjusted the supplemental petroleum tax at a cost of \$150 million to the treasury. There was a

call for the adjustment of that tax under the NAR administration and for reasons best known to the Government, probably very good ones, they did not think at that time it was the best thing to do and they did not do it. When we came into office, one of the first major things we did was to adjust the supplemental petroleum tax—that windfall profit tax because there was no windfall being had. We did that for the expressed purpose of encouraging exploration and development of our potential oil and gas fields in the country. We had to take a one-off loss of revenue of \$150 million but we knew that later on we would make up for it in the revenues to come as a result of action that would flow from that decision.

As a result of that, we saw a tremendous response from oil companies worldwide in the oil and gas fields of Trinidad and Tobago and we eventually saw by 1994 exploration on a scale unprecedented in this country as a result of that monumental decision to adjust the supplemental petroleum tax. By 1995, having done exploration in other areas in the country, we were now in a position to offer new areas off the North East of Trinidad. Blocks 2A and 2C in phase I and Block 2B for Phase II.

An invitation document was issued in June of last year to all interested parties worldwide to buy bid packages with all the information at a cost of US \$10,000 per package so oil companies worldwide were able to buy those packages, come here and bid on the various blocks.

4.10 p.m.

The document had a schedule of activities. The seismic lines which were sold at US \$10,000 per package were dated March 1995; work done under the PNM administration. In June 1995, we invited bids. In fact, the programme was underway step by step.

The signing of the award of acreage for Phase II should have taken place in February of this year. This Government, for reasons best known to it, maybe reviewing the situation—because as we quite rightly said, a new government would want to review a situation if it so desires—but the bottom line is that in reviewing it they delayed it from February to June.

When they signed the document a couple weeks ago, what they were signing was no major achievement but they were then agreeing to continue a programme that was in place with specific target dates, and the last target date was missed by them in February and they were now catching up in June.

Land Acquisition
[DR. ROWLEY]

Friday, June 14, 1996

Phase III should commence in July to be completed in September but they are no where near to that.

While they are delaying major activity, they are coming to the Parliament and patting themselves on the back and taking credit for things they have not done. What is all this about taking credit? They have been in office for only eight months, nobody expects miracles of them but what we expect them to do is, at least, to speak the truth.

Mr. Panday: They did not expect miracles but they got miracles.

Dr. K. Rowley: The Government should not get up and take responsibility for things it has not done. It is not fooling anybody. That whole exploration programme was in train by public bids from June 1995, but the Government is taking credit now. For what is the Government taking credit?

Mr. Speaker, I will give a little snippet of the Government's idea of taking credit. Firstly, it is taking credit for reconvening the Parliament in November 1995.

Mr. Panday: That was to pinpoint the time that we started.

Dr. K. Rowley: Mr. Speaker, let me read for you what it says.

“Here are some of the major achievements:

- Reconvening of the Parliament by November 1995.”

Hon. Member: Are you not ashamed?

Dr. K. Rowley: Mr. Speaker, everybody knows that after a general election, the Parliament has to be reconvened. They feel good about it. I also feel good about it, but it is no major achievement. They are so crazy to find something for which to take credit. My Friend from Naparima would know that we have no problem with that! Listen to another achievement:

“- Presentation of the national budget on January 10, 1996.”

The election was on November 6, 1995; they presented a budget on January 10, 1996.

When we won the election on December 16, 1991, we presented a budget in three weeks.

Hon. Member: Look at the budget!

Dr. K. Rowley: We did not come here and talk about taking credit for that because any government has a responsibility under law to present a budget and have it passed by a certain date in January. What is the major achievement about that?

Mr. Manning: That is extraordinary, and a still tongue keeping a wise head.

Mr. Robinson: Follow good example.

Mr. Sudama: Does the Member have a tongue?

Dr. K. Rowley: Mr. Speaker, listen to another major achievement:

“- Removal of tax on pool tables and pinball machines.”

Guarantee that the Government has done that; it has removed what is a nuisance tax on pool tables and pinball machines. It should not list that as a major achievement because it is insulting the intelligence of the electorate.

They go further and take credit for bringing the Farmland Plant to Trinidad and Tobago.

The Farmland Plant was recorded in the *PNM Manifesto* of November, 1995. The fact that the Government has come now and it has coerced the company to move from one point to another is of no consequence; the plant is being built in Trinidad and Tobago. *[Interruption]*. I did not say “curse”, I said “coerce”. The Member would not know that word.

Mr. Panday: For saving it.

Dr. K. Rowley: Mr. Speaker, the Member turned the sod at one point in the country in La Brea; later on if there is a change of mind, it would be located somewhere else. It does not matter. But the Government must not take credit for bringing that investment into this country. That investment was committed to this country before the general election and it was written in the *PNM Manifesto*.

To make matters worse, they also take credit for bringing a \$ 1 billion LNG plant to Trinidad and Tobago. They cannot be serious! They are desperate for credit! Listen to another major achievement:

“- Allocation of \$90 million to begin the settlement of public servants’ debt.

Land Acquisition
[DR. ROWLEY]

Friday, June 14, 1996

Let me measure that major achievement against the promise. During the election campaign, my Friend from Couva North went on a public platform and was carried on national television and said:

“A debt is a debt and must be paid and a UNC government would float a government bond ...”

Mr. Panday: If necessary.

Dr. K. Rowley: I am saying a debt is a debt except in the case of Guyana. He said:

“A debt is a debt and must be paid and a UNC government would float a government bond, get cash and pay public servants their money in cash.”

That was the commitment. So, public servants were led to believe that they would get cash for the debt that they were owed. The Government came into office and it made \$90 million available and said take that sum and do what you can with it. That is a major achievement.

Mr. Manning: And a still tongue keeping a wise head.

Dr. K. Rowley: Mr. Speaker, when we came into office, we met public servants with a two and a half per cent court award which the former government said it was not going to pay and we had committed ourselves to paying that. We came into office in December 1991 and, by March 1992, we started to pay that money to the tune of \$500 million per year. But this Government comes and tells me that it paid \$90 million. I want to ask my Friend from Couva North a question through you, Mr. Speaker.

Mr. Speaker, if you molest somebody or commit a violent crime—you chop somebody—

Mr. R.L. Maharaj: What do you mean by molesting?

Dr. K. Rowley: I am talking about chopping. Having chopped the person, you take the person to the hospital to get stitches, how could you take credit for the stitches?

The Member sat in the Cabinet of my Friend from Tobago East, agreed to cut people's salary and as a result of that the debt was incurred. He ends up now as Prime Minister, and gives them back \$90 million out of \$2000 million owed to them, but he wants credit for that. They cannot be serious!

Mr. Speaker, listen to a major achievement listed here for the benefit of the population under the smiling Member for Parliament for Couva North:

“- Renegotiation of the WASA/Severn Trent Interim Agreement for Operations.”

How in Heaven’s name could the Government list that as a major achievement?

Mr. Speaker, you would recall that it was the PNM that arrived at a decision. After a selection process of open international and local bidding, the PNM selected Severn Trent to enter into an arrangement—which we called an Interim Agreement for Operations—with the Government, where Severn Trent would bring in \$450 million, agree not to have any changes in water rates for three years, take responsibility for the management of the Water and Sewerage Authority and embark upon a major refurbishment of our waterworks. That was the PNM’s approach.

In this very Parliament and outside, those same Members had everything that was bad to say about that agreement and about that company. When they came into office, the Member for Caroni East got up and made a statement in this House, giving the impression that he was going to review the situation and turn up all kinds of wrong doings on the part of the PNM.

He took his time and reviewed it, and he came back to this House and reported that having reviewed it comprehensively, his government intended to continue with the arrangement; having agreed that what the PNM was doing with respect to Severn Trent was in fact the best arrangement.

The agreement was there. They gave the impression that if they got into power, they would repudiate the agreement. I was the most surprised person when he read a statement in Parliament praising the agreement and all its contents, its terms and conditions and it was the best thing since Christ died.

They reviewed the PNM’s agreement, for which we were castigated, and they list it now in the local government election campaign as a major achievement of this Government.

I ask the Government: When the Severn Trent agreement was reviewed, were any changes made? Was any guarantee for the loan given?

Land Acquisition
[DR. ROWLEY]

Friday, June 14, 1996

4.20 p.m.

One of the arrangements that we had with Severn Trent was that there would have been no guarantee for the loan. I want to know, if having agreed to go along with the Severn Trent arrangement, if in fact, this Government gave Severn Trent any guarantee for the loan that they raised on the local market.

Worse than that, Mr. Speaker, it was our understanding and expectation that Severn Trent would have brought money in from outside, and therefore that money would have been foreign investment injected into our system. What they allowed Severn Trent to do was to raise the money on the local market. Understand that. They raise the money on the local market, and say that is the outcome of the review. So, they agreed with Severn Trent. They agreed with the involvement of a private foreign contractor in WASA; and they must confirm to me that they agreed to a guarantee for the loan and they allowed them to raise the money on the local market. That is a major achievement.

But if Severn Trent signed the guarantee, why are they listing it as their major achievement? Why? *[Interruption]* Mr. Speaker, listen to one of their major achievements. "Solving teething problems at City Gate". *[Interruption]* They list as one of their major achievements solving of teething problems at City Gate.

Dr. Mohammed: Mr. Speaker, I would like to know what City Gate has to do with Land Acquisition?

Dr. K. Rowley: Mr. Speaker, I will tell him. His colleague from Couva South introduced into this debate the whole question of taking credit where it was due or not due. Having created mayhem at City Gate resulting in all kinds of unpleasantness, as a result of the Government's high-handed action which got a reaction from maxi-taxi drivers, and they solved it in the end. But, again, there is the same situation, they create a problem unnecessarily, solve it and take credit for solving it. How could they? It is they who created the problem at City Gate. We built City Gate, opened it, left it there. It was working. I see my Friend from Tobago East smiling, because he is hearing this for the first time. Because, you see, as partner in the Government, he has no idea what they are doing; and he is exonerated from all of this. He has no responsibility whatsoever for all that is going on. When the coalition came together he committed himself and said we are partners, as said by our Friend from Couva North; and Tobago East said that we will be consulted. Did he consult them when he listed as one of his major achievements the cleaning of the Beetham and Sea Lots drains? *[Laughter]*

Hon. Member: Lies. Half-truths.

Dr. K. Rowley: Where do we live in this country? And in the vein of all that I have said, Mr. Speaker, also listed here as one of their major achievements—

Mr. Panday: I will give you one of your achievements.

Dr. K. Rowley:—that they repaired 76 schools. The work that was done by the previous government, a major school repair programme under Mr. Ramrekersingh, is listed here as one of their major achievements.

Hon. Member: Shameless!

Dr. K. Rowley: Also listed, Mr. Speaker, as one of their major achievements is, “Receipt of four very high-speed boats from the United States Government.” Mr. Speaker, you would not know, but I will tell you what it is. You would remember the PNM Finance Minister, Mr. Mottley, as Minister responsible for customs, as part of our Public Sector Reform Programme had a major overhaul and upgrading of customs; and as part of that we negotiated and received from the United States a gift of four speed boats which arrived in this country long before these people were in government.

The picture of those boats arriving by air was carried by the media in this country. I was a Member of the Cabinet when, one morning there were trials with the radar system, checking the system and the boats out there; and we were impressed by the results. These people are coming to tell us now that one of their major achievements is receiving four boats. *[Interruption]* The boats were offered to the country, and received by the PNM long before the election. There was a formal function recently when Mr. Christopher passed through, because they gave this gift to the country.

Mr. Speaker, turning to the context in which they are taking credit, listen to one of their major achievements: “Establishment of a Task Force on Crime”. It could not be the same task force that we appointed with Sir Ellis Clarke, Victor Mouttet and Dr. Ramesh Deosaran? It had to be another task force; and if it was, no announcement was made to the country. I do not see any new names on the task force. To make matters worse, the next item of achievement listed by this Government is the “Establishment of a Police Complaints Authority”. *[Interruption]*

Land Acquisition
[DR. ROWLEY]

Friday, June 14, 1996

If I had the time, Mr. Speaker, I would ask for the *Hansard* to find out who voted against the establishment of a Police Complaints Authority in this Parliament, because when we brought that Bill here to create that agency to allow the public to have access to an impartial tribunal to receive complaints about the police, if there were complaints to be received, they voted against it. We went ahead and established that under law. It is listed here. *[Interruption]* My Friend from Naparima can take credit. He was part of it. We established it, so he is the only person on that side who could say he achieved this *[Interruption]* Mr. Speaker, I could go on. My Friend from Tobago East would love this one: “Renegotiation with Amoco of the 1991 20-year agreement for the supply of gas which will save this country over \$240 million per year (nearly one Billion dollars).” I want to know if the coalition partner who had put this Amoco agreement in place is in agreement that a major achievement of the Government of which he is a major part is the renegotiation of that contract to save this country one billion dollars. As I said before he had no knowledge. This was done without his knowledge and/or consent, and that is the only way he could have been embarrassed in this way. Mr. Speaker, what kind of friend is this that would set you up in this way? To put this in a document and put it out to the electorate is in the same vein as the statement this afternoon that I gave him documents. He does not believe in respect or concern for his colleague from Tobago East, with his assistance in the government. *[Interruption]*

Mr. Speaker, let me give you two gems of the major achievements: “Encouragement of Steelbands in Carnival...” *[Interruption]* And the other gem of the major achievements is “Showing concerns for the problems of young men through planned employment of a Male Facilitator in the Women’s Affairs Division” of the Ministry of Community Development, Culture and Women’s Affairs. *[Laughter]*

Mr. Speaker, I have no doubt that will be a major achievement, but all I am saying to the Government is that, nobody expects them to come up with a litany of performance of that magnitude in eight months. They brought no ammonia plant; no LNG plant; they refurbished no police station. In short, all they have done is to provoke the captive people in the state sector—*[Interruption]* risk national security, do all kinds of things, create all kinds of breaches. The head of the National Security Agency provided them with a report and as soon as they got it and saw the import of that report, they asked him to demit office.

Mr. Speaker: Hon. Members, the sitting is suspended for half an hour.

4.30 p.m.: *Sitting suspended.*

5.00 p.m.: *Sitting resumed.*

Dr. K. Rowley: Mr. Speaker, when we took the tea break, I was making the point that there was really no need for us to get into a debate about taking credit, but we have to acknowledge some measure of continuity. Because if we try to take credit where no credit is due, we could end up in a ridiculous situation. We are trying today—if we look at the document before us on a motion—to pass the acquisition of a parcel of land known as the "Pasture" at Palmiste, and the purpose for which we are trying to pass that is listed as a national park. So here we are, today in the Parliament, being asked to approve the acquisition of this parcel of land for the expressed purpose of creating a national park. But in that document from which I was reading, which is a political party document on its achievements which has been in circulation now for quite some time, even before the matter has come to the Parliament for a decision as to whether or not we will acquire that parcel of land for a national park, this Government, through its political arm, has listed that as a major achievement in this document.

I refer to that only to show how ridiculous one can get and to ask, why is the Government so desperate for credits? If one acknowledges that credits are worthwhile to be had, then take credit for what you have done. Come and tell the population that what they have done in the period of eight months is terrorize the public officers; tell them how many CEO's they fired; how many secretaries they fired; tell them they shut down the Information Division to give the Minister's daughter a "work" in the same division. Put that in the document. Tell them that they engaged in a bruising war with the media, demanding that an editor be fired and so forth. Tell them that is what they have done. Because, basically, that is what the Government has been engaged in. Therefore, when they come now to report to the population, shameless as the Member for Couva South has done, I am not surprised that they could resort to the creation of a document that lists all those trite things and all the transparent projects of the last administration, they list them as achievements of this Government. I am not surprised at all.

It would have been of no consequence if this kind of matter would have no impact on the population, because I have no doubt that the vast majority of people would look at that list of achievements and it will simply confirm in their minds that this Government cannot be trusted. Because if they put a leaflet out with

Land Acquisition
[DR. ROWLEY]

Friday, June 14, 1996

about 30 achievements and 25 of them are questionable or naked untruths, what conclusion would people come to when they evaluate the Government with respect to the veracity of statement? They would not believe anything the Government says.

I am making no case for the Government to acknowledge what the previous Government did and to give the previous Government credit. The population has spoken and has chosen a government and an opposition. The people know what we were doing and they see what this Government is doing. But insofar as the population requires to be given accurate information so as to be comfortable with governmental action, it is important for the Government to acknowledge the source of its actions sometimes.

Let me give an example, Mr. Speaker. A release came out of the Government's education ministry, just like that, out of the blue, after eight months of being in Government, making the news across the board that as of next year children who are 13-plus would be allowed to sit the Common Entrance Examination, and children who are under 11 but who are gifted, would also be allowed to sit the examination. So now the Common Entrance would no longer be an 11-plus examination, but children in the band from 10-plus to 13-plus would be allowed to sit the examination. Now this is addressing a fundamental problem that has been a source of aggravation to parents across the country for many a decade, the movement away from the pressured 11-plus examination.

So when the Government announces a decision like that, it ought not to announce it in a vacuum and say, from next year 10-plus to 13-plus is the range. People would like to know that this kind of decision originated against a background of some serious thought and evaluation, because not all of them would remember that, yes, the previous Government had appointed an education task force and that task force had prepared a policy document for the education system for the year 1994 to 2004, a 10-year education plan. A White Paper was prepared which was laid in Parliament, and two of the recommendations of that task force were—the White Paper of which was laid in this Parliament not too long ago—that children should be allowed to sit the Common Entrance Examination up to 13-plus, and insofar as there are gifted children who are ready earlier, the second recommendation was that those children should be allowed to sit that examination.

Those are recommendations of the task force. That was part of the exercise that we went through; brought all the technical people in education together, and

then we ended up in Chaguaramas in a national consultation on the whole issue. So important and sensitive did we view that matter; that was the process. In the interim, a few weeks after that happened, the Government changes. So it falls to this Government now to make the announcement. But do not make the announcement in a vacuum, seeking to take credit for it. What the Government should do, as it makes the announcement, is say, that arising out of the task force report, arising out of the White Paper, the Government has taken a decision to do that. I will tell you why.

5.10 p.m.

Mr. Speaker, the reason for that is so that parents who are going to now relate to that would have the comfort of knowing that this decision came out of the extended work of a national task force and a national white paper.

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. F. Hinds*]

Question put and agreed to.

Dr. K. Rowley: Mr. Speaker, it is in this context that we are going to hear in every area, claims that are being made about the Government's action. I would have thought that the Government would have reported on its behaviour in a way to explain why it took them nine months to review a loan document; why it took them eight months to review a bid offer for offshore acreage; why it took them nine months to bring to Parliament a land acquisition bill. This matter is not a contentious one. I see no reason why this should have detained us for so long. The only reason we had to be detained in this way is because in presenting the matter the Government sought to introduce incorrect records, mischief and untruths to the Parliament.

We are not prepared to sit by and allow the Government to get away with that. If the Government comes clean on simple matters like these, there would not be any contention. The document from which I was reading, seems to have vanished—I suspect that they have retrieved it [*Interruption*] My Friend, the Member for Caroni East is disowning it. I am not surprised.

Mr. Speaker, what I did not tell you is that on the front cover of that document, which was full of all of those false claims, was the false claim of all false claims, under a smiling picture of the Prime Minister, it said: "Unity across Trinidad and Tobago". This must be the icing on the cake.

Land Acquisition
[DR. ROWLEY]

Friday, June 14, 1996

Mr. Speaker, my Friend, the Member for Couva South, is now telling me that it is the PNM that put this out. So, it is because the PNM put it out why it makes no reference to the coalition party. And, the PNM is so good that the PNM puts out an advertisement for an insurance brokerage house which is owned by the Member for Couva North: Comprehensive Insurance Brokers Limited. The Member for Couva South never heard about that? Now that they are confronted with the lack of truthfulness in the document, the Member for Caroni East is saying that they disown it and the Member for Couva South is saying it is the PNM that put it out. Now what next?

Of course, where did we get a picture of such a charming man like that? Would we make a statement like this, "Unity across Trinidad and Tobago"? They know the meaning of the word "unity"? Tell that to all the people who, to date, have faced the brunt of this Government's actions. Tell that to all the people in this country who are uncomfortable about the direction in which this Government is going. Tell that to the wider population when the Government takes credit for stabilization of the exchange rate.

Mr. Speaker, stabilization of the exchange rate is listed as an achievement by this Government. When this Government came into office the exchange rate was \$5.995, or something like that, today I think it is the same rate roughly. What has happened in the interim? It is the same rate, but the Government is taking credit for stabilizing the exchange rate.

Mr. Speaker, when the Government came into office, accompanied by massive uncertainty, and fear of the very actions that they are taking now, the Trinidad and Tobago dollar came under tremendous pressure. The Central Bank had to intervene on more than one occasion to prop up the exchange rate.

Mr. Assam: That is the role of a central bank.

Dr. K. Rowley: Mr. Speaker, do you know why that was done? As a result of the lack of confidence in the new Government, the exchange rate came under tremendous pressure and the Central Bank had to intervene and remove \$500 million from the banking system.

As a result of that action of the Central Bank in order to maintain the exchange rate, for which they are now claiming credit, interest rates have gone up considerably and those interest rates now mean that the facilitation of employment

creation has been stymied, and it is resulting and reflecting itself in a lack of job growth in the country.

So, when they take credit for stabilizing the exchange rate, they must also say at what cost, which is at the cost of high exchange rate and reduced employment creation as a result of reduced investment. That is what it is. *[Interruption]*

Mr. Valley: Including the judgement?

Mr. Assam: Which judgement? Say it outside.

Mr. Valley: I could.

Mr. Assam: Yes, say it outside.

Mr. Valley: I have the document.

Mr. Imbert: It is in the High Court.

Mr. Assam: Say it outside. Say it outside that anybody has a judgement against me. Go ahead and say it.

Mr. Imbert: It is registered in the court.

Mr. Speaker: All I would say, hon. Members, is that this is not necessary.

Dr. Rowley: Thank you, Mr. Speaker.

Mr. Assam: Go ahead and say it outside. Say that anybody has a judgement against me. Go ahead and say it.

Mr. Valley: It is the truth. It is a fact. Why are you so jumpy?

Mr. Speaker: I ask the hon. Minister not to allow himself to be provoked by anybody else but me, and I suggest that he speaks to me and that would help calm the waters. I also suggest to the Member for Diego Martin Central that what he was doing was baiting the Minister and I would simply say that both of you are equally to blame for the impasse. I ask you, please, to allow the hon. Member to continue to be heard without the *Hansard* recording unfortunate things.

Dr. K. Rowley: Mr. Speaker, I promise I would not pass any judgement on the Member for St. Joseph. *[Laughter]* The jury is still out on that one.

Mr. Speaker, one of the achievements—

Mr. Assam: Mr. Speaker, if the Member would give way. These innuendoes intended to cast aspersion on my character and to impugn my integrity, I would not tolerate it. I challenge any Member opposite to produce any document stating that any court or any institution has got a judgement against me. I want him to go outside and say it and I would deal with him because no such thing has occurred in my life.

5.20 p.m.

Dr. K. Rowley: Mr. Speaker, all I said was I thought I was being very reasonable. I understand that some people have difficulty with the truth. I am not baiting the Member. I want to get on with what I was about to say. I do not know why the Member is so jumpy. *[Interruption]* Mr. Speaker, I am trying to address you. Can I have your protection, Sir? I already dealt with that topic.

One of the accomplishments claimed by the Government is a particularly interesting one. The Government is claiming, as part of its major achievement, an investment by Arcadian/Ammonia Plant of US \$300. I seem to recall when the previous administration took the decision to divest its ownership of Fertrin to Arcadian, those Members on the other side, barring the Member for Naparima, had much to say about that decision. They opposed it with every sinew of muscle they had available to them; they opposed it on principle; they opposed it on philosophy; they opposed it on vision and they opposed it on economics.

All we were saying to them was that the sale would do two things. Firstly, it would provide us with an immediate inflow of foreign exchange which we needed for our debt servicing. Secondly, it would bring into this country a major foreign investor whose presence in this country could lead to further investments in Trinidad and Tobago. That was all we were saying while they were carrying on and tearing themselves to shreds and imputing all kinds of improper motives and all kinds of negative suggestions. We were saying the sale of the Fertrin plant to Arcadian will remain in this country; the Government will get taxes from it; the employees will still be employed there; the Government would use the proceeds of the sale to do certain things. In other words, having Arcadian in this country would be a benefit to us. The very first comment we heard was that those investors in the Arcadian plant had seen it fit to purchase another plant on the west coast of the United States and that they would bring that plant to Trinidad and Tobago. That was known to the national community before the elections were held in November.

On what basis is this Government then taking credit in this document for the Arcadian ammonia plant? If, today, the Arcadian company is building an ammonia plant to the tune of US \$300 in this country—as they are doing—it has nothing to do with anybody on the other side other than my Friend from Naparima. It was being done in spite of their opposition at the time when the fundamental decision was being taken to bring Arcadian into this country. Today Arcadian is a member of our corporate community. I am telling them to think of what they said when they were in Opposition and do not write nonsense about taking credit for the establishment of an ammonia plant as was done in the highlight of their election document. They would fool no one, least of all, themselves. The Member for Couva South carried on this afternoon, totally oblivious to any iota of truth of this document; it is nothing short of an embarrassment to those who produced it.

Mr. Speaker, I thank you.

The Minister of Public Utilities (Hon. Ganga Singh): Mr. Speaker, I rise to support this Motion. An intervention was brought about by the half-truths, lies and innuendoes on the other side. The contribution of the hon. Member for Diego Martin West encapsulates what I was told recently. PNM—positively no memory. I will demonstrate.

With respect to the Severn Trent arrangement that was entered into by the previous administration on November 1, 1995 when the request for proposals were made, in that request one of the conditions was that the funding will not be Government guaranteed. However, subsequently after short-listing of proposals the negotiating team agreed with Severn Trent/Wimpey that there should be Government guarantee of the funding arrangements. That was done by the last administration and the hon. Member for Diego Martin West was a Member of the Cabinet that agreed to that. For the Member to say otherwise—positively no memory. They agreed to guarantee the funding.

Mr. Speaker, in the renegotiated Severn Trent arrangements we provided for hardship relief for poor people. Where the previous administration was going to remove standpipes throughout this country, we ensured that there would be no removal of those standpipes. Conspiracy against poor people. We provided hardship relief for 15,000 families. We provided incentives for easy payment plans so as to allow people to pay when they could afford to pay. This is what we did when we renegotiated that agreement.

Land Acquisition
[HON. G. SINGH]

Friday, June 14, 1996

The hon. Member for Diego Martin West also indicated to this House—and I know that he arrived late. He arrived late perhaps, because of another obligation. Positively no memory, or alternatively, hypocrisy. The Member raised the point about the PowerGen deal. We laid the documents today which are not only an executive summary of all the major agreements, but the whole agreement; something which that side, when it was in Government, kept from the people of Trinidad and Tobago. We got the written consent of the parties to lay the documents. They have no memory of that. To demonstrate their further misleading of this House—stranger to the truth—in the agreement it allows for a 12-month period in which property matters ought to be settled.

With respect to the Moora Dam pipeline, there is a 24-month period from the date of acquisition dated November 24, 1994. That means we have more than enough time. It will end on November 25, 1996. The Member talked about penalty. But they are quick to pay money—and I will come to that money, well within the time-frame.

5.30 p.m.

There is no question about penalty. Perhaps he is talking too much to the grey parrots. When one is alone in the political wilderness, one would end up talking to the birds. The hon. Member for Diego Martin West is responsible for the mealy bug in Trinidad and Tobago. On December 1, 1994, the Food and Agricultural Organization wrote to the hon. Minister indicating that the mealy bug was a threat to Trinidad and Tobago and this region. What did he do? He would not answer. He should go and tell everyone in Trinidad and Tobago who is affected by the mealy bug that he did not care a damn about the mealy bug. He has positively no memory of that. Where was he? He was not in Cabinet.

The hon. Member for Diego Martin East indicated in his contribution that when we were in private practice we assisted the poor people who were vending by the roadsides to maintain a subsistence level of existence. We wrote the hon. Member for Diego Martin East. At that time he was the hon. Minister of Works and Transport. His response was to send the demolition crew to mash up the vendors' stalls on the road reserves. After he did that, we wrote to him asking when he was going to build the lay-bys since he had prevented the poor people from earning a living. His subjective being determines his consciousness. He has always been against poor people.

Mr. Assam: He is against poor black people because he says that he is all white.

Hon. G. Singh: He is against poor people regardless of whether they are black, white or Chinese.

Mr. Assam: I saw it. With his interview with Dominic Kallipersad he said that he was all white.

Hon. G. Singh: In his contribution, the hon. Member for Diego Martin East wanted us to account for the 25 cars in the Water and Sewerage Authority. When it was brought to my attention that about 30 vehicles could not be accounted for in the Water and Sewerage Authority, we instructed the board to conduct an audit of departmental rental of vehicles. When they did the first physical count, about 30 cars could not be accounted for. When we came in the other place and indicated that about 25 rental cars from the Water and Sewerage Authority could not be accounted for, then they did the second physical count. The next week about 17 cars out of the 30 could have been accounted for. When we put the cat amongst the pigeons, they began to come home. On the third count 19 of the cars could have been accounted for; 19 of the 25 came. The Water and Sewerage Authority was being billed continuously for six cars which never existed within the rental realm. The management of the Water and Sewerage Authority then took a decision that they could do without the cars and sent them back to the rental companies.

One hears them talk wishy-washy. The hon. Member for Diego Martin West spoke about the firing of CEOs. He is alluding no doubt to the firing of an acting CEO of the Water and Sewerage Authority. That did not happen overnight. The board took a considered and deliberate decision. When we took office on November 14, 1995, certain information was brought to our attention. As a result of that information we did certain investigations. We found that contracts to the tune of \$240 million were given to various companies. Some companies which were not yet corporate got contracts; others had no history of being involved in the water arena.

We then placed this information in the hands of the Economic Crime Unit in the Ministry of National Security. We brought it to the attention of the then PNM appointed board headed by Mr. Leo Martin. He came into my office and I indicated the facts to him. He said that he had no knowledge of those facts. There was a situation with \$240 million of contracts and the Government had to pay for that. The board did not know. The Minister did not know. The Members formed

Land Acquisition
[HON. G. SINGH]

Friday, June 14, 1996

the government and they had no such knowledge. The people of Trinidad and Tobago were encumbered.

The PNM board appointed a committee headed by Mr. Kenneth Ayoung Chee. Mr. Rahaman and Mr. Ayoung Chee reported in February 1996. Subsequently, a new board was appointed. Based on the Ayoung Chee's report another report was done by Mary King, Nello Raphael and Harry Bislam. As a result of those two reports the board took certain decisions. Both boards came to the same recommendation and fact finding. No tendering procedures were followed. Significant abuse of power! They had lost confidence in the management. As a result of that, the board took legal advice and made certain decisions.

There was that gestation period of seven months to act. He talks about willy-nilly firing of CEOs. They deliberated over the process. They took decisions. Part of the problem has been the sustenance of a very corrupt public utilities sector by the Opposition when it was in government. When they attempted to move they were encumbered.

I heard the hon. Member for Diego Martin West talk about the firing of CEOs. There is no question that regardless of ethnicity, no ethnic group has a monopoly on virtue; no political party has a monopoly on virtue. If one is a thief, corrupt or a drug lord, regardless of ethnicity, then one must be regarded as such. No one has a patent on virtue. From my experience in public utilities, I am of the view that the PNM has a patent pending on corruption.

This land acquisition is an attempt to bring to an end an arrangement started by the previous Government. We acknowledge that. They must acknowledge that there is a resiliency to government. Governments come and governments go. With bureaucracy, there is a resiliency to the process. They inherited certain programmes from the NAR, as the NAR inherited from the Chambers administration, and so, too, we also have inherited from the Manning administration. That is the resiliency of government. No one can deny that. That is reality!

5.40 p.m.

Mr. Speaker, perhaps the whole idea is that here is a Government which is doing things differently. We are taking on the sacred cows in the utilities sector and for the first time we are shaking out the corruption and the abuse of power

that sustained the PNM. *[Interruption]* Let them sue. There is no problem in that. We deal with truth.

The hon. Member for Diego Martin East spoke about law and order. We have demonstrated in the realm of law and order that we go after all the criminals. We provide the police with the necessary equipment. For too long the police has been starved, but under the able Minister Brigadier Joseph Theodore, we are in the process of delivering jeeps and cars to the police stations throughout this country. Mr. Speaker, 158 vehicles are being distributed throughout this country—Port of Spain, Eastern Division, Northern Division, Tobago, Southern and Central Divisions, North Eastern Division, South Western Division, Robbery Squad, Stolen Vehicles Squad and Narcotics Unit. All over, we are distributing the necessary equipment to fight crime.

My brother, the hon. Member for Laventille East/Morvant, on the last occasion when he spoke, raised his fist. When he saw the maxi-taxi full of people demonstrating, according to the newspaper report, he lifted his fist and every time he lifted his fist, I thought it an act of violence. Subsequently, to my dismay, I learned of the attack on the hon. Member for Laventille West. He must recognize the nexus and linkages of his action. The violence that he preaches is visited upon his own. *[Interruption]* He should continue talking to his grey parrot. He abdicated his responsibility to the country when he had it. The hon. Member for Diego Martin West did nothing for agriculture.

Mr. Speaker, this is the completion of a transaction which began some time ago. It is the land acquisition for the Moora Dam pipeline. I want to indicate once more that there is no penalty associated with this. We do our job; we are not time wasters as they are on the other side. I therefore take this opportunity to commend this Motion to this honourable House.

Mr. Barendra Sinanan (*San Fernando West*): Mr. Speaker, I rise to make a brief contribution to this debate on a motion listed as No. 2, with respect to the acquisition of certain parcels of land. I hope my contribution would be of interest to Members generally and especially to those who practise conveyancing law.

I have difficulty as a conveyancer, as I am sure all conveyancers have, with the notice relating to acquisitions. The notice is published once in the *Gazette* and twice in one daily newspaper, and unless one reads the newspapers from the first page to the last and subscribes to the *Gazette* and also reads that in detail, it is very easy to miss the publication of an acquisition notice.

Land Acquisition
[MR. SINANAN]

Friday, June 14, 1996

So far as it relates to buildings that are in and around the country—and the owners of such buildings are known to the Commissioner—there is no problem because the Commissioner will then serve that notice on the owner. I am not aware that there is any procedure for the Commissioner to ascertain who is the owner of the land. If he knows the owner of the land, he serves him personally by registered post, the notice of acquisition. If he does not know the owner or a person interested in the land, he serves a notice by affixing a copy of the notice of acquisition on some conspicuous part of the land.

In terms of the Palmiste Pasture, which I see is one of the areas to be acquired, known not only to myself but to the hon. Member for Naparima, the Member for Oropouche and the hon. Prime Minister, that piece of land may have had trees on it. I am sure that the procedure set out in the Act where one affixes this notice was not carried out, so the owner of that piece of land would not know that the land is being acquired. In the case of the Palmiste Pasture, I know that for a fact, the owner was not aware that parcel of land was acquired. Even the person from whom he bought it was not aware that the parcel of land was acquired. As I said before, I am not sure that the Commissioner does what he is supposed to do according to the Act. Unless one reads the newspaper and the *Gazette*, the practitioner dealing with that piece of land for a client—a bank, purchaser or mortgagee—would not know of it.

The Act provides for a description of the land in general terms. I am suggesting to the hon. Attorney General that perhaps he can look at this aspect of the Land Acquisition Ordinance which is being proclaimed on Monday and at some later date come with some measure which would identify or make it easier for the ownership of land to be identified. Perhaps when land is acquired by the publication of these notices, notice should be sent to the Town and Country Planning Division. It should also be sent to the Local Health Authority because very often these agencies would approve development of a piece of land which has been acquired, which has been the case with the Palmiste Pasture. This parcel of land was approved by Town and Country Division and also the Local Health Authority for development subsequent to the notice of acquisition and the owner was totally unaware of it.

So, Mr. Speaker, I commend that to the Attorney General and I hope that he would take notice of my suggestion.

5.50 p.m.

Mr. Speaker, with respect to this particular park, as I said, I have some idea of the locality, as would hon. Members from Naparima and Oropouche, and indeed the Prime Minister. Some Members even referred to the Prime Minister walking in the Palmiste Park. That is not quite true, the Prime Minister enjoyed afternoon walks in the Palmiste Development. I hope that he would see to it, now that he is in Government, that the roads there are fixed, because the roads are really in a deplorable condition. *[Interruption]* The Minister of Works and Transport also lives there, Mr. Speaker.

What, to me, is very interesting about the Palmiste pasture being a national park, and the hon. Attorney General indicating that it was an initiative of the National Alliance for Reconstruction—I hope the hon. Prime Minister keeps fit because, perhaps, not too long from now he may have to use that park. It is probably ironical that the person who may cause him to use that park is, perhaps, the person who, as the Attorney General has stated, initiated the acquisition of the Palmiste Park.

In supporting this Motion I commend to the Attorney General that particular attention ought to be paid with respect to the notices as they relate to identifying the owner of the land. In this particular case of the Palmiste Pasture, I know that the owner of that land was totally unaware of the acquisition, Town and Country Planning and the Local Health Authority was unaware of it. Some measure ought to be developed to have those notices served on the owner.

When one is searching a title—as you are aware, Mr. Speaker, being an eminent conveyancer yourself—there is no procedure for that notice to be put on the title document in the Registry, certainly not under the common law. Under the Real Property Ordinance, where it is mandatory, one must have a survey plan. I think the instances in which lands held under the Real Property Ordinance are acquired, the notices do get onto the certificates of title, but there are hardly instances where notices of acquisition get onto the title under the common law. Therefore, the conveyancer searching a title, either for a prospective purchaser or a mortgagee, would very likely miss that. When one purchases a parcel of land that is acquired by the state one would spend a lot of money in even developing the land. Albeit, one would get compensation at some later date, but the point is, Mr. Speaker, that between acquisition and the time of compensation, one's interest at

Land Acquisition
[MR. SINANAN]

Friday, June 14, 1996

the bank, which is 15½ per cent, will not cease. Therefore, it puts the owner at a disadvantage when land is acquired and he does not know of it.

I commend these suggestions to the Attorney General and hope that in the not too distant future some measure will be brought to this House to alleviate the situation that exists, where the owners of lands are totally unaware of the acquisition of same, by the state, until some time after, by which time they would have expended much of their money. Apart from spending the money, they would also incur bank interest and the compensation they would eventually get may not necessarily equate with what has been expended.

I thank you, Mr. Speaker.

The Minister of Sport and Youth Affairs (Hon. Pamela Nicholson): Mr. Speaker, I rise to give support to the contribution made by the Member for San Fernando West and to compliment him on it. I urge all Members from the opposing side to pay attention to the relevance of his contribution. The Motion is:

“Resolved:

That this House approve the decision of the President to acquire the lands described at Appendix ‘B’ for the public purposes specified.”

Mr. Speaker, we are dealing with acquisition of lands and when one goes through the Standing Orders, it is recognizable that one must stay within the confines of what the Motion is about. That is why I said that one must compliment the Member for San Fernando West. When we debate in that fashion, Sir, we will keep the debates at the House at a very high standard and we would not put you under pressure. You should not be rising again and again to tell us to lift the behavioural standard in the House. Therefore we would not waste parliamentary time.

When one listened to the Member for Diego Martin East this afternoon, it was a total disgrace to the House. His business here, from week to week, is to try to interfere with the integrity of individuals in this Parliament. When the peoples from our various constituencies chose us to come to this House, it was because they have faith and confidence in us. They believed that we have the stature, experience and ability to do the job here. I think, we, as parliamentarians, must try to perform the role that we are expected to.

This afternoon I was attacked by the Member for Diego Martin East in a very vicious, vindictive, wicked and disrespectful way that is PNM behavioural pattern. *[Desk thumping]* I thought that I should rise here to say a few words on a particular comment that he made and to correct what he tried to do here today. I would not have gotten up here to bring electioneering business into the Parliament; I do not think that here is the place for that, but since I have been attacked I have to rise to clear the air.

The statement I made was against the background of the behavioural pattern of the PNM and against the background of statements made by the Leader of the Opposition, in his term of office, as Prime Minister of Trinidad and Tobago. The point that I made on the campaign trail was that, immediately Mr. Manning became the Prime Minister of Trinidad and Tobago, he did not even take a day's seat before he began to fire workers. That was the statement I made on the public platform, Mr. Speaker. He fired important public servants from the Trinidad and Tobago Television before he even took a seat. The CEO was fired immediately!

6.00 p.m.

Then another public servant from the Trinidad and Tobago Television was fired. He fired, I think it was the manager of the Lake Asphalt Company and all ambassadors, and all of that was done after one day. He immediately removed all boards and their chairmen. *[Interruption]* Mr. Speaker, I seek some protection. He did not even sit and try to analyze what was taking place.

There was an institution which was set up under the National Alliance for Reconstruction called ECHO which was a social welfare programme and they closed down the programme immediately. They gave letters to the workers, of which I have two copies, telling them they want to review the programme and that they would hear from them. The next thing the workers heard, was thanks for the service which they gave. Hundreds of workers that were employed were now unemployed and the head of that institution's—which was named SHARE—secretary is a relative of one of those PNM parliamentarians who was then a Minister.

Mr. Singh: Nepotism.

Hon. P. Nicholson: So that was the point I was making on the public platform that many Governments do this because they feel that they do not have the loyalty of the worker. Then I went on to point out that I am not against that, because I am

Land Acquisition
[HON. P. NICHOLSON]

Friday, June 14, 1996

one who support that system, having studied history. I am a historian, Sir. [*Desk thumping and laughter*] The whole American system emerged out of Jackson when he was President of the United States. It was found that when one entered government and did not have control over certain positions, one's business was undermined and frustrated and it was from Jackson that the American system evolved and what came out of that system was that when one goes into power, one's top public servants go in with one.

Mr. Maraj: Teach them sister Pam.

Hon P. Nicholson: And when one loses the elections, one moves with one's people.

Mr. Speaker, another point that I made was that if we are following the British system which is highly democratic, it is one where top public servants do not expose their political relationships because it can undermine the system. What one saw in Trinidad and Tobago recently was that top public servants were exposing their political relationships. Some become managers of politicians going into elections, some go on public platforms heckling other representatives who are going into elections to become parliamentarians, and I was making the point that it is an unfair situation. When one wins the elections and there were people doing that kind of thing, it is believed that those persons will not be loyal to the Government and one actually finds that many times they usually undermine and frustrate the Government and I gave as my example the National Alliance for Reconstruction during 1986—1991. I said when the Prime Minister of the People's National Movement Government 1991—1995 did that, I was not against him but he has to understand same when that decision is taken by other governments.

I just want to clear the air, Mr. Speaker. I did not say it in the narrow-minded way that was articulated here this afternoon and I say it is a very important area in our whole political development that we in Trinidad and Tobago must look at. One must have confidence, one must feel that there is loyalty and it is against that background I made my point. I do not believe that in a debate like this, I should be getting up to clear the air because it has no relevance to the debate. What we should be doing here this evening, is only discussing the question of acquisition of land.

Thank you, Mr. Speaker.

The Minister of Agriculture, Land and Marine Resources (Dr. The Hon. Reeza Mohammed): Mr. Speaker, what can I say? I came to this House and presented a simple Motion at 2.00 p.m, it is now 6.00 p.m, four hours hence and we are still at it.

I listened to the contributions of the Member for Diego Martin East, and the Member for Diego Martin West; I listened to the Member for San Fernando West as well and my colleague, the Member for Tobago West, is correct. We have wasted much time on a very simple Motion. The Member for San Fernando West made some comments and gave some advice to the Attorney General on the matter of the acquisition of the parcel of land at Palmiste, that is a National Park, and he made a statement that the gentleman from whom the piece of land was acquired was not even aware of it.

I would like to let the hon. Member know that the survey document was signed by the Director of Surveys and was dated December 9, 1994 and on June 30, 1995 was executed under survey orders Nos. 7592 and 1694 and filed in his office. It means that this parcel of land was acquired under the former Government, so if the gentleman from whom the parcel of land was acquired was not aware, then that speaks for itself and the advice given to the Attorney General by the Member for San Fernando West, he should have heeded his own advice at that time.

Mr. Sinanan: Will the hon. Member give way?

Dr. The Hon. R. Mohammed: No, I would not, it is already late.

6.10 p.m.

Mr. Speaker, as far as the contribution made by the Member for Diego Martin East is concerned, he started off by criticizing me. He referred to me as a neophyte when he himself is nothing more than a saprophyte. Then, he praised me. He criticized my contribution and then supported the Motion.

Hon Member: Is “saprophyte” an English word?

Dr. The Hon. R. Mohammed: Yes, it is an English word. Ask my hon. colleague, Mervyn Assam.

Mr. Speaker, I would like to comment on the contribution of the Member for Diego Martin West. As far as the signing of the agreement of the agricultural sector loan is concerned, this Government had the right to review the loan

Land Acquisition
[DR. THE HON. R. MOHAMMED]

Friday, June 14, 1996

documents which were put together by the former government. We took the time to review the loan documents and what we discovered was that as far as the trade and pricing policy component of the loan documents was concerned, it was being proposed that it be liberalized at the rate of 31 per cent over a five-year period.

This Minister of Agriculture, Land and Marine Resources thought that at that rate the social fall-out and social implications would have destroyed the agricultural sector in this country. So that we went back to the Inter-American Development Bank and renegotiated that component of the loan, and we were successful in arriving at an *aide memoir* which was agreed by both the bank and the present Government of Trinidad and Tobago whereby we were able to develop a snap-back mechanism which would give greater comfort and ease to the social fall out when the time comes for the changes in the given time-frames for the common external tariff and the surcharges.

This snap-back mechanism would allow the farmers of this nation to be provided with greater protection from the standpoint that the *aide memoir* that was developed between the Inter-American Development Bank and the Ministry of Agriculture, Land and Marine Resources and, by extension, this Government of national unity, would allow us to revert to the previous years' common external tariff and surcharges on a commodity basis wherever that commodity on the global market is in short supply. We saw it therefore necessary to take a very close look at the trade and pricing policy component before we sign the loan.

So that the information given to this House by the Member for Diego Martin West was not entirely correct when he said that this Government of national unity signed the document without making any changes whatsoever. He misled the House on that point.

Dr. Rowley: GATT conditions.

Dr. The Hon. R. Mohammed: Mr. Speaker, he is speaking about GATT conditions. He would have known that the General Agreement on Tariff and Trade signed in 1994 provided for a rate of liberalization at the rate of 24 per cent over 10 years, but that Government went ahead and negotiated a loan for liberalization at the rate of 31 per cent over five years. That would have killed agriculture in this country. This Government, because it is a government of social purpose and it is interested in moving the agricultural sector forward, renegotiated that component of the loan. They never cared! This Government cares, Sir!

GATT 1994, rate of liberalization, trade and pricing policy—24 per cent over 10 years. They negotiated for 31 per cent over five years. Why? Because that Government had absolutely no interest in the farmers of this country. They had absolutely no interest in food production; no interest in food security, and they cannot deny that.

Mr. Speaker, I will tell you something else. My hon. colleague, the Member for Caroni East, was correct when he made the statement that the Food and Agriculture Organization (FAO) informed the former Minister of Agriculture, Land and Marine Resources by way of a letter—of which I have a copy—dated December 01, 1994, of the impending threats of the mealy bug to Trinidad and Tobago. Having that knowledge, what was done by that Government at that time? What did they do?

They are the ones responsible for the present situation of the mealy bug in this country, and they cannot deny that. Furthermore, I wonder who set up the private companies to obtain spraying contracts for the mealy bug. I ask the Members on the other side: Who did that?

Dr. Rowley: I wonder who put that story in the newspapers.

Dr. The Hon. R. Mohammed: Mr. Speaker, why are we in this state of affairs as far as the mealy bug is concerned? Why? What was done as far as plant quarantine was concerned?

Hon. Member: Nothing.

Dr. The Hon. R. Mohammed: Were the Flights or Sanitary Departments strengthened at the ports of entry? Were additional plant quarantine officers put at the ports to ensure that the mealy bug did not come into this country? No, that was never done!

In my capacity as Minister of Agriculture, Land and Marine Resources, I strongly believe that nothing was done about the mealy bug for the simple reason that if it developed and private companies were set up to obtain spraying contracts, then a business could have been generated out of the mealy bug. And that is what happened in this country.

Hon. Member: Mealy bug industry.

Dr. The Hon. R. Mohammed: Mr. Speaker, the population out there is of the perception that this present Government is not doing anything about the mealy bug. That is so incorrect!

The Member for Diego Martin East himself reminds me of a mealy bug because he is as destructive and as small as, and he is as pink as a pink mealy bug. Where is he?

Hon. Member: Hiding.

Dr. The Hon. R. Mohammed: Mr. Speaker, I would not like to prolong the issue of the acquisition of the parcels of land under the Motion standing in my name any further.

I beg to move.

Question put and agreed to.

Resolved:

That this House approve the decision of the President to acquire lands described at Appendix 'B' for the purposes specified.

APPENDIX B

DESCRIPTION OF LAND	PUBLIC PURPOSES FOR WHICH TO BE ACQUIRED
1. The following parcels of land containing 0.8173 of a hectare more or less, situate at Pena; in the Ward of Siparia in the County of St. Patrick described in the Schedule hereto and coloured raw sienna on a plan of survey signed by the Director of Surveys and dated 14th November, 1995 executed under Survey Order No. 5/95 and filed in his office.	1. A water pipeline reserve for the generation of electricity 2. A road to access the Moora Dam and Water Pipeline facilities

DESCRIPTION OF LAND	PUBLIC PURPOSES FOR WHICH TO BE ACQUIRED
<p style="text-align: center;"><u>THE SCHEDULE</u></p> <p>Fifteen (15) parcels of land containing together 0.8173 of a hectare more or less situate at Penal between the Moora Dam and the Penal Power Station in the Ward of Siparia in the County of St. Patrick and comprises as follows:</p> <p>A. <u>For a Water Pipeline Reserve for the Generation of Electricity</u></p> <ol style="list-style-type: none"> 1. 985.7m² said to belong now or formerly to Usuf Ali Syne 2. 1332.0m² said to belong now or formerly to Shafura Ali, Arman Ali and others 3. 148.9m² said to belong now or formerly to Shafura Ali 4. 977.2m² said to belong now or formerly to H. and R. Sookhan 5. 2.2m² said to belong now or formerly to H. and R. Sookhan 6. 26.4m² said to belong now or formerly to H. and R. Sookhan 7. 548.2m² said to belong now or formerly to Sookdeo Ramnarine 8. 23.2m² said to belong now or formerly to David McGregor 9. 198.1m² said to belong now or formerly to N. Mohammed, R. S. Mohammed and R. Mohammed 10. 77.1m² said to belong now or formerly to Pearly Sirju 11. 76.6m² said to belong now or formerly to Pearly Sirju 	

DESCRIPTION OF LAND	PUBLIC PURPOSES FOR WHICH TO BE ACQUIRED
<p>12. 205.7m² said to belong now or formerly to Ashley and Carole Leung</p> <p>13. 985.8m² said to belong now or formerly to Baby and Prairagh Bajrangee</p> <p>14. 620.6m² said to belong now or formerly to Joan Bhagan</p> <p><i>B. <u>A Road to access the Moora Dam and Water Pipeline facilities</u></i></p> <p>15. 1965.0m² said to belong now or formerly to Usuf Ali Syne</p> <p>These parcels are more particularly shown coloured raw sienna on a Survey Plan filed as J. B. 104 in the Vault of the Lands and Surveys Department, Red House, Port of Spain.</p> <p>2. The following parcel of land containing 17.2499 hectares more or less, situate at Palmiste, Phillipine in the Ward of Naparima in the Country of Victoria described in the Schedule hereto and coloured raw sienna on plans of survey signed by the Director of Surveys and dated 9th December, 1994 and 30th June, 1995 executed under Survey Order Nos. 75/92 and 60/94 and filed in his office.</p> <p style="text-align: center;"><u>THE SCHEDULE</u></p> <p>A parcel of land known as the "Pasture" comprising 17.2499 hectares more or less situate at Palmiste, Phillipine in the ward of Naparima in the County of Victoria and said to belong now or formerly to Palmiste Estate Company.</p>	<p>A National Park</p>

DESCRIPTION OF LAND	PUBLIC PURPOSES FOR WHICH TO BE ACQUIRED
<p>The parcel is more particularly shown coloured raw sienna on Survey Plans filed as G. A. 107, and in Book 1140 folio 182 respectively in the vault of the Lands and Surveys Department, Red House, Port of Spain.</p> <p>3. The following parcel of land containing one hundred and eighteen point six, square metres (118.6m²) more or less, situate off Cipriani Avenue, Morvant, in the Ward of St. Ann's, in the County of St. George, described in the Schedule hereto and coloured raw sienna on a plan of survey signed by the Director of Surveys and dated 12th August, 1994 executed under Survey Order No. 123/91 and filed in his office.</p> <p style="text-align: center;"><u>THE SCHEDULE</u></p> <p>A strip of land comprising 118.6m² more or less situate off Cipriani Avenue, Morvant in the Ward of St. Ann's in the County of St. George and said to belong now or formerly to Felix Joseph.</p> <p>This parcel is more particularly shown coloured raw sienna on a survey plan filed in Book 1140 folio 177 in the vault of the Lands and Surveys Department, Red House, Port of Spain.</p>	<p>An access road</p>
<p>4. The following parcels of land 2277.4m² more or less, situate off the extension of Lambeau Cemetery Street, in the Ward of Tobago, in the Parish of St. Andrew, described in the Schedule hereto and coloured raw sienna on a plan of survey signed by the Director of Survey Order No. 93/94 and filed in his office.</p>	<p>The Claude Noel Highway</p>

DESCRIPTION OF LAND	PUBLIC PURPOSES FOR WHICH TO BE ACQUIRED
<p style="text-align: center;"><u>THE SCHEDULE</u></p> <p>A parcel of land comprising 2277.4m² more or less situate off the extension of Lambeau Cemetery Street, Lambeau in the Parish of St. Andrew in the Ward of Tobago and said to belong now or formerly to David Elder.</p> <p>This parcel is more particularly shown coloured raw sienna on a survey plan filed in Book 1140 folio 181 in the vault of the Lands and Surveys Department, Red House, Port of Spain.</p> <p>5. The following parcels of land containing 528.5m² more or less, situate at Granville Beach, Cedros in the Ward of Cedros in the County of St. Patrick described in the Schedule hereto and coloured raw sienna on a plan of survey signed by the Director of Surveys and dated 28th August, 1995 executed under Survey Order No. 11/95 and filed in his office.</p> <p style="text-align: center;"><u>THE SCHEDULE</u></p> <p>A parcel of land comprising 528.5m² more or less situate at Granville Beach, Cedros in the Ward of Cedros in the County of St. Patrick and said to belong now or formerly to Francis Chimming.</p> <p>This parcel is more particularly shown coloured raw sienna on a Survey Plan filed in Book 1140 folio 184 respectively in the vault of the Lands and Surveys Department, Red House, Port of Spain.</p>	<p style="text-align: center;">A public Car Park</p>

DESCRIPTION OF LAND	PUBLIC PURPOSES FOR WHICH TO BE ACQUIRED
<p>6. The following parcels of land containing together 2197.1m² more or less, situate between Macoya Road and the Eastern Main Road in the Ward of Tacarigua in the County of St. George described in the Schedule hereto and coloured raw sienna on a plan of survey signed by the Director of Surveys and dated 19th October, 1995 executed under Survey Order No. 3/95 and filed in his office.</p> <p style="text-align: center;"><u>THE SCHEDULE</u></p> <p>Two (2) parcels of land containing together 2197.1m² more or less, situate between Macoya Road and the Eastern Main Road, Tunapuna in the Ward of Tacarigua in the County of St. George and comprise as follows:- (1) 727.1m² said to belong now or formerly to K. and N. Ramsaroop and (2) 1470.0m² said to belong now or formerly to N. and G. Harditsingh.</p> <p>These parcels are more particularly shown coloured raw sienna on a Survey Plan filed in Book 1140 folio 186 in the vault of the Lands and Surveys Department, Red House, Port of Spain.</p>	Road Improvement

IMMIGRATION (CARIBBEAN SKILLED NATIONALS) BILL

[Second Day]

Order read for resuming adjourned debate on question [June 07, 1996]

That the Bill be now read a second time.

Question again proposed.

Mr. Speaker: Hon. Members, when the House was adjourned on Friday, June 07, 1996, the hon. Member for Diego Martin West was speaking. He had spoken for 10 minutes, therefore, he has 35 more minutes.

6.20 p.m.

Mr. Colm Imbert (*Diego Martin East*): Mr. Speaker, before this debate was adjourned on the last occasion, I was seeking to educate the Member for St. Joseph on the true position of the Trinidad and Tobago Government in the debt negotiations with the Republic of Guyana. I have since been able to read an extract from a Guyanese newspaper dated May 25, 1996 which confirms that the Republic of Guyana would not have been granted Naples terms by the Paris Club with regard to debt forgiveness, until and unless they had reached an agreement with the Government of Trinidad and Tobago. This is coming from no less an authority than Mr. Jagdeo—*[Interruption]* published in a Guyanese newspaper that the Minister of Finance in Guyana stated, quite clearly, that unless and until Trinidad and Tobago reached an agreement with the Co-operative Republic of Guyana on debt forgiveness, the Naples terms would not have been available to the Republic of Guyana. I hope the Member for St. Joseph is taking notes. What the Minister of Finance in Guyana was testifying to, was the fact that the Trinidad and Tobago Government was in a position of leverage; and that Guyana was virtually subject to whatever terms and conditions the Trinidad and Tobago Government sought to put on the table.

It is unfortunate that in a situation of such great leverage, the Government of Trinidad and Tobago did not seek to achieve a better deal for the people of Trinidad and Tobago. This is why my colleague from Diego Martin West made the point that the whole arrangement has caused difficulty and created a situation where there is a view that one should not lend money to Caricom countries, because there is a distinct possibility that it will not be repaid. If one wants to foster the Caricom integration movement, then what one should not seek to do is encourage situations where Caricom partners become suspicious of each other.

It is all very well to say that in their opinion, this was the best they could do, but I am very happy for the country of Guyana and for the Guyanese people. They have done very well. In fact, the newspaper headline that I recall was that \$70 billion (Guyana) in debt had been written off. It was a triumph, as it were, for the Government of Guyana that they were able to do this, notwithstanding the fact that the Trinidad and Tobago Government had a position of tremendous leverage. One would have expected that in such a strong negotiating position—because without Trinidad and Tobago's compliance, agreement, acquiescence, or capitulation, if you want to call it that, Guyana would have had nowhere to go—and it is really

unfortunate that the Members on the other side, such as the Member for St. Joseph, just do not have the facts. They do not want to know; they are not interested. Write off that, man, no big thing, \$2,000 million.

Mr. Speaker, is this Government trying to tell me that with the vast timber reserves in Guyana where we will soon be inviting persons to qualify as skilled nationals under this Bill, where timber reserves in that country alone are worth trillions of dollars; with millions of acres of greenheart, purple heart and all the other fine timbers in that country and, Mr. Speaker, this Government being in a position of leverage; with Guyana's back to the wall—because if they did not agree they were not getting any debt relief from anybody—they could not get a better deal than that? I am sorry. I do not think the population of Trinidad and Tobago is going to be very happy about it.

The population of Guyana is very happy and I am very happy for them. As I have said before, Mr. Speaker, their Government proved that it is better than our Government. Their Minister of Finance proved that he was more than a match for our Minister of Finance, because he was able to negotiate debt relief for his country which was very advantageous to the Republic of Guyana and very disadvantageous, in my opinion, to the Government of Trinidad and Tobago. Very unfortunate!

There was an agreement, which I have with me, where the Government of Guyana had agreed that there would be equity swaps; and the same hon. Member for St. Joseph was part of that whole process. Having been part of a process where an agreement was made for an equity swap, where instead of cash—because we realize the country is in trouble, we do not want to be too hard on them. They have vast reserves of unexplored, underutilized, unexploited timber—we said give us your timber in exchange for part of the debt. What happens? A new administration comes in. It repudiates that agreement and comes up with an inferior agreement. *[Interruption]* I have no quarrel with the people in Guyana. They did well. They were able to out-manoeuvre and outwit the neophyte Government on the other side.

I am talking about our Government who repudiated an agreement between the Republic of Guyana and the Republic of Trinidad and Tobago; repudiated an agreement that there would be an equity swap. They came into office and met this, and they repudiated this agreement which was going to be used to give Guyana debt relief at the Paris Club. It was for the benefit of the country of Trinidad and

Immigration Bill
[MR. IMBERT]

Friday, June 14, 1996

Tobago. They came in and repudiated this, and agreed to an inferior package, as far as I am concerned. History will judge, Mr. Speaker. This is why my honourable colleague from Diego Martin West—*[Interruption]* You could say what you want, you know, hon. Member for Couva North, through you, Mr. Speaker, that history will judge you, but there are already enough people in Trinidad and Tobago who are not pleased about that \$2,000 million give-away.

Mr. Sudama: And they are all PNM.

Mr. C. Imbert: You could say what you want. All one million of them. So that, I simply wish to say that I salute the Government of Guyana. They have proven that they are better than the present Government of Trinidad and Tobago. *[Interruption]* I salute them. They are better than you, much better than you. They “ketch” you coming and going!

Mr. Speaker, what we are dealing with here, today, is another step in the forward movement towards the Caribbean integration process. What we have here before the House is a Bill that seeks to allow the free movement of qualified persons in the Caricom countries; and one has no difficulty with the principle. I, as a skilled national, will want to travel to other countries through this piece of legislation where there is the very important aspect of reciprocity—unlike the bogus piece of legislation that was railroaded through this Parliament previously about allowing foreign lawyers to come here where there is no reciprocity—at least this Bill has reciprocity.

6.30 p.m.

So unless another Caricom country puts in place similar equivalent legislation, nationals of that country will be unable to take up the benefits afforded to them through this Bill. At least this is a good part of this legislation, the whole question of reciprocity. Because I would like to go to Jamaica or to Guyana, as a skilled professional. I also want to practise there; I want to work there; I want to work all over the Caribbean. I am happy that we are here today allowing the growth of the integration movement, of the integration process, but there are some aspects of this Bill which I take issue with and I hope that the hon. Member for Naparima, the Minister of Foreign Affairs, will take note.

One of the issues we have here in clause 8 is the whole question of standards. In paragraph 8(a), it describes qualifications as follows:

"a degree of the University of the West Indies or of the University of Guyana designated as a Bachelor's, Master's or Doctor's degree."

Then it goes on to speak of other qualifications. Now it is an established fact that at the present time, degrees from the University of Guyana are not yet recognized by the University of the West Indies and are not recognized by many, if not most, of the major accrediting bodies in the world. This is no criticism of the university, but the fact of the matter is that a university is a very serious business.

When I was a lecturer at the University of the West Indies, we had to submit ourselves to an accreditation process from the Institution of Structural Engineers of the United Kingdom. In addition, the Mechanical Engineering Department had to submit itself to an accreditation process with the Institution of Mechanical Engineers of the United Kingdom, and similarly, the Institution of Civil Engineers. It was quite a rigorous process. We had to demonstrate that our course content, the qualifications and experience of our academic staff, the rigour of our examination process, was at a suitable level to qualify for acceptance by these major accreditation bodies in the United Kingdom. In fact, the accreditation of the Engineering Departments at the University of the West Indies took almost one year going through that process, renewing the process of accreditation. So it is a very serious business. At the present time, degrees from the University of the West Indies are accepted in most countries in the world. There are very few countries in the world which do not recognize the excellent standards at the University of the West Indies. The Member for Princes Town, being a former colleague at the university, will understand what I am talking about.

The whole question of accrediting the University of the West Indies is taken very seriously by people in Trinidad and Tobago, in Barbados, in Jamaica and by persons in the wider academic community. For example, if one has a degree in economics from the University of the West Indies, one can go to the best schools in North America, such as the University of Western Ontario and do the MBA programme there. It is one of the most outstanding MBA programmes in the world and they accept a degree from the University of the West Indies without question. One can go on to the Massachusetts Institute of Technology, to Harvard, to Yale, to Stanfield—

Mr. Assam: Not Stanfield, Stanford.

Mr. C. Imbert: Be quiet! —to the University College of Los Angeles.

Immigration Bill
[MR. IMBERT]

Friday, June 14, 1996

It appears to me that the Member for St. Joseph has some difficulty with his hearing. As I said, one can go on to all, I would say, of the major universities in the United States, to Princeton, to Columbia, to Howard, to Sheffield University in England, to Leeds, London, Oxford and Cambridge. This is because the University of the West Indies is recognized as a superior degree. The University of Guyana has not yet attained that standard. They may very well attain that standard in the future.

I would ask the other side, since it is a fact that the University of Guyana's degrees: bachelor's, master's and doctorate, are not accredited and are not recognized by the major accrediting bodies in the world as being of the standard of a bachelor's and master's degree, that we amend clause 8 and introduce a new clause: that persons who have degrees from the University of Guyana, which are accepted by the University of the West Indies for accreditation, satisfy the qualification requirements of the Bill. This is the intent of the amendment that I am proposing, that clause 8(a) deal specifically with the University of the West Indies and a new clause 8(1)(b) be put in, that persons who have degrees from the University of Guyana, which are accepted by the University of the West Indies, be automatically exempt from other qualification requirements.

This is simply a suggestion, because the University of Guyana is not yet—I understand from the Member for Caroni East that the LL.B programme at the University of Guyana is on the brink of being accepted by the Law School and, therefore, there is no problem. If a degree programme at the University of Guyana has reached almost to the point of acceptance by the Hugh Wooding Law School as an acceptable qualification to go on to do the Legal Education Certificate and become a practising attorney, then once one puts in criteria that the degree of accreditation be done by the University of the West Indies, then as soon as that LL.B programme reaches par, it will be automatically accepted.

I hear mumbling, ranting and raving on the other side. It is typical. There was a Heads of Government agreement that the University of the West Indies' qualifications and the University of Guyana's qualifications be accepted subject to the individual requirements of member countries. It was not a *carte-blanche* at all. The Heads recognized that certain members of the Caricom community might wish to make restrictions, impose limitations on the requirements and this general agreement that the University of the West Indies' degrees and University of Guyana's degrees be accepted, was qualified by the caveat that it be subject to the internal requirements of the particular country.

So it is simply a suggestion, hon. Member for Naparima. I understand that the Minister may be considering looking at some sort of change so that we can come to some sort of amicable settlement of this matter, and that is the way we should do things in this House, not deteriorate and descend into the arrogance of the Member for Couva North and the bombastic pomposity of the Member for St. Joseph. You know, on occasions, there is general agreement between both sides and there is no need for those errant Members of the other side to draw attention to themselves and to seek to grovel before their Leader and seek to avoid, perhaps, a Cabinet reshuffle. The Member for St. Joseph is always grovelling before the Member for Couva North, clearly in an effort to avoid being reshuffled. There is no need for that. We can have meaningful and amicable debates in this Parliament.

6.40 p.m.

Mr. Speaker, I would digress for a brief interval. The Member for St. Joseph is on record as castigating and maligning the Member for Couva North in the worst possible terms.

Mr. Assam: Where?

Mr. C. Imbert: He called him every manner of names.

Mr. Assam: Where?

Mr. C. Imbert: Ascribed every bad practice to the Member for Couva North.

Mr. Assam: Tell me where.

Mr. C. Imbert: In the 1991 period; in the 1990 period; in the 1989 period when there was the split up and the formation of Club '88 and so forth. The Member for St. Joseph, then not a Member of this House, was maligning the Member for Couva North and that is—

Mr. Speaker: May I appeal that we cast our eyes on the matter before us, please.

Mr. C. Imbert: I was simply bringing evidence of the grovelling of the Member for St. Joseph, Mr. Speaker. He hopes that the Member for Couva North would forget all those unkind sentiments.

Mr. Speaker, clause 3(2)(b) speaks of a person who—

"has held under any other law a permit to carry on, practise or engage, as the case may be, in Trinidad and Tobago a listed trade, profession or occupation."

Immigration Bill
[MR. IMBERT]

Friday, June 14, 1996

Now, I ask the Minister—and I would give way if he wants to respond at this time—is this a work permit? Is the reference here to a work permit? If it is not, and it is some other form of permit, then this places a tremendous burden on the immigration officer because one can understand what a certificate by the Government of Trinidad and Tobago in the form in Schedule III would be. It would be clearly recognizable. One can understand what a work permit looks like and an immigration officer would be able to recognize that. If another type of permit is permitted, it would create tremendous confusion within the Immigration Department; persons would be arriving with all sorts of permit and the poor immigration officer would be at a loss to determine whether the permit in question qualifies under this Bill.

Mr. Speaker, I really would ask the Member for Naparima, the Minister of Foreign Affairs, to examine clause 3(2)(b) and, perhaps, in his winding up he can tell us whether this is a work permit or not. If it is not, and it is just a generalized expression referring to any kind of permit, I would ask that the clause be deleted so that a person would present, on entry, a certificate. If one has a permit to practise, then one would automatically qualify for a certificate. So, the issuance of a certificate would just be a routine matter and that would avoid confusion.

My colleague, the Member for Diego Martin Central, has advised me that salesmen are now permitted to travel in and out of the Caricom region and work, hassle-free, as salesmen in Caricom countries on the basis of our Caricom agreement. So perhaps the hon. Minister of Foreign Affairs can just clarify exactly what permit he is referring to in clause 3(2)(b).

Mr. Speaker, clause 11 is a very confusing one. It reads as follows:

"The Minister may subject to negative resolution of Parliament make Regulations generally for carrying out the provisions of this Act and in particular may prescribe—

- (a) trades, professions and other occupations additional to those listed in Schedule I;
- (b) qualifications additional to those listed in section 8(1) which satisfy the requirements of this Act."

Then we come to clause 12 which states that:

"The Minister may by Order amend the Schedules subject to affirmative resolution of Parliament."

Now, why not simply put a clause which states that the Minister may, subject to—and I would prefer—affirmative resolution of Parliament make resolution generally for carrying out provisions of this Bill. Why refer to trades, professions and other occupations? If one looks at the schedules that are referred to by clause 12, we are talking about qualifying occupations. I am simply pointing out that clauses 11 and 12 seem to be contradicting each other. Do we need to describe trades, professions and so forth. Can we not just say that we may make regulations generally for carrying out the provisions of this Bill? Why introduce this whole question about trades, professions and so forth. This is simply a recommendation that I am making to avoid confusion.

Let us go back to clause 8. In clause 8(2), which reads as follows:

"For the purposes of subsection (1)(d), 'authority' includes—

- (a) any institution or other body whether or not—
 - (i) incorporated;
 - (ii) established under the authority of the Government of Trinidad and Tobago..."

and ends with the line:

"appearing to the Minister to have technical expertise in the assessment of qualifications."

What this clause does is to give the Minister the power to designate any body, public officer, organization, institution as an accrediting body, once he is of the view that this authority appears to have technical expertise; inside or outside of Trinidad and Tobago, whether it is a university, a technical college or whatever. I really would like to tighten this up and let us have one authority establishing the standard qualifications. Again, being a Caribbean person, I recommend that the University of the West Indies be the authority to establish the credentials of degrees coming from North America, the United Kingdom or wherever else in the world.

Mr. Panday: What about Niherst?

Mr. C. Imbert: The problem with Niherst—and I thank the hon. Member for Couva North for intervening sensibly for a change. It is a great shock to me to hear the Member for Couva North actually making a sensible comment in a debate. I thank him for that.

Mr. Panday: I made it before but you did not recognize it.

Mr. C. Imbert: I did not even recognize the voice.

The thing is that Niherst was established by the Government of Trinidad and Tobago as an adjunct to UWI; as a Trinidad and Tobago institution of higher learning. If Niherst had the expertise, hon. Member for Couva North, for the resources and capability of accreditation, I would be the first to say that they should be the accrediting body. I am of the view at this point in time the University of the West Indies is better equipped. This is not to say, hon. Member for Couva North, that Niherst would not become an accrediting body, I have no difficulty with that at all, but we have to look at staff.

6.50 p.m.

There is a situation where the University of the West Indies has 350 academic staff members. The number of courses that they offer is in its hundreds. They offer degree programmes and, therefore, at this time they are better equipped to establish accreditation standards of foreign degrees. This is all subjective and pressing in my view, that at this time the University of the West Indies is better equipped to establish the accreditation standards of foreign degrees. This is what this Bill deals with.

I ask Members on the other side to consider what we have said very carefully. We are asking the Government to take a good look at the question of establishing the University of Guyana degrees at the same level as that of the University of the West Indies. It is not yet at that level. There can be no debate about that. It is not the University of the West Indies that has said so. It is the major accrediting body that said so. It is being said so world-wide. One can see why, despite their good intentions, it is very difficult to run a university without resources, without finance and without staff. Running a university is not easy.

The hon. Member for Princes Town will understand what I am talking about. Unless one has access to up-to-date technology, state of the art systems; unless there is the funding available to attract proper staff to one's institution of higher learning then one would be unable to achieve the academic standards that are

required to be accepted by the major accrediting bodies in the world. This is just a statement of fact. They just do not have the resources, the finance, nor the staff and, therefore, despite their best intentions at this time, they have been unable to reach the level. As the hon. Member for Caroni East told me, they may, in a very short period of time, reach the accreditation standards required for universal acceptance. We ask that the University of the West Indies certify degrees from the University of Guyana. I am sure that the University of the West Indies will do so without hesitation.

The other point we wish to make is that the authority described in clause 8(2) be the University of the West Indies for the time being. I simply ask that the legal draftswomen look at clauses 11 and 12 to see whether they can clean up those clauses for better uniformity.

Mr. Speaker, I have no wish at this time to prolong this debate. We on this side support the intent of this legislation. It arose out of actions the hon. Member for Naparima took when he was a Minister in our Cabinet. We were in agreement with it then, we are in agreement with it now. We are a responsible Opposition. We have not come into this Parliament today to obstruct. We have come to support and we have offered what we consider to be constructive advice. I ask the Members on the other side to try not to drag this debate into the gutter.

We on this side are prepared to sit with the hon. Member for Naparima to see whether we can make a few changes to this legislation so that it can be unanimously accepted by both sides of the House. In the spirit of co-operation, in the spirit of camaraderie, and in the spirit of fellowship, I offer our suggestions to the other side, and I hope they will take them in the spirit that we have given them so that we can have a very swift conclusion to the debate at hand.

I thank you, Mr. Speaker.

The Minister of Education (Dr. The Hon. Adesh Nanan): Mr. Speaker, I stand here in support of a Bill to remove the restrictions on entry into Trinidad and Tobago of skilled nationals of qualifying Caribbean Community Countries.”

Earlier in this debate we heard that in 1947 politicians came together to bring about a federation and in 1958 they established the federation. It is the dream of the Caribbean people for unity. I am pleased to inform hon. Members opposite that our Caribbean people have been moving throughout the region, although doing

Immigration Bill
[DR. THE HON. A. NANAN]

Friday, June 14, 1996

this hesitantly. This Bill seeks to address this at the end of the century to realize the dream of the Caribbean people for unity.

From the very beginning, with the establishment of the University of the West Indies in Jamaica, the best students were assembled in Jamaica. It brought people from all over Caricom. When we look around in the Caribbean there has been movement of people from Barbados to Guyana and some Eastern Caribbean states. In the past, the pull factor was money. People moved for economic and altruistic reasons. We have heard from the hon. Member for Diego Martin East about accreditation.

Mr. Speaker, there is an old saying: it is better to keep your mouth shut and have people think you are a fool than to open it and remove all doubt. We heard from the Member for Diego Martin East about Niherst. I would like to read him a letter from Niherst. He is unaware, so I need to enlighten him about the situation of Niherst. He said he was a lecturer at the University of the West Indies. For the Member's enlightenment, Niherst has now been contracted by CXC and the Association of Caribbean Tertiary Institutions (ACTI) to become the body concerned about regional accreditation. They would become the accredited body for the region to establish *bona fide* equivalence for the freedom of movement. I now quote from the letter.

“1996, June 14

The Honourable Dr. Adesh Nanan,
Minister of Education,
Ministry of Education,
Alexandra Street,
St. Clair.

Dear Minister Nanan,

The Committee on the Recognition of Degrees (CORD) advises that the University of Guyana is considered by CORD to be an approved University. Degrees awarded by this institution are considered as well to be *bona fide*

degrees subject of course to specific accreditation requirements in specialized areas such as Medicine, Engineering, *etc...*

Signed: Alvin A. Ashton

Vice President for Higher Education.”

Dr. Rowley: Would the hon. Minister give way? I would like to ask a question for clarification.

Dr. The Hon. A. Nanan: Mr. Speaker, manpower resource projections are too often myopic and archaic. They are still the mental framework of the 1950s. The 20th century vision is that one trains not only for one’s individual needs, but for the needs of other countries. In other words, exporting trained personnel so expertise can become an export.

7.00 p.m.

Dr. Rowley: Would the hon. Minister give way to a point of clarification?

Dr. The Hon. A. Nanan: Certain Caricom countries do not have hard core technical vocational offerings and rely on CXC—subjects which we consider as general education—as a substitute for technical vocation. This can be corrected by free movement.

I would make reference to the professions of medicine and accountancy and the relevance of this Bill to medicine in terms of the Caricom doctors. At the junior level this would decrease the shortage that is presently seen. The quality and level of the doctors would be more than that which is now imported. The skills would continue to be similar to our juniors. At the senior level there would be movement of seniors which would allow various specialists to be highly staffed. There will be an exchange of techniques. Ideas would be exchanged and medical skills and patient care would be pushed to a higher level. There would be competition among similar specialists which would result in a higher level of care, and possibly, who knows, lower cost for a higher level of care.

In the profession of accountancy there is a shortage of accountants in Trinidad and Tobago. If it is to become the financial centre of the Caribbean, there would be a need for accountants throughout the region to be familiar with the financial rules governing this country, such as taxation laws and company bye-laws.

One can argue that in the movement throughout the Caribbean there is interruption of family life. We are all aware that as movement takes place

Immigration Bill
[DR. THE HON. A. NANAN]

Friday, June 14, 1996

throughout the Caribbean, if some professionals from Trinidad and Tobago go to work in another country, there would be a transmission, not only of skill to that new country, but also culture. That particular individual could be a pianist or a musician. We see quite clearly that besides the movement of skill there would be an intermingling of culture. As I am on the topic of culture, many of our musicians have problems in terms of when they move to other countries. We recognize their difficulty and we suggest that a *bona fide* list be set up so that countries could recognize these musicians as they move throughout the Caribbean. There could be linkage of our musicians. We do not provide obstacles. There can be proper Caribbean integration of our musicians.

When we have competition throughout the region there would be a raised level of excellence. There would be more scrutiny. People would be more cautious. As the Member for Diego Martin East spoke about certification, we recognize that if there is movement throughout the region, there must be proper accreditation. We must recognize where that accreditation is from.

Let me make reference to the European union. British qualifications are generally acceptable. In the United States, there are three or four separate accreditation bodies with musicologists. NIHERST has been contracted together with CXC and the Association of Caribbean Tertiary Institutions to become the regional accreditation body with skills in the region. There would be a stamp of approval that has currency. I can speak on environmental science. I urge that that new profession become associated like all law professions, engineers, medicine and dentistry. We would like the new professions to have associations to have some stamp of approval. It would facilitate movement for the Caribbean.

I refer to the National Skills Development Programme which is soon to become a beacon of excellence throughout the Caribbean. We speak of skilled training in the Caribbean. The National Skills Development Programme is being organized not only to train people in Trinidad and Tobago but also all over the Caribbean. Nationals as well as non-nationals could receive training here. The programme could also take training to the country that requires it. In other words, a request can be made. It is consistent with Caribbean thinking to prepare people to venture into their business. The ILO and OAS are actively involved in promoting business education and establishing business entrepreneurs.

I have spoken much about distance education. For certain Caricom countries and non-campus countries distance education would play a major role in linking

the region. We would transcend not only geographical barriers but also cultural barriers.

With regard to the Indian experience, it is thought that with movement of professionals there is a brain drain. It is not as negative as it was once thought. Training in excess of individual needs is not something that we should scorn. Indian nationals are filtering throughout the world making a success of their skilled labour.

I refer now to our curriculum, the CXC Examinations. I do not know if the hon. Member for Diego Martin East knows that with the CXC Examinations in the region, there is massive movement of our teachers especially during the months of June and July. When our graduates move throughout the region, there would be an intermingling of not only culture but also intellectuals. There can be exchange of ideas. There is Caribbean integration not only of our people but also with minds. This concentration of professionals and minds would help to move the Caribbean forward.

7.10 p.m.

Let me just quote here from page 13 of the *Trinidad Guardian* dated February 1, 1996. The headline is, "Region should not fear the free flow of labour".

"The fear that something will happen to your society if you open your door to all those droves of graduates...that is not going to happen,' Carrington said.

The decision by Caricom Governments to allow Caricom nationals who are university graduates to work freely within the region is part of an overall plan for the establishment of a Single Market and Economy...

People are going to move in a very limited degree and then we can go on to other areas skills."

Mr. Speaker, I think the critical point here is that people have a larger playing field in which to seek employment opportunities and to take their skills where they are best needed.

Clause 7 of the Bill stipulates that the Minister may not refuse to grant a certificate once the person has satisfied the requirements of the Act. This clause clearly envisages a total and absolute lack of any form of interference. It immunizes the process and seeks to make the system one which is free from

Immigration Bill
[DR. THE HON. A. NANAN]

Friday, June 14, 1996

whimsical and capricious decisions. In other words, it seeks to sterilize the decision-making process.

This Act should be welcomed as a stepping stone in the further integration process and as a signal that this Government of national unity is aware of and responsive to world trends. I stand here fully in support of this Bill. I thank you.

Dr. Vincent Lasse (*Point Fortin*): Mr. Speaker, I rise to make a modest contribution on a Bill to remove the restrictions on entry into Trinidad and Tobago of skilled nationals of qualifying Caribbean Community countries.

[MR. DEPUTY SPEAKER *in the Chair*]

Mr. Deputy Speaker, we on this side are aware of the genesis of this Bill. We see it as a genuine effort towards Caribbean integration in the sense that skilled nationals of qualifying Caribbean Community countries would be able to gain entry into Trinidad and Tobago for the purpose of seeking employment. We are also aware that this initiative came down through the Heads of Government of the Caribbean Community and, for this reason, we believe that this Bill could be accepted in principle. However, as Members of Parliament on both sides, we must first consider our national priorities. We must not simply rubber stamp this Bill, but we should consider it very, very carefully.

The drafters of this Bill at the regional level may have been very tactful in getting in what they may have considered to be their national priority, hence the reason we should look at it very carefully. We do not consider this to be a very level playing field. I say this because some countries in the Caribbean would tend to benefit much more from this Bill than others.

While we agree in principle with the Bill, we have some reservation and would be seeking clarification from the Minister of Foreign Affairs and, should the minor amendments which would be offered by this side be accepted, I believe that we can agree with the Bill.

The Bill states that a person to whom clause 3 applies must present a certificate attesting to the fact that he or she has been recognized as the holder of qualifications which satisfy this Act. This takes me to clause 8(1) which is problematic as far as we are concerned. Clause 8(1) states:

“The following qualifications satisfy the qualification requirements of this Act:

- (a) a degree of the University of the West Indies or of the University of Guyana designated as a Bachelor's, Master's or Doctor's degree."

Mr. Deputy Speaker, we have difficulty with this because what we are doing here is writing into law or equating the qualifications of the University of Guyana with that of the University of the West Indies. I believe that this does not obtain at this time. Therefore, we see it as a dangerous precedent, that is, writing into law a situation which really does not exist. We are all aware that the qualifications from the University of Guyana are not recognized in most Caribbean states or, for example, at the University of the West Indies. I can see a delegation from Guyana attending a regional conference at which this Bill was being negotiated, and I can see the delegation using skills and tact to get this into the Bill. But we, as reasonable, prudent and hon. Members of Parliament, should seek to correct the situation.

As I see it, the question of accreditation must be settled before the issue of issuing a certificate by the sending state. While I am on the question of accreditation, I am of the firm view that the University of the West Indies at this time should be the sole authority to deal with the question of accreditation. We are dealing, specifically, with nationals of the Caribbean community. The University of the West Indies, of course, is recognized as our university and, therefore, I believe, an amendment to this effect would be in good stead.

7.20 p.m.

If this matter is not settled, one can run into a situation whereby a Caribbean national may have qualified from an off-shore university in the Caribbean and may wish to challenge such a situation. If it is that the University of Guyana is not accredited, then one can make the point that another off-shore university in the Caribbean should have also been considered. This is my major bone of contention.

If it is that the Member for Naparima, the Minister of Foreign Affairs, could agree with an amendment dealing, specifically, with clause 8(a), along the lines as suggested by the Member for Diego Martin East, I believe we can see a meeting of the minds and we would be able to arrive at some type of accommodation. The only other issue I would like to raise, at this point in time, is that which appear in Schedule I:

“Qualifying Occupations:

Accountancy

Immigration Bill
[DR. LASSE]

Friday, June 14, 1996

Dentistry

Engineering

Law

Medicine.”

I am of the view, Mr. Deputy Speaker, that there are other skills which may be less than that of a professional nature and these should be considered. I refer here to such skills as, probably, expert welders, masons and certain types of technicians. This, of course, would depend on the circumstances which may exist at a point in time; for example, if there is a construction boom in any given country within the Caribbean, I believe there can be an exchange of skills.

Reference was made, earlier, in the contribution of the Member for Tabaquite concerning the Committee on the Recognition of the Degrees (CORD). I am of the opinion, however, that he had not elaborated enough and, therefore, this was not developed sufficiently to make me agree with the question of accreditation.

[MR. SPEAKER *in the Chair*]

As I said, when I began, Mr. Speaker, my intention was to make a modest contribution. I have addressed two issues here. Firstly, the question of the accreditation and, secondly, the University of Guyana being equated to that of the University of the West Indies, should this be considered as an amendment here. Of course, in Schedule I, should the Minister develop this Schedule to incorporate other skilled persons, not only in accountancy, dentistry, engineering, law and medicine, I believe we can have a meeting of the minds and, therefore, we would be able to support this Bill.

I thank you, Mr. Speaker.

Mr. Kenneth Valley (*Diego Martin Central*): Mr. Speaker, I shall not be very long, but as the former Minister with responsibility for trade and industry, and one with a background knowledge of this matter, I thought I could not allow this debate to end without adding a few words.

This is legislation that I commended to the House. As a fact, we have been talking about moving towards the single market economy for some time and we have made considerable progress in the region. I have argued that the private sector has sufficient to go on, to start scoring the goals. There are, however, still a few things we have to do as governments, to provide the total environment for the

private sector. This is only part of it, Mr. Speaker. If we want to have a single market economy then there must be free movement, not only of goods and services, but of people and capital.

There are other Caribbean committees looking at the free movement of capital. What is before us today, Mr. Speaker, is legislation pertaining to the free movement of people. Of course, one would note that the legislation talks about free movement of skills, and even so, it is setting a threshold. The concept was—I think it was said before—that one would move incrementally. Yes, we are starting with university graduates; there is the recognition, and I must say that at the Heads meeting in July last year, it was recorded in their decision, that in a country, one can go further and allow for the free movement of skills, if there is some logical basis for so doing.

SITTING OF THE HOUSE

The Attorney General (Hon. Ramesh Lawrence Maharaj): Mr. Speaker, I beg to move that this House sit until it completes the Business of the House, which this House agreed to complete in an earlier Motion: the Immigration (Caribbean Community Skilled Nationals) Bill and the amendments of the Military Prohibition Bill.

Question put and agreed to.

IMMIGRATION (CARIBBEAN SKILLED NATIONALS) BILL

Mr. K. Valley: Mr. Speaker, I was making the point that as far as Trinidad and Tobago is concerned, our position is that we should go even further and allow for the true movement of skills, because as it stands right now we are talking of persons with tertiary education, university education and so forth. Of course, the feeling of the last Government is that given what was happening in the construction sector, at the turn of the century, there would have been a requirement, perhaps, to have skilled tradesmen coming to Trinidad and Tobago. Obviously, given what has happened since November 6, perhaps, that is no longer likely, Mr. Speaker. As you know, while we wanted to build a city centre for the whole of Trinidad and Tobago, what we have now is a hole in the centre of our city.

7.30 p.m.

Mr. Speaker, in commending this legislation to the House it is important to note that as we move forward we need to ensure that the controls are in place. While we want to make sure that persons can move freely, we have to ensure that the legislation is not abused, and that is the point we on this side have been

Immigration Bill
[MR. VALLEY]

Friday, June 14, 1996

making. We want persons to move, but if we are talking about certain standards, then the persons who are coming ought to meet those minimum standards, and if the University of Guyana is not accredited at present, then graduates from that University should meet some minimum standard as deemed by our University of the West Indies.

I am aware that the Minister read this letter signed by Ashton Paris who is from NIHERST, but I would have felt much more comfortable if that letter had come from Prof. Richards from the University of the West Indies. We have the University of the West Indies here in Trinidad and we see that as the body that can really tell us whether the individual meets that minimum standard of university degree. I have nothing against NIHERST, but I cannot put it on the same level as the University of the West Indies.

Mr. Assam: Will the Member give way? Do you have any faith in the Committee on the Recognition of Degrees?

Mr. K. Valley: What committee is that? That is what I do not know. Is it a subcommittee of Niherst, is it a world-recognized committee, what does it mean? Is a graduate from the University of Guyana recognized in the United Kingdom? Is it an international committee? If the Minister can tell me it would make it simpler for us. I do not know and I am not arguing this evening. There is agreement in principle on the legislation; all I am saying is that for the country's sake, we have to ensure that the controls are in place.

Secondly, my colleague, the Member for Diego Martin West, argued on the last day that we do not favour the limitation imposed by Schedule I with respect to qualifying occupations and during the tea break we had discussions with the Member for Naparima and we were suggesting that Schedule I should be deleted. Obviously if we delete that schedule, then we ought to make some amendment in clause 3 because the concept has to be that if one is certified for a certain occupation when that person comes he could work in that occupation. It is going to be difficult and I do not think our people would like it very much if we allow a person to come in, for example a teacher, and then he is working as a bartender and so forth because of labour market conditions.

We would want to move an amendment in clause 3 because we agree that Schedule I might be limited and we are proposing to add at the end of that paragraph (a) of subclause (2) after the word "qualification" the words "and is employed in an office in accordance with his training and experience". This means

that a person may come in under clause 4 for a six-month period if he is certified by his home country as meeting the requirements. He comes to Trinidad and Tobago and because of that certificate he is entitled to be here for six months without hindrance, and during that six-month period he has to get the certificate from the Minister that he is certified according to Trinidad and Tobago laws. We are saying that he should be certified only if he is in an occupation in accordance with his training and so forth.

We are proposing this amendment to deal with this University of Guyana issue, but we will be prepared to withdraw it if the hon. Minister of Education can give us convincing evidence with respect to the Committee on the Recognition of Degrees (CORD). We are proposing that we delete the reference to the University of Guyana in paragraph (a) of subclause (1) in clause 8. We are saying that in clause 8 we would want to delete the reference to the University of Guyana and we would delete subclause (1)(e) also and have a new subclause (e) saying:

“a degree from the University of Guyana recognized by the University of the West Indies as meeting the standards required for a Bachelor’s, Master’s or Doctor’s degree.”

In other words, we would accept the degree from the University of Guyana as long as the University of the West Indies says it is on par, it is okay, we do not have a problem with that. We want to move to the single market economy, we want persons from Guyana to be able to come to Trinidad and Tobago and work. If they have a UWI degree, there is no problem, but if their certification is from the University of Guyana, all we are saying is that we should let the University of the West Indies tell us it is okay.

We are also asking that the certifying authority mentioned in clause 8(1)(b) be the University of the West Indies and we think that ought to be stated in the legislation. We prefer that it be the University of the West Indies rather than Niherst. Therefore, we do have some amendments which we will circulate and we commend this legislation to the House as another pillar in constructing that edifice that is Caribbean integration, that is the single market and economy to which I think we all aspire.

I thank you very much Mr. Speaker.

The Minister of Foreign Affairs (Hon. Ralph Maraj): Mr. Speaker, let me, first of all, thank all Members of the House for participating in this debate and let

Immigration Bill
[HON. R. MARAJ]

Friday, June 14, 1996

me thank my colleagues on the opposite side for their support for this piece of legislation.

They have expressed concerns about certain aspects of the legislation mainly to do with the accreditation of the University of Guyana. I think the recommendation they are making is that the accrediting authority be the University of the West Indies and they have circulated their amendments and I am sure we will be able to give very serious consideration to these suggestions which they have made.

Mr. Speaker, we all accept that this piece of legislation is an important pillar—as the Member for Diego Martin West has said—in the deepening of the integration process. As you know, the single market and the economy has been receiving special focus in recent times and I think as the globalization process moves, the Caricom integration movement will see more and more of the need and the necessity to move as quickly as possible towards the establishment of the single market economy.

7.40 p.m.

We, too, would like to see the free movement of labour and even before we came here today we took the decision that we would make the amendment and delete Schedule I which listed the qualifying occupations and let section 8 of the Bill become operative so that all university graduates will have the opportunity to move on a reciprocal basis among the countries and to live and work in the region.

We have also circulated amendments with respect to the spouses of people who would be moving because, of course, we do not want to break up families; we want people to be able to move with their families if they are going to live and work in the region.

We are also circulating amendments which are consequent upon the deletion of Schedule 1.

Mr. Speaker, there is no doubt with respect to Trinidad and Tobago's commitment to the Caricom integration movement. Our country's credentials are very solid with respect to the Caricom integration movement. We have put our money where our mouths are with respect to this aspect of our foreign policy and we are very well-respected in the region for that.

Whilst we are committed to the free movement of labour and goods, we would really like to see the residual restrictions with respect to the free movement of

goods removed. I have no doubt that the Minister of Trade and Industry will have something to say on this in the future. But we are becoming concerned that certain Trinidad and Tobago's products are not being treated with the kind of fairness with which we are treating other products coming into our country. People are making all kinds of questionable argument as to why, for example, our soft drinks are not allowed into certain markets and so forth. If we are talking about free movement of goods, Trinidad and Tobago has a very buoyant private sector and manufacturing sector moving throughout the region, and we would like to see our products have as free and fair access as possible into the market of Caricom. I have no doubt that my colleague will have something to say on that at the appropriate time.

Yes, Mr. Speaker, as I was saying, the credentials of Trinidad and Tobago cannot be questioned with respect to the integration movement. We are committed to the deepening process and this is why we are supporting this legislation and we have this legislation here today.

We are also committed to the widening. We feel that the deepening and widening must take place simultaneously and, as you know, Trinidad and Tobago was in the forefront of ensuring that the Association of Caribbean States did come into being.

We think that at this time very serious consideration must be given to the enlargement of Caricom. I do not think that we can continue to be viable being a market of about 5 million people. We must give very serious consideration to the enlargement of Caricom and we must revisit our attitudes towards the membership of countries like the Dominican Republic, Haiti and, when appropriate, Cuba in order to enlarge our market. If we really move to the point where countries like these which I have mentioned become members, we would be talking about 300 or 400 per cent increase in our consumers which, of course, would give us greater leverage as we seek to negotiate our way in the Free Trade of the Americas and to deal with NAFTA, and that would make the Caricom region a more attractive location for investment. I wanted to put that on the record.

In fact, at the last foreign ministers meeting in Jamaica I made the point very forcibly that the time has come for us to look at this question again, and I have no doubt that my colleagues on the other side would also give us support in that area.

This is an important matter that I want to bring on the agenda; not only is it important for our economic viability, but it would be very important for political

Immigration Bill
[HON. R. MARAJ]

Friday, June 14, 1996

strengths. Caricom has already demonstrated that when we act together in a political sense, we could achieve much. Our contribution as Caricom to the restoration of democracy in Haiti is a very good example of what we could do when we act collectively. We acted together in Caricom to prevent the Caribbean Sea being used for the transportation of hazardous waste.

Mr. Imbert: Do not blow your own trumpet!

Hon. R. Maraj: Mr. Speaker, we have demonstrated our strength and our potential in that regard. I make this important point because I want to put on record and to alert this House to something insidious and dangerous that is happening in our region.

Hon. Member: Ramesh.

Hon. R. Maraj: I am referring to a trend of thought that seeks to impose on the countries of Caricom and the Caribbean a concept of limited sovereignty in a new form. The former US Secretary of State for Inter-American Affairs during the Reagan administration, Mr. Eliot Abraham, writing in the *National Interest*, a foreign policy review magazine, and talking about the Caribbean described this area as one of instability and he said that the future of this region was indeed very bleak. He went on to say that:

“In the Caribbean, one common reaction to unemployment, local oppression or violence is to move to the United States. Several island nations of economies so small and inefficient that they have little to export but their population.”

I am making this point because this is the view that is emerging about our islands and it is gaining currency and we have to be aware of it. He spelt out a spate of threats. He said:

“Racial difference and racially-based parties in Trinidad and Tobago and Guyana. The legacy of corruption in the Bahamas and Antigua.”

I am just quoting what Abraham said and I am saying that this is a view that is gaining currency and we, as politicians and governments in the region, have to be aware of it. He said that:

“The maintenance of democracy and respect for human rights in the Caribbean required an increasingly high level of American policemenmanship since what might be tolerated in distant lands—a government run by merciless thugs or the corrupt allies of drug traffickers—is far less acceptable in our front yard.”

In other words, what is emerging—and I must say that this kind of view is gaining currency and I would not say where, I do not want to call names but I am just setting this Parliament on alert. He said as well:

“It is high time that US policy makers face up to the reality that the Caribbean micro states have a most uncertain future and may prove to be politically and economically unviable.

In the Bermudas, he contended, where the option of independence was shunned, it may now show that they, at least, have understood the point.”

In other words, our ability to be independent and to run our countries as sovereign nations is being questioned. He said:

“In an increasingly troubled region, reliance on a foreign power for security and prosperity may be the most sensible form of nationalism.”

The thought is coming out that we cannot take care of ourselves. For our own prosperity, national security and so forth, we have to be dependent, we might even be encouraged to hand over all of our national security concerns to others. He went on to state that:

“Full colonial status may be a non-starter, but a voluntary beneficial erosion of sovereignty should not be as it were a non-starter.”

He was not recommending full colonial status but a voluntary beneficial erosion of sovereignty. He said:

“One thing for sure was that the anti-colonial mind-set and the insistence on full independence that marked the 1960s should be relegated to the past.”

7.50 p.m.

That is the kind of thinking that is coming out. It has been supported by others, gaining bi-partisan support among policy-makers in other countries, supported by one Mr. Jessop, from the Caribbean Council of Europe which, as you know, is an off-shoot of the European Commission. I put that on the record and on the agenda and bring that into focus, Mr. Speaker, because I think it is an affront to our dignity to suggest that we, in Trinidad and Tobago and the Caricom, who have practised democracy and have achieved independence, cannot or ought not to be fully in charge of our destiny in the future.

Immigration Bill
[HON. R. MARAJ]

Friday, June 14, 1996

It is very critical because as the globalization pace moves forward and as we participate in liberalization willingly, we have accepted that we must do this because it is the way to go and we have accepted, as well, that as we are part of the integration process, whether hemispherically or regionally, we give up some measure of our sovereignty. We accept that. But we ought not to countenance any thought or any escalation of the notion that countries like ours cannot be in charge of themselves or ought not to be in charge of themselves; and that we would eventually become an area of instability which will be travelling to other people in the region, and as such we should accept any kind of arbitrary intervention in the affairs of our country.

I just want to put that on the record; and that is related to what we are doing in this Bill. Because the sooner we integrate our economy, the stronger we become as an integration movement; the more viable we become as island nations. As we move towards widening the integration movement, and increasing our markets, we make ourselves viable economically and politically. If we do not do that—as much as it offends our dignity and our self-hood—the scenario that is painted by Mr. Abraham will, in fact, confront us. That is the point I want to make. Whilst it offends us, it is a threat that hangs over us. It is a reality that is ours and bills like the one we are supporting here today and seeking to pass in this House, will avert that threat and deal with it. I just want to make that point. I know it is late in the night, but I think it is important enough for me to state that, as we should all be made aware of it.

Mr. Speaker, having said those few words, to quote my Friend from Oropouche, I beg to move.

Thank you very much.

Question put and agreed to.

Bill accordingly read a second time.

Bill committed to a committee of the whole House.

House in committee.

Clause 1 ordered to stand part of the Bill.

Clause 2.

Question proposed, That clause 2 stand part of the Bill.

Mr. Maraj: Mr. Chairman, there is an amendment to Clause 2, which we have circulated. We would like to delete the definition of “listed trade, profession or occupation.”

Question put and agreed to.

Clause 2, as amended, ordered to stand part of the Bill.

Clause 3.

Question proposed, That clause 3 stand part of the Bill.

Mr. Maraj: Mr. Chairman, we would like to amend clause 3 as follows:

Delete the word “listed” occurring in subclause (2)(b).

Mr. Imbert: Mr. Chairman, I raised a query during the debate on the word “permit”. What does it mean? Does this place a responsibility on the immigration officer at the airport, or wherever, to look at a variety of different permits and determine which one is a *bona fide* permit? What is a permit, in this case? Is it a work permit? What is it? That is why I raised that question.

Mr. Valley: I do have an amendment to 3(2)(a), which was circulated. This is the first amendment on my list; and that should be Diego Martin Central, not Diego Martin East.

Mr. Imbert: It appears to me, Mr. Chairman, if you do not have a certificate from the Government of Trinidad and Tobago you should have a permit of some type; and it is then up to the Immigration Department to look at this permit and establish whether it is a *bona fide* permit within the confines of this law; and I was just wondering what it means.

8.00 p.m.

Mr. Maraj: In order for Caricom citizens to benefit under this Bill there are two things that they must have: one, as in Schedule III of the Bill originating from their country; their government must provide them with this. Then when they come into Trinidad and Tobago, for example, and they find employment and they satisfy the conditions, the receiving government will give them this very permit so that they can then gain employment and be allowed to live and work in the region.

Mr. Imbert: That may be the intention, but from my reading of the clause, that is not the meaning of it. My understanding of the clause is that they can come

Immigration Bill
[MR. IMBERT]

Friday, June 14, 1996

in and present a permit because it says, "has held under any other law..." Just arrive with a permit—

Mr. Maraj: Yes, arrive with a permit from another country.

Mr. Imbert: No, it does not say so. "...a permit to carry on, practise or engage, as the case may be, in Trinidad and Tobago..." It is not a permit from another country.

Mrs. Persad-Bissessar: It appears to me that clause 3(2)(b) envisages a situation where, "under any other law", that is to say, not this particular bill; that you have an entitlement or a licence to practise, as the case may be, any one of the trades. Now we are deleting the words, "listed trade". That is a further amendment, is it not? So if under any other law you have that entitlement to practise—

Mr. Imbert: This is precisely why I raised that question because there are professions like medicine, dentistry, law, and so forth, which are straightforward. You cannot practise these professions unless the relevant council is satisfied. But there are other professions which do not have the force of law or the council and so forth. Engineering, for example, it is not mandatory that you are a member of the Association of Professional Engineers. That is why I find it a bit confusing.

Mr. Maharaj: If I may try to assist. If you read the whole clause 3(2), it states:

"This section applies to the holder of a passport issued by a qualifying Caribbean Community State who was born in the State issuing the passport or in another qualifying Caribbean Community State and—

(a) presents..."

And (b) deals with "or". So it is:

“(a) presents on entry to Trinidad and Tobago a certificate issued by the Government of Trinidad and Tobago in the form...

(b) has held under any other law a permit to carry on, practise or engage, as the case may be, in Trinidad and Tobago a trade, profession or occupation."

There may be some other law—

Mr. Imbert: There are laws for medicine and so forth, but there are other professions which do not have the force of law, and you get a certificate, for example, if you are a member of the Association of Professional Engineers. Someone may come into the country and present this to the immigration officer. Would he have the tools to be able to discern a certificate? Someone may come with a certificate from the Council of Medicine; someone may arrive with something from the Institute of Architects which does not have the force of law.

Mr. Valley: But it must state clearly that the person is entitled to carry on, practise or engage—

Mr. Imbert: It is just to avoid confusion that I am raising this matter.

Mr. Maharaj: I wonder if the hon. Member recognizes that what happens when the person comes to Trinidad and Tobago, is that he either does it under (a) or (b). Under (b), it may be, for example—I am just thinking of a case—even the situation that was passed two weeks ago in the Parliament, an admission to practise in a particular field; that is in respect of a particular lawyer. In respect of an engineer, it might be some particular—under any law that he is entitled to—

Mr. Imbert: In the law governing engineers it is not mandatory. For architects it is not mandatory. Where in medicine it is mandatory, where in law it is mandatory, there are other professions where it is not mandatory.

Mrs. Persad-Bissessar: If it is not mandatory for those professions, what is the point that you are making, Sir? Because it will apply to others. What is the point?

Mr. Imbert: The responsibility will now be that of the immigration officer to establish whether the certificate or the permit the person presents, in fact, allows this person to carry on a trade, profession or occupation.

Mr. Valley: The permit will have to say that, specifically. If someone comes with a permit, the permit must say clearly that this person is entitled to carry on the job of a salesman in Trinidad and Tobago or something of the sort.

Mrs. Persad-Bissessar: In other words, they might have been granted a work permit.

Mr. Maraj: The permit that you are looking at, as the Member for Diego Martin Central said, would state exactly the profession you are qualified to practise.

Mr. Imbert: That is why I am raising it, actually. Attorney General, are you of the view that there would be no confusion?

Mr. Maharaj: The permit will state—

Mr. Imbert: All right. No problem.

Mr. Valley: Mr. Chairman, could we go to Clause 3(2)(a) please? We are asking for an amendment after "qualification". The amendment is circulated, and I want to amend the amendment. Rather than say, "and is employed", I think we should say:

"...has gained employment in an office in accordance with his training and experience."

I think that is the point the Minister of Foreign Affairs is making, but it is not stated anywhere in the legislation that within that six-month period the person would have to gain employment.

Mr. Maraj: How does this read then?

Mr. Valley: After "Community skills qualification" we add:

"...and has gained employment in an office in accordance with his training and experience."

So that Schedule III will certify:

"...that the holder of the passport is recognised by the Government of Trinidad and Tobago as holding qualifications which satisfy the conditions for recognition of Caribbean Community skills qualification, and has gained employment in an office in accordance with his training and experience."

So that he is not working as a bartender when he has a university degree and taking away a bartender's job.

Mr. Maraj: I have no problem with that.

Mr. Assam: I am not understanding that.

Mr. Chairman: What is being suggested is that it would read, at the end of clause 3(2)(a), when we get to qualifications, you take off the semi-colon and "or" and it will read:

"and has gained employment in an office in accordance with his training and experience."

Mr. Assam: Suppose, for example, a person has a degree in sociology and he is going to be employed in a human resource development situation. Now he has training and maybe experience in something that is not human resource development, but he is now getting a job in Trinidad and Tobago or some other place, in human resource, are you saying that he is going to be effectively denied the opportunity to work in human resource development even though he has a degree in sociology and he has not been practising that?

Mr. Valley: We are talking about people coming into Trinidad and Tobago and the example you cited, I think, clearly, the person with his training and experience in sociology, would qualify him for that post. But I think if you are taking out Schedule I—

Mr. Assam: What I am saying is, he may not have the experience. He may have the training in sociology, yes, but he may not have had the experience in human resource development. He may be working in something else with his sociology training. Are you suggesting by putting in the word, "experience" that you are effectively denying him getting a job in that particular area.

Mr. Valley: All right. You are correct. We should say, "and/or." Because if you do that, then you have the other side. No problem.

8.10 p.m.

Mrs. Persad-Bissessar: Whist that seems to be okay, there is a further difficulty. There is the person who has to make that judgement call and, therefore, exercise a discretion. That person is the immigration officer.

Mr. Valley: No, the person must have gained employment.

Mrs. Persad-Bissessar: No, the person must have gained employment in accordance with his training or experience.

Mr. Valley: No, the certificate he has must say that. The certificate signed by the Minister would certify—

Mrs. Persad-Bissessar: So, we could amend the former certificate as well.

Mr. Valley: Yes.

Mr. Maraj: This clause deals with people coming into Trinidad and Tobago.

Mr. Valley: This will deal with the person, even if he is coming in, he must receive that certificate from the Minister in Trinidad and Tobago. Remember one

Immigration Bill
[MR. VALLEY]

Friday, June 14, 1996

can come in one of two ways; one can come in either under clause 4, under the six-month requirement and during that six-month period get the Minister's certificate, or rather than coming in under clause 4, one can stay from abroad and apply directly to the Minister and send in one's qualifications.

Mr. Maharaj: So, it would read "and shall gain employment in an office in accordance with his training or experience"?

Mr. Valley: Yes.

Mr. Maraj: Do we need to have "in an office"? I think we can leave that out. It can read "has gained employment in accordance with his training or experience".

Mr. Imbert: Mr. Chairman, could I just intervene and return to subclause (b); my reading of this now that we have taken out the word "listed". Previously there was accountancy, medicine, engineering and so forth, so it was clear that the permit applied to engineers, accountants and so forth. Now that is gone, could this apply to a registered nurse, a diver or persons of that level of qualifications who have not received a university education? Could it apply to people who have acquired a level of technical vocational training?

Mr. Chairman: What we need to do is to get rid of the amendment that we just did and then we would come back to the other one. We have not really dealt with it as yet.

Mr. Imbert: Sorry, Mr. Chairman.

Question, on amendment, put and agreed to.

Mr. Maharaj: Mr. Chairman, I beg to move that clause 3 be amended as follows:

"Delete the word 'listed' occurring in subclause (2)(b).

Mr. Imbert: Mr. Chairman, having deleted the word "listed" this leaves it wide open. I am wondering if persons with permits to engage in trades, or professional occupations which do not require university level qualifications would be included here.

Mr. Maraj: Clause 8 says that it has to be people who are graduates of a university.

Mr. Imbert: I do not think so.

Mr. Valley: My reading of it is that this is dealing with a situation outside of that. It is dealing with someone who has a permit under some other law. My reading of it would be if the person is a diver and has a permit, as long as the person has that permit under a law passed by the Parliament, then the person would be able to enter.

Mr. Imbert: Precisely, so that we are assuming then that the person who presently has a permit as a diver, nurse or whatever to work in Trinidad and Tobago, is now also being given these other privileges—freedom to acquire property and so forth—which he does not now have. One can now come into Trinidad and Tobago with the permit and work as a diver, a nurse or whatever, but you are now extending to that person, the other benefits that are in the same clause 3(d).

The reason I am raising all of this is because the Bill talks about qualifications at university level but it seems to me that this clause 3(2)(b) allows persons without university level training to come in. That is why I am raising it.

Mr. Maharaj: Am I not correct in thinking that clause 3 deals with entry requirements—what you must have to enter Trinidad and Tobago—therefore, if, for example, under the present law one has to have a work permit to come in to do a particular matter, that clause 3(2)(b) covers that kind of situation.

Mr. Imbert: Accepted, but when one goes to clause 3(3)—

Mr. Maharaj: Clause 3 (3) states:

"For the period of the permission under section 3(1), a person to whom this section applies shall not be subject to—

"(a) any restriction on freedom of movement..."

It is not inconsistent with—

Mr. Imbert: What I am saying is that under clause 3(3), if one has a permit to carry on a trade, that is not university level, I get the impression one would also get these benefits under clause 3(3) with this law. Let us use the example as a diver, once one has a permit to work as a diver in Trinidad and Tobago, one would now be getting all these benefits that skilled nationals are going to be entitled to with the passage of this law. Is that the intention?

Mr. Maharaj: Mr. Chairman, what the Member is saying has some merit to it. The way it is drafted means that if a person comes into Trinidad and Tobago and has permission under any other law it could be construed that such a person would be able to get all the benefits mentioned in clause 3.

Mr. Valley: I take it then that the permit is for a temporary period. If the person has a work permit, for example, and meets the basic requirement of subclause (2)—that is, the person is a Caricom national—first of all, that person must be of a Caricom state, which is the basis of clause 2. So I do not have a problem with that.

8.20 p.m.

Mr. Imbert: That is not the point I am making. I am saying this gives a window to someone without university qualifications.

Mr. Valley: The person does not have to qualify by way of a university qualification here. He qualifies by the other law in the existing legislation.

Mr. Imbert: That is not the intent of the legislation. My point is that if you took out subclause (b), the person would automatically get a certificate if he or she meets the qualifications. Deleting subclause (b) really deals with it.

Mr. Maraj: Once we have removed Schedule I, we should delete (b).

Mr. Imbert: I support that.

Mr. Maharaj: Before we agree on that, the policy of the measure is that people who have work permits should not get less benefits than persons who are coming in under clause (3)(2)(a). If a person with a work permit comes in, he has the freedom of movement; he has the freedom to acquire property as his residence while he is in Trinidad and Tobago; he also has the right to engage in gainful employment or occupation which is what he has come in to do. There is no restriction to acquire property for use in that person's business.

Mr. Imbert: Would not such a person automatically get a work permit?

Mr. Draper: The work permit regulations would cover that.

Mr. Imbert: If it is work permit I do not mind because there is a process of rigour to obtain a work permit.

Mr. Maharaj: Can we not put in subclause 3(2)(b) as held under any other law, a work permit to carry on or practise....

Mr. Imbert: If that is legally correct, I have no problem.

Mr. Maharaj: The intention is to cover those cases.

Mr. Valley: If that is the case, I think that it is better we delete it and that person would qualify under that other law.

Mrs. Persad-Bissessar: Your view is that it is in the past tense, the person has held rather than holds. In other words, he held a work permit five years ago. It should be that he holds, under any law, if we are going to be consistent with it.

Mr. Maharaj: Mr. Chairman, can we apply for an amendment to delete—

Mr. Valley: Before you say that, let me just say something. Under the work permit regulations that deals with persons from all over. Obviously, you would not want to give non-Caribbean persons benefits that you may want to give Caribbean persons. I believe 3(2)(b) is an effort to provide those Caricom nationals who may now have work permits, additional benefits by way of this legislation. Saying if one has that permit, then one would qualify for the right to hold property. If we say we are going to move it from here and leave it in the work permit regulations—it is difficult to do that because under that there may be someone from England, Scotland, qualifying for a work permit and one does not want to give that person the other benefits of clause 3(3).

Mr. Maraj: The whole thing has to be in consonance with clause 8. The persons under this legislation who are allowed to work and live freely in the region are university graduates. That has to be the main purpose. Anything in the legislation which suggests that other persons would be given these benefits is not in consonance with the legislation.

Mrs. Persad-Bissessar: This is not the intention.

Mr. Valley: There is an existing university graduate from Jamaica who is presently working in Trinidad and Tobago under a work permit. If this legislation comes into being—

Mrs. Persad-Bissessar: He will apply for a certificate.

Mr. Valley: In other words, that is what one will have to do. All of them will now have to apply. Does the legislation provide for that?

Mr. Maharaj: Mr. Chairman, if one looks at what we deleted as listed: trade, profession and occupation, it really takes away the purpose of this clause. In effect,

Immigration Bill
[MR. MAHARAJ]

Friday, June 14, 1996

3(2)(b) was dealing with the listed trade, profession and since we have removed those barriers I think we should delete (b). Mr. Chairman, I move that we delete clause 3(2)(b) and “or” at the end of subclause (2)(a) as the last word.

Mr. Chairman: Indeed, what is happening is that one of the amendments which had been filed by the Attorney General with respect to clause 3 was simply the deletion of the word “listed” occurring in subclause (2)(b), but which would now be to delete 3(2), the letter (a), and also delete all of clause 3(2)(b) and remove the word “or” that appears at the end of 3(2), (a) and put a full stop at the word “experience.”

Clause 3(2) would thus read:

“This section applies to the holder of a passport issued by a qualifying Caribbean Community State who was born in the State issuing the passport or in another qualifying Caribbean Community State and—

(a) presents on entry to Trinidad and Tobago a certificate issued by the Government of Trinidad and Tobago in the form in Schedule III certifying that the holder of the passport is recognised by the Government of Trinidad and Tobago as holding qualifications which satisfy the conditions for recognition of Caribbean Community skills qualification.”

Mr. Assam: Mr. Chairman, that should be Schedule II.

Mr. Chairman: It further amended that Schedule III is changed to Schedule II.

Mr. Maharaj: Totally correct.

Mr. Chairman: When you get down to “skills qualification” you add “and has gained employment in accordance with his training or experience.”

Question, on amendment, put and agreed to.

Clause 3, as amended, ordered to stand part of the Bill.

8.30 p.m.

Clause 4.

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

Mr. Valley: I beg to move that in clause 4(2)(b), “Schedule III” be changed to “Schedule II”.

Remember we would need two schedules. In this case the person is coming in with a certificate from his homeland. As a matter of fact, we can leave this as Schedule III. We would have to amend Schedule III to Schedule II.

Mr. Maraj: Mr. Chairman, I beg to move that clause 4 be amended by deleting Schedule I, and making necessary adjustments to the entire legislation.

Mr. Maharaj: Mr. Chairman, I suggest that we have our dinner and in the meantime we would ask the drafting people to sort those matters out so that when we come back there will be a more tidy arrangement.

Mr. Valley: Under clause we must have some clout. He can enter under clause 4 and within the six-month period he would get the certificate. I am saying that 4(2)(b) does not have to be amended for this employment.

Mr. Maraj: Can we digest this?

Mr. Speaker: This Committee is suspended for half an hour.

House resumed.

8.35 p.m.: *Sitting suspended.*

9.07 p.m.: *Sitting resumed.*

Committee resumed.

Mr. Chairman: We are still at clause 4.

Mr. Valley: I am suggesting that no change is required in clause 4. What would be required would be a new Schedule II, but the Schedule III mentioned in clause 4(2)(b) is appropriate.

Hon. Member: Will that be inconsistent?

Mr. Valley: It is a certificate which all Caricom countries will be issuing to persons whom they deem to have met the requirement in the home country. It is when the persons come here that the certificate allows them six months, then they have to get employment and a certificate from the Minister in Trinidad and Tobago which is under Schedule III. We have to amend Schedule III to add that part about employment.

Mr. Maharaj: We can delete the words "Schedule I" wherever they occur, delete the words "Schedule II" and "Schedule III" wherever they occur, and substitute the words "Schedule 1" and "Schedule II", respectively.

Mr. Valley: You are not deleting Schedule II because you need it for this clause 4.

Mr. Maharaj: We are deleting Schedule III wherever we can and substituting Schedule II.

Hon. Member: Schedule I goes, Schedule II becomes Schedule I and Schedule III becomes Schedule II.

Mr. Maraj: In other words, you will not have a Schedule III.

Mr. Valley: I understand that but it means that we have to go back and what we call Schedule II we now have to call Schedule I.

Mr. Maraj: Consequential amendments will take place.

Mr. Imbert: Will the person be allowed to come in for six months and go back out for a day; come back in for six months and go back out for a day? Could that happen without the person gaining employment? You are taking out the requirement that they have to gain employment. Is that the intent of this clause?

Mr. Maraj: What dangers do you see?

Mr. Imbert: Is the intention not that the persons work here?

Mr. Maraj: He is allowed to come here for six months to look for work and then he has to seek a renewal if he wants an extension. He is supposed to be given that renewal.

Mr. Imbert: In an earlier clause it is stipulated that if he has to get a certificate from Trinidad and Tobago he has to gain employment. You are now saying that if he has a certificate from another country, he may or may not have to gain employment, indefinitely.

Mr. Maraj: No, but he can come for six months at a time.

Mr. Imbert: I am just wondering if he can keep coming in and going out.

Mr. Maraj: There may not be any need for him to even go back out.

Mr. Imbert: Is that the intention?

Mr. Maraj: Why not? Nobody will just come here and wander around—

Mr. Imbert: What? How can you determine that he is not a burden on the state if he is not working?

Mr. Maraj: Well, he cannot live on the streets.

Mr. Imbert: Surely this is geared towards persons who are working. It is not to allow visitors.

Mr. Maraj: It also allows people to come to look for work.

Mr. Imbert: I am saying that maybe he should be allowed entry for six months.

Mr. Assam: What about a recent graduate who has the training but no experience and who has come from a small territory and feels that there are opportunities in Trinidad for employment? So he comes for six months and scouts around but has not been able to get gainful employment. According to Minister Maraj, he may apply for another six months.

Mr. Imbert: What happens if in the second six months he—

Mr. Assam: I would expect by that time his or her funds might have run out and he will probably have to leave, having not been successful in the labour market here.

Mr. Imbert: Or become a burden on the state.

Mr. Assam: Well then, he will have to go back.

Mr. Maraj: Based on the conditions of his entry here he will have to go back; he will have to be deported. The Bill talks about deportation. If someone is living on the streets and not doing anything—

Mr. Imbert: Let me put it another way. We put in the permanent certificate a stipulation that the person must be employed in accordance with his training and experience. This could allow a person with this type of certificate to work, perhaps as a waitress or a labourer.

Mr. Maraj: You cannot do that.

Mr. Imbert: Why not? There is no stipulation that the person must be working. This could allow someone to come in and work in any area where he is not qualified and keep applying for six months. He can therefore work here for five years.

Mr. Assam: That would be an unusual situation for a person who has graduated in a profession, or even with a university degree to simply remain in Trinidad and Tobago doing a menial job indefinitely.

Mr. Maraj: They would be doing it illegally because a person needs to have the certificate to be employed. If he is employed outside the profession for which he is trained, then he comes under the provisions in this law; he is here illegally and can be deported.

9.15 p.m.

Mr. Imbert: Not under the six-month temporary certificate. There is no restriction, one can do whatever one wants in that six-month period.

Mr. Maraj: No. One can only do whatever one wants when one gets that certificate.

Mrs. Persad-Bissessar: A person can enter and stay for the six-month period, however, for him to work, he must satisfy certain conditions. In order for any person coming into Trinidad and Tobago to be employed, he or she would need to get a work permit under any other law. Or, one would need to get this certificate which would qualify one to work. It seems to me that clause 4 is merely giving one permission to enter, it gives no further benefits, that is to say, to be able to work. Any person coming into Trinidad and Tobago cannot just come here and work, unless the law provides.

There are other laws which will provide for a work permit, and so forth. There are laws under clause 3, where one gets the Trinidad and Tobago's certificate saying that one has gained employment and one can work. In my view, under clause 4 one cannot work.

Mr. Imbert: That is correct, I accept that, but the person can continuously renew this six-month certificate.

Mrs. Persad-Bissessar: The person cannot work. All that person would have is the freedom of movement but he or she will not have any of the benefits, such as, to be able to own property, and so forth. What will be the purpose of that person just entering the country to spend six months, if, as you say, he or she would want to just abuse it and go and come back for another six months? There is no drain on the state. *[Interruption]* That person will not be able to work.

Mr. Maraj: Such persons will be caught violating the law anyway and they will be deported.

Mr. Imbert: That will just open a window for someone to come and operate illegally.

Mrs. Persad-Bissessar: It is a point. However we can catch them if they break the law.

Mr. Hinds: Am I correct in saying that a man can use the same certificate from his home country over and over again, once he comes in on the six-month certificate?

Mr. Maraj: The only way he can be deprived of that certificate from his country is for it to be confiscated by the country that gave it to him.

Mr. Hinds: Do you mean he can come to Trinidad and Tobago for repeated periods of six months on the original issue of that certificate?

Mr. Maraj: He has to get it renewed.

Mr. Valley: The same thing applies to a visitor. A visitor comes in, goes to the immigration office and applies for an extension of his visa. He can do this as long as he does not work. That is a normal thing.

Mr. Imbert: He just applies for another six months?

Mrs. Persad-Bissessar: Yes, but there are no benefits.

Mr. Imbert: But it allows him to be here as a visitor for six months.
[Inaudible]

Mr. Maraj: Yes, to look for a job for which he is qualified.

Mr. Hinds: Let us get the intention of this legislation clear. A person comes in and can spend six months, that six months is about to expire, can he apply for another six months on the basis of that original entry? Is that correct?

Mrs. Persad-Bissessar: No. He has a six-month entry, when that has expired he can apply for a new entry, if he wants to.

Mr. Hinds: So it means that he must leave the country at the end of six months.

Mrs. Persad-Bissessar: It may well be that he has to leave.

Mr. Maraj: I suppose if he stays here and he foresees that he would need six more months he can apply before the expiration of the first six months.

Mr. Maharaj: In other words, his entry requirement is limited to a period of six months and after that period, if nothing else happens to permit him to stay longer, he is an illegal immigrant.

Mr. Hinds: If he comes to you two weeks before and says it is unlikely that he will find work within the next two weeks, but he will like to apply for another six months, is it that—

Mrs. Persad-Bissessar: The point you are making is not an expressed provision in the Bill. There is no renewal here.

Mr. Hinds: Does it mean that he should leave the country and come back on the second occasion, three days later, with the original issue of the certificate and it can happen like that again and again?

Mrs. Persad-Bissessar: What is wrong with that?

Mr. Hinds: Well, I am asking. I am imagining the worst: A man may be qualified, he gets his certificate from his home country, comes in and spends six months—nothing is wrong with that, as you have said—he goes through the process over and over again, however, he is not finding legitimate work and might end up being a bandit.

Mrs. Persad-Bissessar: But he will be deported.

Mr. Hinds: If he is caught. If not, he will continue to live in Trinidad and Tobago. He will go and come; spend another six months and continue his profession, one that is not listed. There is no record of what he is doing, all we know is that he has not found himself a job. I see the need for some kind of restriction. It is not that he is a lawyer and is practising dentistry so one could say that he is acting improperly and send him back on the basis of that. He may be involved in something wholly illegitimate, as selling drugs and earning a lot of money, he then travels out, he comes again another six months and he goes on like that. How long will it go on? If he is not caught by the police, when will it stop?

Mr. Maharaj: I think the legislation says that one can come for a six-month period and if one cannot get work within that period, one would probably have to go back.

Mr. Maraj: Yes. One goes back and then re-applies.

Mr. Hinds: [*Inaudible*] insofar as this Bill is concerned, when it becomes an Act. Is that the intention? Is he permitted to enjoy the protection under this Act? There is nothing here that permits an immigration officer to exercise any discretion to stop him if he operates under—

9.25 p.m.

Mr. Chairman: I take it then that there is no amendment to clause 4?

Mr. Assam: Except the changes to the Schedule.

Mr. Chairman: We are not interfering with it now.

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

Clauses 5 to 7 ordered to stand part of the Bill.

Clause 8.

Question proposed, That clause 8 stand part of the Bill

Mr. Chairman: Is there anything on clause 8?

Mr. Valley: First of all, in subclause (1)(a) we are asking that the words “of the University of Guyana” appearing in line 2 be deleted. We also wish subclause (1)(e) to be deleted and replaced by the provision relating to the University of Guyana. In other words, we are saying subclause (e) should now read:

“a degree from the University of Guyana recognized by the University of the West Indies of meeting the standards required for a Bachelor’s, Master’s, or Doctor’s degree”.

We are simply asking our university to have a look-see.

Mr. Maraj: Mr. Chairman, I understand what the hon. Member is trying to achieve and I understand the concern about the University of Guyana, but I am also concerned about violating the agreement of the Heads of Government which said that the University of the West Indies and that of Guyana should be the universities—[*Interruption*]

Mr. Valley: We are keeping that whole; we still have the University of the West Indies and the University of Guyana. It does not even have to be of the standard of UWI; UWI just has to be convinced that it is of minimum acceptable standards.

Mr. Assam: In the final analysis it is the employer who will determine whether he or she is prepared to accept a graduate from the University of Guyana. The first step is getting the certificate but it is like market access and market penetration as the former Minister of Trade and Industry will know. The final test to the whole thing is whether a company in Trinidad and Tobago will be willing to accept it. So I do not see any problem.

Mr. Valley: All right, accepted. We have another amendment and that is to clause 8(b). We are leaving (a) alone.

Mr. Chairman: In subclause (1)?

Mr. Valley: Yes, subclause (1). Substitute “any authority, designated by the Minister by Order as an accrediting authority for purposes of this section” with “the University of the West Indies”.

Mrs. Persad-Bissessar: It would widen what can be done.

Mr. Valley: That is what we do not want to do.

Mr. Maraj: Why?

Mr. Valley: Well, quite simply, we want to protect you or any Minister. The university is an independent body and we are talking about certification here and we want to have the university which is a recognized tertiary body for this purpose.

Mr. Maharaj: I understand it is part of the agreement and part of the model legislation.

Mr. Valley: No, it is not.

Mr. Maraj: It is model legislation here.

Mr. Valley: Yes, but the model legislation is draft model legislation and they had to put it that way because they could not put in the legislation, the certifying body for each country.

Mr. Maraj: I understand what you want to do but I want to lean towards my colleagues.

Mr. Valley: You will have a real difficulty with that.

Mr. Maraj: No Government or Minister is going to give an unworthy body or authority—

Mr. Valley: How do I know that? We are talking about a university degree, and the legislation should state clearly the qualifying body but in any case one has to do it by affirmative resolution. Is it not so?

Mr. Maraj: Suppose the university becomes distorted in one way or the other somewhere along the line?

Mr. Valley: We change the legislation.

Mr. Draper: I think we need to go to a higher certification body.

Mr. Assam: This legislation does not deal with extra-regional tertiary qualification.

Hon. Member: It does.

Mr. Valley: The Minister could designate UWI.

Mr. Draper: Why can we not put it into the legislation?

Mr. Maraj: That is putting into the law an institution whose reputation may not be as good as it seems.

Hon. Member: Are you talking about the University of the West Indies?

Mr. Maraj: It is good now, but what about the future?

Mr. Valley: Do not listen to Ramesh you know, do what you know ought to be done.

Mrs. Persad-Bissessar: No, it is just not only on the substance of the University of the West Indies. You may recall we had widened it when we removed the listed professions. You cannot say it is predicated only on UWI.

Mr. Imbert: Once you have a degree from UWI, you automatically qualify.

Mrs. Persad-Bissessar: But it is not only a degree.

Mr. Assam: Suppose we have a person who is an accountant, and the Minister by order designates the Association of Chartered Accountants of Trinidad and Tobago to be the accrediting body, if you only put the University of the West Indies, does it limit the scope and flexibility of the Minister's authority to designate the Medical Association or the Accounting Association or even the Legal Association?

9.35 p.m.

Mr. Assam: I am not understanding the problem.

Mr. Draper: I am saying that you are moving to a professional body which itself may not really be able to evaluate academic qualifications from the university within the example that the Member raised.

Mr. Assam: It may not be the exclusive body. What I am saying is that by using UWI alone, one would pre-empt the Minister's authority from utilizing other recognized professional organizations that accredit people with certain kinds of qualifications.

Mr. Draper: What is there to prevent us from putting "UWI and/or"?

Mr. Valley: We can give the Minister power by affirmative resolution to add other bodies.

Mr. Assam: It is wide enough. It says:

“(d) a certificate from any authority, designated by the Minister by Order...”

Mr. Valley: That is extremely wide.

Mr. Assam: Why should it not be? Suppose we decide Niherst or a Council of Higher Education, as suggested by the Member ? We do not know what would evolve in the future but one cannot limit the Minister.

Mr. Valley: I am saying that the Minister would have the authority to add others other than the university by affirmative resolution.

Mr. Maraj: The way it is worded, it cannot be one body. The Minister must have the flexibility to consult with various bodies. The process cannot be centralized in UWI alone; UWI is already a monopoly in the situation and one can be choked by that monopoly.

Mr. R. L. Maharaj: Mr. Chairman, assuming that in a particular case, UWI refuses but it is felt that there could be no basis for this refusal and, therefore, one wants to get a second or third opinion from a world-renown body, is it not in fairness to the person that the Minister has that power? The Minister would have to bring a resolution to Parliament.

Mr. Valley: Mr. Chairman, legislation of this type can be abused very easily. It is either we state the certified authority or it must be by affirmative resolution. This

is something we want but the controls must be there to avoid abuse of the legislation.

Mr. Maraj: Mr. Chairman, we cannot agree with that proposal.

Question, on amendment, put and negatived.

Mr. Valley: Mr. Chairman, I still want clause 8 (1) (e) deleted. That is, to me, extremely wide.

Mr. Chairman: Hon. Members, the suggestion is that clause 8 (1) (e) be deleted. The Member had said clause 8 (1) (a) and (c).

Mr. Valley: Clause 11 talks about Schedule I which was taken out. Then, it talks about qualifications additional to those listed in section 8 (1). If we are going to list qualifications in addition to clause 8 (1), then it would qualify.

Mr. Maraj: I have no problem with that.

Mr. Maharaj: Mr. Chairman, may I try to persuade the Member for Diego Martin Central. Clause 11 deals with cases where there are persons who could meet the sort of qualifications on a basis which is analogous to what is required. What that is doing is leaving it open because there would be situations where people would have the qualifications but they may not have the qualifications from particular places that we normally would expect them to have it.

Therefore, it was recognizing situations such as we did two weeks ago—the Legal Profession (Amdt.) Bill—that although a lawyer had to be qualified in England or in Trinidad and Tobago and going to the law school, there will be situations where a lawyer practising in the United Kingdom—a Trinidadian or an Englishman—would be able to have the same kind of experience and qualifications.

So that we are putting a situation where the Caribbean people would have had qualifications in other parts of the world but in effect they would meet the sort of standards and they would not be discriminated against because they did not go to particular institutions. It is a way of giving equality to some of the Caribbean people who have not been qualified in particular institutions.

Mr. Valley: That is already taken care of. Look at clause 8 (1) (e). It says:

“Any qualification or combination of qualifications prescribed under section 11.”

Clause 11 does not prescribe any qualifications. It talks about:

Immigration Bill
[MR. VALLEY]

Friday, June 14, 1996

“(a) trades, professions and other occupations additional to those listed in Schedule I.”

But those are gone because we are taking out Schedule I.

“(b) qualifications additional to those listed in section 8 (1).

In clause 8 (1), what are the qualifications listed? They are:

- (a) a degree from the University of the West Indies or of the University of Guyana...
- (b) membership of the Guild of Graduates of the University of the West Indies...
- (c) certificate from the Secretary-General of the Caribbean Community...
- (d) a certificate from any authority...”

9.45 p.m.

I do not agree with it. It does nothing. Who is doing what? Who is the authority that is going to evaluate this qualification combination? It certainly is not the Minister. It says the following qualifications satisfy the requirement of this Act. One could have a degree, or could be a member of the Guild; or have a certificate from the Secretary-General, or the certificate could come from the authority. But this one (e), where is it coming from?

Mr. Maraj: Eleven. The Minister may decide on qualifications.

Mr. Valley: Where does it say that?

Mr. Maraj: Clause 11 (b):

“The Minister may subject to negative resolution...prescribe—qualifications additional to those listed in section 8(1) which satisfy the requirements of this Act.”

Mrs. Persad-Bissessar: It is the situation that the hon. Attorney General has just outlined.

Mr. Valley: The point I am making is that one has to get a clear standard. In the first case there is a degree by the university; a certificate from the Secretary General; in (d) the Minister is on his own.

Mr. Maraj: If there is a skill requirement in Trinidad and Tobago which is not being produced by the University of Guyana, or the University of the West Indies and is being produced by some institution in Canada and we need that skill here in Trinidad and Tobago, or a combination of skills—

Mr. Valley: You could get that under (d).

Mr. Maraj: Well, I thought so originally. I was just trying to argue the matter:

“8(1) (d) a certificate from any authority, designated by the Minister by Order as an accrediting authority for the purposes of this section, attesting that qualifications possessed by the applicant satisfy the conditions for recognition of Caribbean Community skills qualification;”

You will have the authority or authorities in Trinidad and Tobago who will look at these qualifications from abroad and say, look, these are qualifications that satisfy entry requirements in any country.

Mr. Valley: With this one, any friends come to you and you feel like it, you sign a paper. It is a little redundant. Superfluous.

Mr. Maraj: It could be that. The question is really that we have to decide, does 8 (d) make 11 (b) redundant? That is the question.

Mr. Imbert: Yes.

Question, on amendment, put and agreed to.

Mr. Valley: With respect to subclause (2), one sees the difficulty we have with this concept of authority:

“For the purposes of subsection (1) (d), ‘authority’ includes—

- (a) any institution or other body whether or not—
 - (i) incorporated;
 - (ii) established under the authority of the Government of Trinidad and Tobago or of any other qualifying Caribbean Community State;
 - (iii) established under any written law;
 - (iv) situated in Trinidad and Tobago.

Mr. Maraj: Are we removing that now?

Mr. Valley: No, I am not. We have just finished with 8(1) (e). I am now going to 8(2)(b), where it talks about:

“any person designated as holding an office in any institution or other body in paragraph (a); and

(c) any public officer;”

Mr. Chairman, with this concept of authority, you could pick anybody you want and say this is a certifying authority for such an important assignment. The question I have to ask is: Where are we going?

Mr. Maraj: Mr. Chairman, my view is that the drafters of the legislation have left a measure of flexibility in the situation. To go back to the point where one places any institution or body or an accrediting institution simply by the University of the West Indies, I think, will run contrary—

Mr. Valley: Well, fine. Let us at least see to whom you are giving this authority. Let us do it by affirmative resolution. If you believe that you may need the flexibility—and we are all reasonable people—all we want to ensure is that the legislation is not abused. This is something that I have campaigned for, up and down the Caribbean but, at the same time, it ought not to be abused. If you argue the view that a level of flexibility is required, as a logical person, I would say, fine that is so, then, obviously, I would ask that you bring it by way of affirmative resolution. Mr. Chairman, may I also make the point that, we talk about accountability.

Mr. Maraj: Why do you want to come to Parliament every time?

Mr. Valley: But you talk about accountability. You want the flexibility. Otherwise you are getting *carte-blanche*. You could go out tomorrow and appoint Joe Bloke as a certifying authority.

Mr. Maraj: So why are there elections and why are governments elected; and why is the Government put to run the budget?

Mr. Imbert: Mr. Chairman, may I make a point. Subclause 2(a) really allows the Minister to appoint anyone in the world.

Mr. Maraj: But it is not a madman you are putting in—

Mrs. Persad-Bissessar: Yes, yes, that is correct.

Mr. Maharaj: Mr. Chairman, I think there is a misconception here. The Minister who has to exercise his powers under this Act is a Minister who would have to be able to consult, and to look at authorities, and in order to understand it, one has to look at the whole clause.

“8. (1) The following qualifications satisfy the qualification requirements of this Act.”

There are (a), (b), (c) and at (d):

“a certificate from any authority, designated by the Minister by Order as an accrediting authority...”

It is in relation to that subclause that we are describing what an authority is. An authority would include an institution, whether incorporated or not, and it gives these different bodies; established in Trinidad and Tobago; under written law; situated in Trinidad and Tobago; any person designated as holding an office; and any public officer.

9.55 p.m.

So the Minister must be able to have that flexibility. If, for example, he is misusing or abusing his powers, we come back to the rules of Parliament. Because in all legislations, Ministers are given powers. Executive powers are exercised and if there is a misuse and abuse, he is accountable to the Parliament.

Mr. Maraj: What is the ultimate guarantee in a democracy? It is public opinion. You do something, a politician or a minister—the guarantee is the public opinion. That is the bulwark of democracy. So you expect that there will be some measure of risk—

Mr. Draper: Except in this case. You are doing something that may seriously affect the development of the country, because what you are doing is providing power to determine whether somebody with a set of qualifications could practise or not, and we therefore need some controls around that. We cannot just leave that open.

Mr. Imbert: Because you could take that to the medical profession. You could expand it to any profession and say, the Minister can do it.

Mr. Maharaj: Mr. Chairman, this is giving people some accreditation; giving people a particular certificate. Under our system, a minister, a government, even without coming to Parliament, can sell out almost half of the country and that could affect development. That does not have to come to Parliament. And you want to say that in respect of each one of these you will have a resolution to come to Parliament.

Mr. Maraj: We can go to the next Heads of Government Conference, for example, and decide we do not want to have anything to do with Caricom. But can we do that, really? We cannot. But we have the power to do it.

Mr. Valley: Mr. Chairman, what this talks about is the authority. What one envisages is that the Minister would come with a resolution, listing the authorities, subject to affirmative resolution. He comes with 10 and if we find they are okay, we pass them. There is no debate with respect to that. But if he comes with some institution or some individual that we believe is questionable, we feel that we need the right to look at that.

Mr. Maharaj: Mr. Chairman, I think that we have to understand that there must be some give and take, and one cannot have a system with all this bureaucracy, all these motions and affirmative resolutions in order to come here and in order to do this. We have all the committee systems—

Mr. Valley: But Ramesh, I have not even asked for a parliamentary committee yet.

Mr. Maharaj: You are getting that without asking for it.

Mr. Maraj: We must have some trust in the situation.

Mr. Valley: Trust is one thing, but the job, obviously—and Parliament must ensure that there are controls. You have said, no, you do not want the University of the West Indies; you want wide powers, and if you need wide powers, therefore, you ought to allow for some parliamentary control. And the fact that you are really avoiding that parliamentary control is making me more suspicious.

Mr. Maraj: There is no reason to be suspicious.

Mr. Valley: I thought so, but you are, in fact, making me suspicious with that whole attitude. You are just putting me out to campaign upstairs, so that it would come back down here, and you know I will do that very effectively.

Mr. Maharaj: No, that is not correct. You campaigned on the Military Provisions Bill, the same one you did not want and they agreed with it. We will discuss that just now.

Mr. Maraj: Mr. Chairman, I think we can move on at this stage.

Mr. Chairman: We do not have agreement on clause 8(2).

Question, on amendment, put.

Mr. Valley: No, no. I am sorry. Mr. Chairman, if we accept the concept of authority in clause 8(1)(a), obviously clause 8(2) cannot be deleted. The argument was that it be by affirmative resolution. I mean that is the concept, because if you were to have the authority under (d), obviously you would need subclause (2). So there is no amendment to clause 8(2). The amendment is to clause 11.

Question put and agreed to.

Clause 8, as amended, ordered to stand part of the Bill.

Clause 9.

Question proposed, That clause 9 stand part of the Bill.

Mr. Maraj: Mr. Chairman, the proposed amendment reads as follows:

Insert a new clause 9 as follows:

- (1) The spouse and dependent members of the family of the holder of a certificate under Schedule II shall, notwithstanding the provisions of any other law but subject to sections 11 and 14, not be subject to any restriction on freedom of movement, including the freedom to leave and re-enter Trinidad and Tobago without further permission, which would not apply if that spouse or dependent family member were a citizen of Trinidad and Tobago;
- (2) For the period of the duration of a permission under section 3(1), the spouse and dependent members of the family of the person to whom section 3 applies shall, notwithstanding the provisions of any other law but subject to sections 11 and 14, not be subject to any restriction on freedom of movement, including the freedom to leave and re-enter Trinidad and Tobago without further permission, which would not apply if that spouse or dependent family member were a citizen of Trinidad and Tobago."

New clause 9 read the first time.

Question proposed that the new clause be read a second time.

Question put and agreed to, That the new clause be added to the Bill.

New clause 9 added to the Bill.

10.05 p.m.

Old clause 9 ordered to stand part of the Bill.

Clause 10.

Mr. Maraj: Remember the old clause 11 has to be deleted.

Mrs. Persad-Bissessar: That would be clause 12. So, clause 11 is this—

Mr. Maharaj: Clause 11 is all right, I think it is clause 12 he wants to deal with.

Mrs. Persad-Bissessar: That now becomes clause 12.

Mr. Chairman: I suggest that we continue with them and then we make the changes afterwards.

Mr. Valley: Are we talking about the old clause 11?

Mr. Chairman: Yes, the old clause 11, and there is something circulated by the Member for Diego Martin Central on this?

Mrs. Persad-Bissessar: Mr. Chairman, before we do that we would have to deal with the old clause 10. We have dealt with the old clause 9, called it 10 and made that part of the Bill.

Mr. Chairman: We have just dealt with the new clause 9 and that has been accepted so we now go to—*[Clerk confers with Mr. Chairman]*

It has just been pointed out to me that strictly speaking what one should do under the Standing Orders is hold the new clause 9 until we are through with the others. We have, in fact, dealt with it as I was dealing with it like that. We could hold it but we would still continue with the existing clause 10.

So, I take it that we have dealt with the old clause 10 just now and we would now go to the old clause 11.

Mr. Maharaj: Mr. Chairman, I just want to be clear. Have we dealt with the old clause 9?

Mrs. Persad-Bissessar: This is the point I was making.

Mr. Chairman: We have dealt with it but it has been pointed out that we should really deal with it at the end.

Mr. Maharaj: You have dealt with the old clause 9 but not the new one?

Mr. Chairman: Yes, but the old clause 9 is doing two things, it was putting in a new clause 9 and it was, in fact, going to renumber clauses 9 to 15 as clauses 10 to 16. This is the purpose of the new clause 9. So, what we are saying is that because we are holding what the new clause 9 would be, and all of those things deal with the old clause 9, we just continue to the existing clause 10 which we dealt with just now and we have now gone to the existing clause 11.

Mrs. Persad-Bissessar: Mr. Chairman, with respect, I do not believe that we have dealt with the old clause 10. We have dealt with the old clause 9 but not with the old clause 10. That is my respectful view. Out of the abundance of caution, perhaps, we could just make the old clause 10 part of the Bill.

Clause 10 ordered to stand part of the Bill.

Clause 11.

Question proposed, That clause 11 stand part of the Bill.

Mr. Valley: Mr. Chairman, clause 11 is to be amended by deleting the words after the word "Act" in line 3 and the rest of the clause.

Mr. Maharaj: You are deleting the whole of subclause (a) —

Mr. Persad-Bissessar: Yes, we are deleting subclauses (a) and (b).

Mr. Maraj: The argument has been postulated that 8(d) makes 11(b) superfluous.

Mr. Valley: As we talk about this implemented approach if we want to move to the next level of skills—if we want to start talking about electricians, masons and so on—I think we need (b).

Mr. Maraj: Let us keep (b).

Mr. Imbert: Mr. Chairman, if we look at 8(d) it gives the Minister flexibility to do whatever he wants so that really—

Mr. Maraj: Clause 8(d) deals with accreditation and 11(b) deals with additional qualifications that may be required.

Mr. Valley: My reading of clause 8(b) at present is that it must be at the level of a university degree or something like that. I am talking about the second level of skills, the electricians and so forth.

Mr. Imbert: Clause 8(1)(d) gives the Minister the authority to designate an institution as a accrediting body. It is unlimited. He can designate an authority to accredit anybody for anything. So, it is there already.

Mr. Valley: If the concept of the legislation is to ensure that persons who come in would have, as the minimum, a university degree, what you are saying is that the Bill, in fact, gives the authority to the Minister to bring someone who is an electrician. That is not the intent. I thought the intent at clause 8(1)(b) is for persons who qualify outside of the University of the West Indies, the University of Guyana and so on. For example, clause 8(1)(b) would allow the person who qualifies from Harvard, Howard or UBC to get in. That is what I thought clause 8(1)(b) would do. I would put somewhere there that the person should have university training.

Mrs. Persad-Bissessar: This difficulty has arisen because we have deleted the word "listed" in the schedule. It has created these kinds of ambiguities having removed the schedule frames, so now it has taken it outside of just university graduates, and as you say, it could be that a certificate can be issued to any person who have skills to come here.

Mr. Maraj: Clause 8(1)(a) talks about a degree.

Mr. Valley: From the University of the West Indies and the University of Guyana.

Mr. Maharaj: I think we should just say "the Minister may, subject to negative resolution of Parliament, make regulations generally for carrying out the provisions of this Act". We could stop there and leave out the rest of the clause.

Mr. Persad-Bissessar: That is what is worrying him now. He has gone back to clause 8(1)(d).

10.15 p.m.

Mr. Imbert: There is a very relevant point that we raised when the trades were listed. There was no question of delaying at a professional level.

Mr. Valley: Which remains in Schedule I.

Mr. Imbert: Many other clauses have now become very open. It was never the intention. The intention was a degree or level of education.

Mr. Valley: I think we need that list of occupations.

Mrs. Persad-Bissessar: It has opened up the thing very wide.

Mr. Maharaj: If one wants that, then we should put:

“the Minister may, subject to negative resolution of Parliament, make Regulations generally for carrying out the provisions of this Act and may prescribe what is stated in subclause (b).”

Mr. Maraj: Just as a reminder, Schedule I states in addition to, “Accountancy, Dentistry, Engineering, Law, Medicine,

“Any other profession or occupation prescribed by the Minister under clause 11.”

Mr. Maharaj: If you put 11(b) you are in effect, giving the power—

Mr. Imbert: It still recognizes profession and so forth.

Clause 11 deferred.

Clause 8 recommitted.

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

Mr. Valley: Let us agree on principle. Do we agree that clause 8(1)(d) should be limited to persons with a university degree?

Mrs. Persad-Bissessar: That accreditation is for purposes of university degrees—

Mr. Valley: Other than the University of the West Indies—

Mrs. Persad-Bissessar: That is the intention.

Mr. Valley: Therefore, 8(1)(d) should say clearly:

“degree from any university that is certified by an authority designated by an authority designated by the Minister”

or something of that nature. If we do that, then we would need (b) in this new clause 11.

Mr. Maharaj: Are you saying if the policy generally is for a university degree, but if one also wants to give some flexibility, one could then amend clause 11 accordingly?

Mr. Valley: Yes.

Mrs. Persad-Bissessar: In which case 8(1)(d) seems to me, and I take the Member's point, that it should in some way indicate whatever accreditation is being done is for purposes of graduates.

Mr. Valley: That is right.

Mr. Maharaj: Minister of Foreign Affairs, this is your Bill, could you tell us what you want us to do, please.

Mr. Maraj: Where in 8(d) would we include the university?

Mr. Valley: Where in 8(d) would we include the university, we would include other skills but I believe for the time-being we wanted to start at the university level.

Mr. Maharaj: He is saying that in 8 (1)(d) "a degree from any—

Mrs. Persad-Bissessar: It seems to me "a certificate from any authority which is designated..."

Mr. Chairman: If we go back to 8(1)(d) on line four, it would now read: "...attesting that university qualifications" by slipping in the word "university" in front of the word "qualifications".

Mr. Draper: Mr. Chairman, we would also have to do the same thing with subclause (c). This is the certificate from the Secretary-General of the Caribbean Community.

Mr. Maraj: Do you want university or tertiary qualification?

Mr. Imbert: Tertiary is very open.

Mr. Maharaj: What about the colleges?

Mrs. Persad-Bissessar: There are institutions which do not call themselves universities.

Mr. Maharaj: But there are institutions which do not call themselves universities but they are colleges. I mean they provide tertiary education but they are colleges.

Mr. Imbert: What about the university level? Tertiary could be a technical school.

Mr. Persad-Bissessar: But it still has to be accredited at that level.

Mr. Maraj: Let us go with university qualification.

Mr. Chairman: It is either tertiary or university level.

Mr. Maraj: Tertiary qualification, yes.

Mr. Assam: What is tertiary qualification?

Mrs. Persad-Bissessar: University level.

Mr. Imbert: One can attend John Donaldson, for example, after attending secondary school and have that qualification.

Mr. Chairman: That then would be inserted in 8(1)(c) in the third line before “qualifications”, “university level” and also in (8)(1)(d) before “qualifications” appearing in the fourth line.

Hon. Members, if we back-track, clause 8 should be further amended by inserting in 8(1)(c) in the third line before “qualifications” the words “university level” and in 8(1)(d) in the fourth line before “qualifications”, the said words “university level”.

Question put and agreed to.

Clause 8, as amended, again ordered to stand part of the Bill.

Clause 11 reintroduced.

Mr. Chairman: We now go back to the initial clause 11. Were we saying that we put after the word, “Act”, a full stop?

Mr. Valley: We will have to pick up (b).

Mrs. Persad-Bissessar: So we may put after the word “prescribe” what is in (b).

Mr. Maraj: Mr. Chairman, I think we should have:

“the Minister may subject to negative resolution make Regulations generally for carrying out the provisions of this Act and in particular may prescribe qualifications additional to those listed in clause 8(1) which satisfy the requirements of this Act.”

Mrs. Persad-Bissessar: Mr. Chairman, in other words, delete 11(a) and the letter (b).

Mr. Imbert: Mr. Chairman, I need a bit of explanation. Does this mean that all of what we have done, that is, put in “university level” can be superseded by this clause?

Mrs. Persad-Bissessar: With this one we will have to come to the Parliament.

Mr. Valley: Here we would need to have it affirmative. Are we saying that we would only have the university people as we move to other skills, then we will have to come to the Parliament in order to change negative to affirmative?

Mr. Maharaj: If you file a negative resolution—the Opposition can file—

Mr. Valley: We know that but we needed you to be proactive. The logic is clear, that we are saying university level—for the skilled electrician we want to know the certification procedure is in place.

Mr. Chairman: Clause 11 should be amended by changing the word “negative” appearing in the first line to the word “affirmative” and by deleting (a) and the letter (b).

Question put and agreed to.

Clause 11, as amended, ordered to stand part of the Bill.

10.25 p.m.

Clause 12.

Question proposed, That clause 12 stand part of the Bill.

Mr. Valley: Mr. Chairman, I beg to move that clause 12 be amended by inserting the words:

“the Minister may by Order amend the Schedules. All Orders under this Act are subject to affirmative resolution of Parliament.”

I do not want to go back because when we were talking about clause 8(2) you were under the impression that I was asking for deletion. I made it clear that I was looking to have affirmative resolution; to come to Parliament.

Mrs. Persad-Bissessar: We cannot agree with that. We want to keep that so that you would allow the Minister the flexibility to accredit institutions.

Mr. Valley: Mr. Chairman, that is the one sore point I have with this legislation. Every time it is touched it makes me extremely suspicious. Arrogance is not helping.

Mrs. Persad-Bissessar: It is only for university requirements.

Mr. Assam: Do you want to amend clause 12?

Mr. Valley: If my amendments were accepted there would be no need to amend clause 12. Remember we are putting University of the West Indies.

Mr. Maraj: Mr. Chairman, we are ready to proceed.

Mr. Valley: Mr. Chairman, the arrogance of the Member is not helping.

Question, on amendment, put and negatived.

Clause 12 ordered to stand part of the Bill.

Clauses 13 to 15 ordered to stand part of the Bill.

Mr. Maharaj: Mr. Chairman, I propose that clauses 9 to 15 be renumbered as clauses 10 to 16, respectively.

Question put and agreed to.

Clauses 9 to 15 renumbered clauses 10 to 16.

Schedule I.

Question proposed, That Schedule I stand part of the Bill.

Mr. Maharaj: Mr. Chairman, I propose that Schedule I be deleted and also the words, "Schedule I" wherever they occur.

Question put and agreed to.

Schedule II.

Question proposed, That Schedule II stand part of the Bill.

Mr. Maharaj: I beg to move that Schedule II be renumbered Schedule I.

Question put and agreed to.

Schedule II, renumbered Schedule I, ordered to stand part of the Bill.

Schedule III.

Question proposed, That Schedule III stand part of the Bill.

Mr. R. L. Maharaj: Mr. Chairman, I beg to move that Schedule III be renumbered Schedule II.

Mr. Maharaj: There is also another slight amendment to the Schedule. There is at the end of the Schedule, just above "Address of Minister", the words, "Minister responsible for Caribbean Community Affairs". I ask that the amendment read "Minister" instead of "Minister responsible for Caribbean Community Affairs"?

10.35 p.m.

Mr. Chairman: Instead of it just reading "Minister responsible for Caribbean Community Affairs", it just reads "Minister"? What about in the body of that Schedule:

"Whereas has applied to the Minister responsible for Caribbean Community Affairs in the Government of Trinidad and Tobago for a Certificate of Recognition of Caribbean Community Skills Qualification, in reliance of the qualifications set out below, and has satisfied the Minister..."

Mr. Maharaj: I am told that we cannot do that. The Minister under the Act is the Minister to whom the responsibility for immigration is assigned. I do not know how we should do this.

May I ask that "Minister of National Security" be substituted wherever we have "Minister responsible for Caribbean Community Affairs"? The Act provides for the licence and the permit to be given by the Minister of National Security and we cannot have that in the Schedule. Then it will be:

"Whereas has applied to the Minister responsible for Immigration in the Government of Trinidad and Tobago for a Certificate ...".

And at the end of it, "Minister responsible for Immigration."

I will explain so that everyone will understand what I am doing. The Minister under the Act is the Minister for whom responsibility for Immigration is assigned so we cannot have it signed by any other minister and a bill cannot be passed.

Mr. Chairman: Hon. Members are you following this? It is being suggested that the Schedule should read:

"Whereas has applied to the Minister responsible for Immigration in the Government of Trinidad and Tobago..."

Immigration Bill

Friday, June 14, 1996

and then down to the bottom, it will read, “Minister responsible for Immigration” instead of “Caribbean Community Affairs”.

Question, on amendment, put and agreed to.

Schedule III, renumbered Schedule II, as amended, 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; read the third time and passed.

10.45 p.m.

MILITARY TRAINING (PROHIBITION) BILL

Senate Amendments

The Minister of National Security (Sen. Brig. The Hon. Joseph Theodore): Mr. Speaker, I beg to move,

That the Senate amendments to the Military Training (Prohibition) Bill listed in the appendix be now considered.

Question proposed.

Question put and agreed to.

Clause 2.

Senate amendment reads as follows:

In the definition of “subversive activity”, paragraph (c) lines 2 and 3, delete the words “in promoting any object,”.

Brig. Theodore: Mr. Speaker, I beg to move that the House doth agree with the Senate in the said amendment.

Question proposed.

Mr. Colm Imbert (Diego Martin East): Mr. Speaker, I simply wish to say that this amendment, belatedly recognizes the point made by Members on this side in the original debate, where we got Members on the other side to agree to remove the words “political”. They have now deleted, entirely, the whole question of promoting any object. Mr. Speaker, this is a very dangerous piece of legislation which could be abused by an irresponsible government.

Military Training Bill
[MR. IMBERT]

Friday, June 14, 1996

I am happy to see good sense prevail in the Senate, and the arrogance that we saw in this place was absent there. As a result, I am happy to support the amendment to clause 2.

Question put and agreed to.

Clause 3.

Senate amendment reads as follows:

In subclause (1), line 2, substitute for the word “Minister”, the word “President”.

Brig. Theodore: Mr. Speaker, I beg to move that the House doth agree with the Senate in the said amendment.

Question proposed.

Mr. Imbert: Mr. Speaker, again, this could have been avoided if the arrogant Attorney General had recognized that we did not wish to place all these responsibilities and powers in the hands of a minister. They now bring in the President, which introduces the question of added responsibility [*Inaudible*]. Even that places tremendous power in the hands of an irresponsible government. [*Interruption*]

Mrs. Bissessar: Like yours.

Mr. Sudama: Could the Member tell us in whose hands he would put it?

Mr. Imbert: Again, I ask the arrogant Attorney General, on the next occasion, to listen to us and he would not have to come back here with this type of amendment.

Mr. Maharaj: Mr. Speaker, I have a record of the contributions made in that debate. At no time did the Members on the other side suggest that the word “Minister” should be amended to read “President”. As a matter of fact, they wanted an appeal body. The Independent Senators, however, did not want that.

The President’s power is an executive power, therefore, we were contending that it should be an executive power with the Executive responsible to Parliament.

The Opposition, therefore, cannot claim any credit for this amendment.

Question put and agreed to.

*Clause 4.**Senate amendments read as follows:*

- A. In subclause (1), the last line, substitute for the word “Minister”, the word “President”.
- B. In subclause 2(b), line 1, substitute for the word “or”, the word “on”.
- C. In subclause (3), the last line, substitute for the word “Minister”, the word “President”.

Brig. Theodore: Mr. Speaker, I beg to move, that the House doth agree with the Senate in the said amendment.

Question proposed.

Mr. Imbert: Mr. Speaker, contrary to the assertions of the Attorney General, who likes to misquote, misrepresent and simply mislead—not only Members on his side—but everybody in this Parliament, we stated clearly, that we felt that no Minister should have any such power. As a matter of fact, we recommended that the Commissioner of Police be the one who certifies these private rifle clubs, security agencies, and so forth, engaged in training activities.

Mr. Speaker, I am happy to see that they have incrementally gone to the President, which is Cabinet. We hoped that they would have gone further, to the Commissioner, but at least they have seen the wisdom of what we were telling them. Although they have not done what they should have done, they did a part of what we recommended.

I, again, ask the Attorney General, when we make recommendations on this side, to listen to us and we would avoid this sort of thing.

Mr. Maharaj: Mr. Speaker, I want to place on record that the Member for Diego Martin East is not being accurate. What he is doing in respect of the Commissioner of Police is, in effect, supporting the fact that the amendment does not go for the principle; that it must be anybody else but the politicians, the Ministers, and the Members of the Executive who are responsible to Parliament.

It is quite clear, even from the second aspect of his contribution, that their philosophy of any amendment: to have the Commissioner of Police, or to have an appeal tribunal, was not the accepted policy, either in the Senate or in this House.

Question put and agreed to.

Clause 5.

Senate amendments read as follows:

- A. Renumber subclauses (2) and (3) as subclauses (3) and (4) respectively.

Delete subclause (1) and substitute the following—

“(1) A person commits an offence who, for the purpose of engaging in subversive activities, takes part in—

- (a) organizing, controlling, managing, training, drilling or equipping other persons;
- (b) soliciting or providing financial or other support for the organization, management, control, training, drilling or equipping of other persons; or
- (c) any meeting or assembly at any place or premises for the training, drilling or equipping of persons,

in the use of firearms, ammunition, artillery or explosives.

- (2) A person commits an offence who, for the purpose of engaging in subversive activities, takes part in any military exercise.”.

- B. In subclause (4), lines 1 and 2, delete the words “the practice of military exercises” and substitute the words “the taking part in any military exercise”.

Brig. Theodore: Mr. Speaker, I beg to move that the House doth agree with the Senate in the said amendment.

Question proposed.

Mr. Imbert: Mr. Speaker, it is going to be very difficult for the Attorney General to mislead us on this one. He has already attempted to wiggle his way out of the fact that he had to concede—in the Senate—on the whole question of constraining the Minister and curtailing his power. He can ramble all he wants, but the fact is that the Senate constrained the Minister.

In this particular amendment we were at pains, Mr. Speaker, to point out that the wording of the legislation was such that persons engaged in legitimate training activities such as sporting organizations, could be confused by the legislation, with

persons engaging in subversive activities. We made the point that there are many karate clubs, and so forth, who do similar training to military training who could have been caught in the net.

10.55 p.m.

This amendment brings in the whole concept that if one is engaging in military-type activities, it is an offence if they are being done for the purpose of engaging in subversive activities, which gives some form of protection to persons who engage in military training activities, but not for subversive purposes. We made this point over and over again in the debate and there is no reason why this had to go to the Senate to modify the legislation, bring it back to remove any ambiguity and doubt about persons engaging in military-type activities or in the use of firearms and so forth, but not for subversive purposes.

As I say, the operative words inside of here are, “a person commits an offence who for the purpose of engaging in subversive activities takes part in any military exercises”. I will ask the Attorney General not to mislead the House or misquote and ramble again. Let us proceed. He made an error, the Senate had to correct it and I am feeling better now. When I run down Long Circular Road and do a high knee kick or something like that, I cannot be accused of being engaging in subversive activities.

Thank you, Mr. Speaker.

Mr. Sudama: You cannot do a high knee kick. You can only do a low knee kick.

Mr. Maharaj: Mr. Speaker, it is amazing how parliamentarians can come here and not understand what they read. This clause is the same clause 5 which we had in the Bill and all that has happened, is that the drafting of the clause has been changed in style. As a matter of fact, when this clause 5 was dealt with in the House of Representatives, the Opposition did not oppose it and I refer specifically not only to the volume of the debate, but to the committee stage on May 3, 1996 at 7.20—7.30 p.m and to the part of the Bill where it says:

“Clause 5

Question proposed, That clause 5 stand part of the Bill.”

The Opposition raised no comments, no amendments and no questions on this clause. There was no objection to it so this clearly shows that he is confusing

Military Training Bill
[MR. MAHARAJ]

Friday, June 14, 1996

clause 5 with clause 6, and you may recall that when this Bill came, it was not clause 5, it was clause 6 which they were saying was hearsay evidence and no Senate would agree with this Bill because it was double hearsay, triple hearsay and people can say this and people can say that. He would not get up today and say that the Senate agreed with clause 5 and clause 6 and with the philosophy in this Bill. It is the drafting style that has changed.

Thank you very much, Mr. Speaker.

Brig. Theodore: Mr. Speaker, I just want to extend on what the Attorney General has said. The whole purpose of this Bill is to deal with persons who were training and doing exercises with the intent of committing subversive activities. For the hon. Member for Diego Martin East to suggest that we had put in and had made it clear that a person who commits an offence for the purpose of engaging in subversive activity takes part in any military exercise is quite redundant because this is the purpose of the Bill.

Question put and agreed to.

Clause 10.

Senate amendment reads as follows:

Renumber clause 10 as clause 11 and insert the following new clause 10:

“Consent of DPP 10. No prosecution shall be instituted for an offence under this Act without the prior consent of the Director of Public Prosecutions”.

Sen. Brig. The Hon. J. Theodore: Mr. Speaker, I beg to move that the House doth agree with the Senate in the said amendment.

Question proposed.

Mr. Imbert: Mr. Speaker, despite the rambling of the Attorney General with the preceding clause, again this provides a measure of protection to the innocent citizen. It is unfortunate that the Minister of National Security has taken “basket” from the Attorney General who is a notorious Rambler of the highest calibre. The preceding clause is very different in the original legislation and I am happy for the protection that the Senate has introduced in the clause.

Additionally, in clause 10 I am happy that the Director of Public Prosecutions is a buffer between the innocent citizen and the irresponsible Minister. I am happy that clause 10 now brings in the DPP and at least he can say: “Look here, Mr.

Minister, I have no intention of prosecuting so and so because there are insufficient grounds and evidence to do so.”

Mr. Speaker, in clause 10, again there is a recognition that the original legislation was defective and dangerous and it opened up a whole range of attacks on the person for victimization, persecution and so forth. I am very happy that the Senate has seen the wisdom of bringing in the Director of Public Prosecutions which is an independent authority under the Constitution to act as a buffer between the irresponsibility of a Minister seeking to victimize an innocent citizen.

For the record, it is my understanding that in the other place, there was tremendous resistance to clause 6, but the Attorney General railroaded it through in his inimitable style.

Thank you, Mr. Speaker.

Mr. Speaker: Just for the sake of correctness. You did jump the gun just now and you were in full flight and I really could not have stopped you, but you did not allow me to propose the question. *[Laughter]* which I would now do. I would ask that it be juxtaposed, and your contribution which you have just made should go in, but be recorded after I have put the question. Just for the sake of correctness, the Minister having moved.

The first person who would have spoken afterwards would have been the Member for Diego Martin East.

Mr. Maharaj: Mr. Speaker, I think it is important when inaccurate information is stated here that we respond at least for the sake of history or for the sake of anyone doing research.

I would like to put it on record that again the hon. Member has tried to mislead this House and he is not speaking the truth. I say this because when this debate occurred, there was no question of the Opposition raising any contention that there should be any safeguard with respect to prosecutions being instituted with the prior consent of the Director of Public Prosecutions.

As a matter of fact, there were five proposed amendments by the Opposition and they never dealt with this; the point was never raised. This point was raised for the first time in the other place in order to protect certain safeguards and it was in this context that the Government readily agreed that having regard to the nature of the legislation and what may be regarded as extreme power which can be utilized

Military Training Bill
[MR. MAHARAJ]

Friday, June 14, 1996

and be misused, that the Government had no objections in having the DPP as the functionary to have prior consent for prosecutions. I will like to make it clear that it was not as a result of the Opposition. They did not support this Bill, they were against the whole concept of this Bill and against this Government taking any action to deal with terrorism. They do not want this Bill.

11.05 p.m.

Mr. Speaker, they do not want this Bill. How can the hon. Member say that he is supporting an amendment when he abstained from voting on this Bill? It is a matter of record that, both in the lower and upper House, the Opposition did not support the Bill. They abstained from voting on the Bill. *[Interruption]*. That is correct, that is a matter of record.

They do not even know what their policy and philosophy is. Eleven o'clock in the night, they want to say something, they do not know what to say, so he gets up and he says anything. And he talks about brambler. He is the biggest brambler in politics that we know.

Sen. Brig. Theodore: Mr. Speaker, I am pleased to see that this amendment has given the Member for Diego Martin East such joy. It is good to see that he is so happy about something that occurred in the other place, to which he never contributed. It is encouraging and it is indeed rewarding to see that the Member for Diego Martin East could be happy about something proposed by someone other than himself.

Thank you, Mr. Speaker.

Question put and agreed to.

SARASWATI MANDIRAM (INC'N) BILL

Question put and agreed to, That a bill for the incorporation of the Saraswati Mandiram and for matters incidental thereto, be now read a second time.

Bill accordingly read a second time.

Bill referred to a special select committee of the House of Representatives appointed by the Speaker as follows: Dr. F. Khan (Chairman), Mr. C. Sharma, Mr. R. Ali, Mrs. E. James, Mr. J. Narine.

Adjournment

Friday, June 14, 1996

ADJOURNMENT

The Attorney General (Hon. Ramesh Lawrence Maharaj): Mr. Speaker, I beg to move that this House do now adjourn to Friday, June 21, 1996 at 1.30 p.m..

May I announce that the House will deal with the Protective Services (Compensation) Bill and the Motor Vehicle Insurance (Third Party Risks) Bill. There could be no doubt as to what we will be dealing with on Friday.

Carenage Boys' Government School (Construction of)

Dr. Keith Rowley (*Diego Martin West*): Mr. Speaker, I raise this matter with respect to the construction of the Carenage Boys' Government School, a matter which you would recall, I did raise during the debate on the Appropriation Bill.

In 1994, as part of the development programme for that year, provision was made for the construction of a government school in Carenage; a school which is sorely needed since the boys of the community have been accommodated in the Girls' School for quite sometime, resulting in extreme inconvenience to parents, students and teachers. The Carenage Girls' Government School is in effect 100 per cent overcrowded. As a result of that, the programming in the 1995 budget took into account this construction.

However, in 1996, we had gone a considerable way with respect to the preparation of that contract—drawings were completed, tenders were invited, bids were received—and it was the expectation that the contract would have been awarded in November 1995. That did not happen and it did not find its way on the Development Programme for 1996.

I raised the matter here and, mistakenly, at the time the Minister of Planning and Development indicated that the reason the construction was not being proceeded with was that the drawings were not completed. I subsequently was able to point out and convince him that this was not so and he agreed that the drawings were in fact ready and they were in an advanced stage in this project.

I had a meeting with the hon. Prime Minister in February in the presence of the Minister of Planning and Development. In the best of spirits, I was given the assurance by the hon. Prime Minister that he would instruct the relevant Minister to proceed with the award of the contract for which bids were already received

Carenage Boys' School
[DR. ROWLEY]

Friday, June 14, 1996

since November, 1995 and that steps would be taken to have the construction commence in the dry season of 1996.

Mr. Speaker, I have been very patient on this matter. I took the Prime Minister at his word, and I was given every assurance that this very important infrastructure for the benefit of primary school children in Carenage would have been attended to and we would have seen construction start in the dry season. We are now well into the rainy season and nobody on the Government side could or would tell me what is the story with respect to the Carenage Boys' Government School.

I do not think it could be a question of money anymore because at the time when the Prime Minister had promised to reinstate this project on the Development Programme, he did indicate that it was the intention of the Government to do a mid-year review on the capital programme and he was sure that would have been taken up then.

I have since seen statements from the Minister of Finance that things are going very well with respect to the inflow of funds and he is predicting a \$500 million surplus on the 1996 budget. So, I really would like to find out from somebody on the Government side what the position is with respect to the promise of the Prime Minister to have the Carenage Boys' Government School constructed during 1996.

Thank you, Mr. Speaker.

11.15 p.m.

The Minister of Planning and Development (Hon. Trevor Sudama): The advice I had from the Minister of Education was that the Carenage Boys' Government School was not one of the schools which was in a state of readiness to proceed with construction immediately. I merely wish to advise this House that it was not only the Carenage Boys' Government School which was deferred; we deferred construction of the Iere Government School, Princes Town Presbyterian, St. Madeleine North Government, Gasparillo Government and a number of other schools which we could not have accommodated.

I know the Member thought I was singling him out for victimization because all sorts of charges were made. I, however, tried to address that in the budget debate. What is curious is that the delay in finalizing approval of the designs, and doing all that was necessary to go out to tender, occurred in the Ministry of Works and Transport during 1995. I understand he and the former Minister of Works and

Transport, the Member for Diego Martin East, are good friends, and I could not, for the life of me, understand why he could not push his friend to have this matter expedited. If construction work had begun in 1995, there would have been no need to pursue it in 1996. It is very strange indeed.

Mr. Speaker, he did come with a delegation to see the Prime Minister. I was present at that meeting and the assurance was given that we would look at the request. We saw that the matter was with the Ministry of Works and Transport, and since it did not appear in the 1996 Development Programme, then funds would have to be identified to deal with that construction. The identification of funds is the responsibility of the Ministry of Finance. The Member was given that assurance and, since then, we have had word from the Ministry of Works and Transport that tenders had to be re-invited for the schools. In fact, I thought he would have seen in the newspapers that a public notice for the invitation of tenders was recorded and the invitation had gone out. I read from the *Newsday* of Friday June 7, 1996.

Hon. Member: He was reading “*The Independent*”.

Hon. T. Sudama: That is unfortunate, if he does not read the other newspapers. It says here—this is for the construction of the Carenage Boys’ Government Primary School:

“Tenders are invited for the construction of Carenage Government Primary School for the Ministry of Works and Transport.”

The closing date for the tenders would be Monday, July 15, 1996. After the tenders have been received they will be evaluated, and once the funding is in place we will proceed with the construction of the school. The contractors will be selected through a process of competitive bidding and a site meeting for all prospective tenderers has been arranged for Thursday, June 20, 1996. On the basis of that meeting they will submit tenders and after the closing date the tenders will be evaluated and the matter will then proceed for the construction of this school.

The commencement and completion dates for the construction of the school will be subject, of course, to the award of the contract on the basis of the receipt and evaluation of the tenders. So that is where the matter is—

Dr. Rowley: Mr. Speaker, I gather that the Minister is winding up. However, I just want a point of clarification before he continues. I thank him for accommodating me. The Minister did mention a group of schools in the explanation he gave, but I wonder whether, in fact, the Minister could tell us

Carenage Boys' School
[DR. ROWLEY]

Friday, June 14, 1996

whether any of those other schools were at the stage where tenders were actually in hand, as was the case in the Carenage school in 1995.

Hon. T. Sudama: Mr. Speaker, all these schools were put down here and estimates were provided in the 1995 programme. They were all in an advanced stage of planning and design, tender invitations, and so forth. One has to make a choice if one is going to bring the programme within the limits one is given. The point is, I was not singling out that school which—I did not even know—fell in the Diego Martin West constituency. I am glad that the Member has recognized constituencies; because I remember when I was in Opposition, he would not acknowledge constituencies and representation on behalf of constituencies when made by me. He said he looked at regions. I am glad he is now recognizing constituencies. This is where the position is, Mr. Speaker. *[Interruption]* But I could not end without quoting from a writer to the *Express*. The heading is: “Rowley making a lot of noise”. He says:

“No sooner was the goodly doctor out of government, he became a rabble rouser for the building of a primary school in his own district. Can you imagine that?”

Here is a senior cabinet minister in the last government, with five years...”

Well it is really three years and ten months—

“...to build all kinds of things for his constituents, waits until his party is voted out of office to now seek a major basic benefit for his people. Was this man asleep for five years?”

As regards constituency representation— *[Interruption]* I understand he has to make representation and then do something in the limelight. After all, he has a contest on his hands with the Member for San Fernando East, an on-going matter. The quote continues:

“And look at how he does it. In grand style—press conference, public meetings and hundreds of signatures ‘to petition the new government to build a new school.’”

Mr. Speaker, he was there as a senior minister for three years and ten months. This is a Government for all the people; *[Desk thumping]* for all the areas of Trinidad and Tobago and for the whole nation. We are in the process of taking this matter into its final stages with the construction of the Carenage Boys’

Carenage Boys' School

Friday, June 14, 1996

Government School and as soon as matters are put in place, I assure the Member, that construction will begin. I cannot promise him date and time, but I can say that the matter is well in hand and, as a caring Government, we care for the people and the boys and girls of Carenage, Central, South, Tobago, and elsewhere.

Mr. Speaker, I wish him well in his effort of trying to unseat the Member for San Fernando East, and if this will help, all the best to him.

Thank you.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 11.27 p.m.