

HOUSE OF REPRESENTATIVES*Friday, August 9, 1996*

The House met at 1.30 p.m.

PRAYERS[MR. SPEAKER *in the Chair*]**CODE OF CONDUCT**

Mr. Speaker: Hon. Members, on Friday of last week I brought to your notice an article on page 5 of that day's issue of the *Independent* in which I raised a question on a particular aspect of the newspaper article which seriously called upon sections of our population to contribute to a fun contest, the objective of which in the article's words "disparages and humiliates powerful and influential Members of Parliament."

I indicated then that I would seek counsel, after which appropriate action would be taken.

My investigations have revealed that although House of Representatives press cards exist for the media which spell out on the back, Standing Order 88 and that rules would regulate the attendance of the press at sittings of the House, neither the cards, any printed rules, or the code of conduct and dress was ever given to the accredited press. I accordingly now advise hon. Members, that in the circumstances, I do not deem it appropriate to take any action in respect of the publication to which I had referred.

The existing press cards and the printed code of conduct and dress shall be closely examined with a view to updating them and then they will formally be drawn to the attention of authorized representatives of the press to whom permission is granted to attend sittings of the House under Standing Order 88(1) and (2). After this exercise is completed I hope that there would be a better understanding by the press of the desirability of conforming with House rules brought into being for the maintenance of high standards.

I thank you.

PAPERS LAID

1. The Patents Rules, 1996. [*The Minister of Legal Affairs (Hon. Kamla Persad-Bissessar)*]

2. The Supreme Court of Judicature (Amendment) (No. 2) Rules, 1996. [*The Attorney General (Hon. Ramesh Lawrence Maharaj)*]
3. The Annual Report of the Law Commission for the year 1994. [*Hon. R. L. Maharaj*]
4. The Annual Report of the Trinidad and Tobago Management Development Centre for the year 1992. [*The Minister of Trade and Industry (Hon. Mervyn Assam)*]

OCCUPATIONAL SAFETY AND HEALTH BILL

(PUBLIC COMMENT)

The Minister of Labour and Co-operatives (Hon. Harry Partap): Mr. Speaker, I am authorized by the Cabinet to inform this honourable House that the long overdue Occupational Safety and Health Bill will shortly be brought here for consideration. Before we do so, Cabinet has instructed that it be published for public comment.

Mr. Speaker, steps are being taken to have the Bill available to the public through post offices and district revenue offices. The Ministry of Labour and Co-operatives will be receiving the comments and will, in the process, be organizing a symposium at a convenient place both in Trinidad and in Tobago to facilitate open and free dialogue on the provisions of the Bill.

This Bill is intended to repeal the Factories Ordinance, Chap. 30 No. 2, enacted by the colonial Legislative Council on December 18, 1948 which has become outdated. This Ordinance had provided for the promotion of the health, safety and welfare of persons employed in factories. The policy direction followed guidelines enshrined in the ILO Convention No. 155, and Recommendation No. 164. Basically, the ILO Convention required that all persons employed are to work under safe and healthy conditions. There are at least six guidelines which influence this policy.

Mr. Speaker, this Bill that would come before this honourable House, would seek to modernize the legal framework for occupational safety and health in light of advancing science, technology and engineering. The broad objectives of this Bill include:

- (1) Updating the current Factories Ordinance, Chap. 30 No. 2.
- (2) Widening the scope in respect of categories of workers to be protected.

- (3) Placing duties and responsibilities for workers' protection on employers, occupiers, manufacturers and suppliers.
- (4) Introduction of safety requirements for all classes of pressure vessels.
- (5) Stipulation of medical requirements for vulnerable groups of workers, for example, young persons.
- (6) Ensuring high standards of environment conditions at the workplace in the interest of workers' rights.

Mr. Speaker, please allow me to step back a bit in time in order to put this Bill into perspective. This Bill has been in the making for 21 years during which time it had reached the point of being introduced in Parliament under the NAR administration. Unfortunately, the Bill lapsed.

The majority of these 21 years was under successive PNM administrations, but it is clear to us on this side, that the PNM had neither the political will nor an interest in workers, to advance the cause of this very important labour legislation.

Mr. Speaker, I must add that only a government with an anti-worker bias could have left such an important piece of legislation languishing for 21 long years. How many had died or were maimed for life on the altar of inaction by those opposite when they were on this side, will in due course be known.

1.40 p.m.

Mr. Speaker, with just nine months and two days in coming into office, this UNC/NAR coalition Government of national unity has demonstrated its commitment to honour manifesto promises. The UNC partner in this Government of national unity had in its 1995 general elections manifesto, at page 24, promised to:

“Upgrade and enhance the existing labour laws which relate to occupational safety and health.”

The first draft Bill on occupational safety and health was prepared in 1975. Four years later in 1979 an amended version was produced followed five years later in 1984 by yet another version. The 1984 version of the Bill was circulated for public comment. Some 37 sets of comments were received from a wide cross-section of the public. This version was further amended based on the comments received in the form of a 1991 edition which was referred to the then Legislative Review Committee. The 1991 Bill was introduced in the House of Representatives

Occupational Safety and Health Bill
[HON. H. PARTAP]

Friday, August 9, 1996

in October 11, 1991 but it lapsed when Parliament was dissolved on November 5, 1991.

A 1994 edition was produced and presented to the Legislative Review Committee where a decision was taken to reformat the draft legislation in the interest of simplicity and user-friendliness. Nothing further happened with the 1994 Bill. The 1996 Occupational Safety and Health Bill which we will bring to this Parliament has a number of innovations and is significantly different from the other versions.

Permit me to outline some of these innovations:

- (a) The protective cover of the Bill has been widened in that all persons at work with the exception of household assistants are included.
- (b) A provision in the Bill deals with medical examination of persons as a pre-condition of permanent employment in an industrial establishment, except in such shops or places of work that may be exempt by order. This is to ensure proper medical monitoring of workers in certain places of work.
- (c) Where toxic substances or materials are manufactured, stored or used, workers are not to be exposed to inhalation, ingestion, skin absorption or skin contact with such substances or materials at concentrations above those prescribed. Further, no person in an industrial establishment shall be exposed to harmful radiation at levels above those prescribed.
- (d) Suitable protective clothing or devices of an approved standard are to be provided to all persons entering an area where they are likely to be exposed to bodily injury or injury from air contaminants.
- (e) Where there are dangerous fumes or lack of oxygen in confined spaces such as tanks, vats, pits and so forth, all practicable measures are to be taken to protect any person entering those confined spaces. This may involve removing the danger by adequate ventilation and testing or the use of suitable breathing apparatus and lifeline.
- (f) It will be the duty of the occupier to take steps to protect the general public from hazards emanating from his industrial establishment. Hazards may include flashes from arc welding or emissions of toxic fumes or gases.

- (g) Prohibition notices can be served on occupiers by the inspectors where machinery, plant or process poses an imminent threat to life or limb. This requires that work in the specified area be brought to a halt immediately.
- (h) Wastes and effluents are to be disposed of such as to ensure that the disposal does not result in any danger to persons, property or the environment.

If the legislation is to be effective, it is critical that the Factory Inspectorate is strengthened in order to enforce the measures. We will take steps to do this. We look forward for support on this piece of legislation when it is presented.

I thank you.

MOTOR LAUNCHES (AMDT.) REGULATIONS

The Minister of Works and Transport (Sen. The Hon. Sadiq Baksh): Mr. Speaker, I beg to move the following Motion standing in my name:

Whereas it is provided by section 15(1)(h) of the Motor Launches Act, Chap. 50:08 (hereinafter referred to as “the Act”) that the President may make Regulations prescribing the fees to be paid for any certificate or licence issued or act done under the Act;

And Whereas it is provided by section 15(3) of the Act that Regulations made under the section shall have no force or effect until they have been approved by Parliament;

And Whereas the President has on the 15th day of February, 1996 made the Motor Launches (Amdt.) Regulations, 1996;

And Whereas it is expedient that the said Regulations now be approved;

Be it resolved:

That the Motor Launches (Amdt.) Regulations, 1996 be approved.

Mr. Speaker, the Motor Launches Act, Chap. 50:08 of the Laws of Trinidad and Tobago, is originally part of old United Kingdom legislation dating back to 1927. It provides for the regulation of motor launches described under the Act as “any steam launch, motor boat or other vessel propelled by mechanical power not exceeding thirty and a half metres in length”. The Motor Launches Act covers vessels carrying fare-paying passengers only. The Pleasure Boat Act No. 48 of

Motor Launches (Amdt.) Regulations
[HON. S. BAKSH]

Friday, August 9, 1996

1977 which addresses the operations of pleasure boats was repealed by the Shipping Act No. 24 of 1987. Regulations governing its safety and operations are now being developed and are expected to be completed during 1997.

Under Section 4 of the Act the owner of every motor launch shall cause it to be surveyed once in every 12 months by a surveyor appointed by the President. If a surveyor is satisfied that the motor launch is in good condition in hull, machinery and prescribed equipment, he shall furnish the Harbour Master with a declaration containing statements of the following particulars:

“(a) that the hull, machinery and prescribed equipments of the motor launch are in good condition and that she is in all respects fit to be employed as a motor launch;”

Mr. Speaker, permit me to state that no disrespect is meant to females since “she” is international jargon associated with the maritime industry and quite commonly used to describe ships and boats. Also:

“(b) the limits, (if any) beyond which, as regards the hull, machinery and equipments, the motor launch is not fit to ply;

(c) the crew required for the safe navigation of the motor launch;

(d) the number of passengers the motor launch is, in his judgement, capable of carrying with safety;

(e) any other particulars which may be prescribed.”

1.50 p.m.

In addition, section 8 of the Motor Launches Act provides:

“(1) A person shall not serve on a motor launch carrying passengers as captain or engineer (if an engineer is required) unless he is duly licensed . . . and a person shall not employ any person as captain or engineer (if an engineer is required) who is not so licensed on a motor launch carrying passengers . . .”

Over the years external professional expertise has been sought to perform surveys of motor launches and conduct examinations under the Motor Launches Act. Traditionally, this expertise has come from officers of the Port Authority and the Pilot and Berthing Masters Association who possess the certificate of competency as Master, and a certificate of competency as Marine Engineer I. Currently, five persons have been appointed both as Surveyors of Motor Launches

and Examiners of Engineers. Five persons hold appointment as Examiners of Captains.

In 1993, there were 212 vessels on the national register of motor launches and 10 more vessels were placed on the register in 1994. However, in 1995, an update done on vessels on the register showed only 113 launches to be active. There is cause for concern that more vessels under 24 metres in length currently operate in and around the waters of Trinidad and Tobago without satisfying the requirements of the Act with respect to surveys and personnel.

The existing fee structure is as follows:

Service	Fee (\$)
Initial survey of motor launch	50.00
Annual survey of motor launch	50.00
Examinations	50.00
Issue of certificate of competency	10.00
Issue of renewal of licence	30.00

Sixty per cent of fees collected under the Act is paid to surveyors and examiners, and 40 per cent is retained by the state.

The new fee structure proposed is as follows:

Service	Fee (\$)
Initial survey of motor launch	200.00
Annual survey of motor launch	100.00
Examinations	100.00
Issue of certificate of competency	50.00
Issue of renewal of licence	100.00

The overall intention is to enhance the efficiency of the equipment to minimize the detrimental effects of marine pollution on other improvements in the discharge of the function of the relevant personnel. Trinidad and Tobago must be in a position to exercise more direct and supervisory control over the safety of shipping in Trinidad and Tobago waters. The consequences of unsafe shipping practices are costly. They often have a far-reaching negative impact on marine environment,

human lives and well-being. It is impossible to identify all factors which contribute to the risk of shipping accidents and the human and environmental damage resulting from it. However, the principal measure that is promoted to minimize such risk is to ensure that vessels are seaworthy, in possession of approved equipment and certificate, and manned by properly qualified personnel.

Vigilance in Trinidad and Tobago in the form of regular and systematic inspection and surveys is the best mechanism to minimize and reduce shipping accidents and consequential damage to persons and the environment. I would also add that the proposed computerization of the registry procedures of the Ministry of Works and Transport, Maritime Division, would also greatly facilitate tracking of vessels on the register, scheduling of surveys, other statutory requirements and revenue for services required under the Act.

I emphasize that the Government is committed to a sustainable environment and the development of the necessary regulatory and legislative framework. The vulnerability of Trinidad and Tobago to environmental damage directly attributable to shipping operations led Cabinet earlier this year to approve a programme which would develop marine pollution prevention and compensation legislation for Trinidad and Tobago, to protect our country against major causes of pollution damage from shifts such as oil, garbage, hazardous substances and dumping.

Currently, the intersectoral committee appointed by Cabinet to advance the implementation of a maritime pollution and compensation regime for Trinidad and Tobago is in the process of elaborating a schedule for the development of pollution prevention legislation, and for satisfying technical and operational requirements under the international statute. Trinidad and Tobago will adopt that as part of its marine environmental regulatory policy.

The Government is also aware of the need to enhance public awareness of the detrimental effects of their actions on the environment. In this regard, the intersectoral committee—to which I alluded earlier in my presentation—has as one of its terms of reference, to establish a campaign of public awareness, to target those national entities which implementation of a comprehensive marine pollution prevention and compensation legislation would have relevance. This is relevant to vessel owners, operators, agents, repair yards as well as the general public.

Hon. Members, Trinidad and Tobago has received the full co-operation and support of the International Maritime Organization in the co-hosting of the Government's initiative to develop a regional conference on marine environmental

and pollution prevention issues relating to small leisure craft. The conference would be held during November 25—27, 1996 and would bring together marine operators, boaters, government health officials, environment and maritime officials with the aim of agreeing on a conduct of good practice for the small leisure industry, not only in Trinidad and Tobago, but also the wider Caribbean, particularly in relation to the management of oily waste, hazardous waste, garbage and sewage generated by pleasure boat operators.

In addition, consideration is being given to the need for a national integrated waste management system which would address ship generated waste and land waste. I am aware that a considerable amount of pollution in our seas is from land-based sources. In a related matter and consistent with the Government's aim to promote safer and cleaner shipping for the well-being of all the people of Trinidad and Tobago, the Ministry of Works and Transport, Maritime Services Division has embarked on a major revision of the outdated harbours legislation dating back to the 1800s. Currently, there are six designated harbours in Trinidad and Tobago and one appointed harbour master. That is the Director of Maritime Services to oversee all harbours in Trinidad and Tobago including the related vessel for traffic and operations.

The Government proposes to designate two new harbours at Chaguaramas and Point Fortin respectively, in light of the nature and level of shipping activities in these areas within recent times. This will increase the total number of harbours in Trinidad and Tobago to eight. It is intended to appoint harbour masters and assistant harbour masters in each harbour in order to establish greater control and responsibility over the safety and security of harbour operations in Trinidad and Tobago.

2.00 p.m.

Mr. Speaker, the agencies under whose direct administration harbours, ports and wharfs currently lie will be more closely involved in monitoring harbour activities under the overall control and supervision of the Director of Maritime Services. Issues such as vessel safety and integrity, the loading and storing of dangerous cargoes and the prevention of deliberate pollution in the harbours of Trinidad and Tobago will be more effectively regulated and enforced under the new legislation.

Mr. Speaker, the Ministry of Works and Transport is also continuing its programme of updating and developing regulations under the Shipping Act No.

Motor Launches (Amdt.) Regulations
[HON. S. BAKSH]

Friday, August 9, 1996

24:87 with the assistance we have received from the Maritime Safety Agency of the Department of Transport of the United Kingdom. This Agency has also been approached to provide the services of a senior surveyor to the Maritime Division of the Ministry of Works and Transport for one year, to develop procedures, forms and certification for the proper conduct of surveys required under national law and international conventions to which Trinidad and Tobago is a part, and to provide advance training for Trinidad and Tobago surveyors.

Mr. Speaker, as a means of the aforementioned initiatives and through other sustained professional upgrading and development of staff, the Maritime Services Division of the Ministry of Works and Transport is positioning itself to carry out, effectively, all necessary flag and port state responsibilities and activities in its role of maritime administration of Trinidad and Tobago.

For a maritime administration to operate in a manner which allows for surveyors to be marketable internationally, to have its ships operate worldwide without restrictions and to implement and enforce international standards adequately, it must institute a quality assurance system. A quality assurance system will ensure approved standards for vessel safety and pollution prevention.

These plans and proposals outlined this afternoon will continue to ensure that the seas around our twin-island state will continue to be a source of enjoyment for all the peoples of Trinidad and Tobago and for our future generations.

Question proposed.

Mr. Colm Imbert (*Diego Martin East*): Mr. Speaker, the hon. Minister has given this House a detailed status report of the situation with regard to shipping legislation and the registration, inspection, surveying and so forth of shipping.

[MR. DEPUTY SPEAKER *in the Chair*]

The Minister will, no doubt, have by now realized that one of the legacies left by the former administration was a very competent and efficient Maritime Services Division and by the context of that speech, which was certainly written by a member of the Maritime Services Division, we can see the quality staff that is in that important area of the Ministry of Works and Transport.

Mr. Deputy Speaker, the shipping legislation in Trinidad and Tobago has been under reform for many years. In fact, arising out of work done by the PNM administration in the 1981—1986 period, the NAR administration of 1986—1991 enacted the Shipping Act in 1987 and Shipping Regulations in 1989, repealing

much related legislation at that time and, as the Minister has indicated, the Pleasure Launches Act. The Maritime Services Division has continued from the early 1980s throughout the period of the mid to late 1980s into the 1990s, working in a very efficient manner to upgrade the legislation and also to improve the level and quality of skills in Trinidad and Tobago. I would like to put on record today, my appreciation of the performance of that particular division during my tenure as Minister of Works and Transport. As I said, they are also doing yeoman service for the present Minister.

There are some aspects of shipping at which I would like the Minister to look. He has adverted to some of them. He has made the point that there may be vessels in Trinidad and Tobago, which may not be on the register, which are over 24 metres and which are being used in Trinidad and Tobago waters without proper documentation. Of course, this leads us to a situation of resources and until the Maritime Services Division or the Coast Guard or any other competent authority involved in the examination of vessels has the necessary resources, this will continue.

But there is a situation in Trinidad and Tobago today which requires immediate attention. This is the registration of pleasure craft. The Minister has spoken about it. It is curious that to drive a motor vehicle one must have attained the age of 18; one must have passed a test and satisfied the authorities that one is competent to drive a motor vehicle, but for small pleasure craft which are just as dangerous, no proper legislation exists. There have been a number of accidents over the years where teenagers and persons even younger, have been found piloting small pleasure crafts, getting into accidents, even causing fatalities. If Trinidad and Tobago is to go into the next century, we do need to upgrade this aspect of our maritime legislation.

The Minister also spoke about pollution. Pollution in Trinidad and Tobago, particularly pollution derived from pleasure craft is becoming a very, very serious matter of concern. Several years ago, the number of pleasure craft that visited Trinidad and Tobago on an annual basis was 200 or 300. Because of the reforms made by the PNM administration in the 1991—1995 period, the relaxation of the restrictions on yachts that come to Trinidad and Tobago, this number has swelled to tremendous proportions. In fact, it is now estimated that in excess of 2,000 foreign yachts may visit Trinidad and Tobago waters for extended periods during 1996.

2.10 p.m.

Mr. Deputy Speaker, we in the PNM administration were examining this and the Minister is clearly following through on the work which was being done by the Maritime Services Division for many years, for the entire decade of the 1980s through two administrations, and now into a third administration.

The fact is that these foreign yachts have no proper method of disposing of their wastes, whether it is solid waste or faecal waste. What is happening in Chaguaramas right now is that there are hundreds of pleasure craft moored off the coast and in many cases they are depositing solid and liquid wastes directly into Chaguaramas waters which, as you would know, Mr. Deputy Speaker, is the holiday destination. This is not a healthy situation, and I am very pleased to hear that the Minister is taking steps to deal with this whole question of pollution legislation, particularly to deal with pleasure craft. Because as Trinidad and Tobago becomes an attractive destination for pleasure craft, particularly the foreign yachts, more and more of these craft would come here and the pollution situation in the North/West Peninsula will become more and more severe.

I look forward to the amendments to the legislation which is seeking to control pollution in the marine environment and I wish to state that we on this side would have no difficulty in supporting it. It is long overdue and we await it eagerly.

We support this particular Motion before the House and, as I have said, we hope that the Maritime Services Division and the Minister will continue to do the work that has been a trademark of that division over the last 15 years and that we will continue to see advances in maritime legislation in Trinidad and Tobago over the coming years.

Thank you.

The Minister of Works and Transport (Sen. The Hon. Sadiq Baksh): Mr. Deputy Speaker, indeed, the staff of the Maritime Services Division have displayed tremendous ability and enthusiasm, but it was not only confined to the Maritime Services Division. All the employees within the Ministry of Works and Transport have clearly demonstrated a willingness to take responsibility for the ministry and ensure that the work of the Ministry of Works and Transport is done in a manner that will make the citizens of Trinidad and Tobago extremely proud.

Earlier this afternoon, I spoke in this House on a Motion to amend the Motor Launches Act which will result in an increase in fees payable for services to be

provided under the Motor Launches Act, Chap. 50:08. The inability to regulate the activities of the motor launches properly, stem from two basic and interrelated problems.

Firstly, the division does not have sufficient resident staff to conduct surveys. Secondly, the fees formerly payable for surveys and examinations, were neither reflective of the qualifications of the surveyors and examiners, nor the applications involved in performing the requisite functions, nor the level of remuneration offered traditionally for this maritime technical expertise. It is for this reason that the Maritime Services Division has so far been unable to attract the type of qualified nationals to fill vacant posts of Surveyor.

Fees need to be upgraded in line with the professional services performed under the Act, and in order to cover adequately the administrative and overhead costs incurred by the ministry in preparation and processing of the documentation necessary for such registration. The efficiency of the division would be enhanced for one key reason—Trinidad and Tobago must be in a position to exercise more direct supervisory control over the safety of shipping in Trinidad and Tobago waters. I reiterate that the consequences of unsafe shipping practices on the maritime activities, marine environment, and on human lives and well-being are of importance to us.

I have noted the comments made by the Member for Diego Martin East and I assure him that we will continue to upgrade all the legislation and look at pollution prevention methods in ensuring the disposal of not only hazardous wastes, but also the discharge of sewage in Chaguaramas and Tobago where we are continuing to attract yachts from all over the world. We will do our best under these circumstances to ensure that we do take responsibility for our environment.

In closing, I reiterate Government's commitment to the development of a sustainable marine environment.

Mr. Deputy Speaker, I beg to move.

Question put and agreed to.

Resolved:

That the Motor Launches (Amendment) Regulations, 1996 be approved.

**EQUAL OPPORTUNITY LEGISLATION
(JOINT SELECT COMMITTEE)**

The Attorney General (Hon. Ramesh Lawrence Maharaj): Mr. Deputy Speaker, I beg to move the following Motion standing in my name:

Whereas the Working Paper on Equal Opportunity Legislation was tabled in the House of Representatives on Friday February 16, 1996 and in the Senate on Tuesday, February 13, 1996.

Be it resolved that a Joint Select Committee of Parliament be established to receive and consider comments from the members of the public and to submit a report to the Parliament thereon.

Mr. Deputy Speaker, the Constitution of Trinidad and Tobago declares that “there have existed and shall continue to exist without discrimination by reason of race, origin, colour, religion or sex” the equality of the individual. Not only the terms of the Constitution but the spirit of the Constitution of Trinidad and Tobago as contained in its preamble enshrine that equality of treatment should be promoted and that there should not be discrimination in any form.

In 1974, there was a Commission of Inquiry known as the Braithwaite Commission of Inquiry and as part of its report, the commissioners recommended the establishment of an administrative and judicial body in the form of a race relations board which existed in the United Kingdom.

In 1990, a draft Bill entitled “The Sexual Discrimination Bill” was prepared by the Attorney General’s Office. That bill was merely drafted and there was an election shortly thereafter, so it was not introduced.

2.20 p.m.

Mr. Deputy Speaker, in November 1992, the representatives of Caricom debated the Employment, Equal Opportunity and Treatment Act at a legal review workshop in St. George’s, Grenada, and draft legislation was prepared on issues so that countries can take steps to ensure that equality of treatment is protected and also promoted.

The two parties in this coalition Government, the “Government of National Unity”, have expressed commitment over the years, toward promoting equality of treatment and in taking steps to have the deepening of institutions in order to ensure that these rights are protected. The United National Congress, in the elections of 1995, promised that it would introduce, as a matter of priority, an

equal opportunities commission if it formed the government. It has formed the government with the National Alliance for Reconstruction and both parties are committed to the promotion of equality of treatment. Therefore, what we are doing here today is in effect taking steps in order to get the views of the public as to whether we should have such equal opportunity legislation or commission.

Mr. Deputy Speaker, the Hayatali Constitution Commission in 1987, towards the end of the report at page 79, paragraph 422, stated:

“Towards the end of our deliberations a Commissioner proposed the establishment under the Constitution of an Equal Rights Commission. Although we were unable at that stage to canvass the views and opinions of the people on the subject, we nevertheless considered the proposal. We agreed in principle with his proposal for the creation of such a Commission and that it needed to be explored, but it was also agreed by all of us, save the proposer, that there was no justification for including such a body in the Constitution.”

One sees the agreement of the commissioners, in principle, for the creation of such a commission.

Mr. Manning: Explore.

Hon. R. L. Maharaj: I will read it again for the benefit of the Member for San Fernando East:

“Although we were unable at that stage to canvass the views and opinions of the people on the subject, we nevertheless considered the proposal. We agreed in principle with his proposal for the creation of such a Commission and that it needed to be explored...”

So the commissioners agreed in principle for the creation of the commission and that it should be explored. What we are doing here today is asking for parliamentary approval to explore that issue.

Mr. Deputy Speaker, Trinidad and Tobago is also a party to several international conventions which require governments to promote equality of treatment. The working paper include some of those conventions. If I may mention just four of them:

International Convention on the Elimination of all Forms of Racial Discrimination;

Convention on the Elimination of all Forms of Discrimination Against Women;

International Convention on Civil and Political Rights; and

International Convention on Economic, Social and Cultural Life.

The concept of equal opportunity legislation, or an equal opportunity commission or whatever institution may be put in place or would be suggested to be put in place, is that there would be equality at all levels in respect of all matters and it is not restricted to the question of race; it is the promotion of equality of treatment to prevent injustice to the society.

I think I should mention that one of the pioneers for the setting up of an equal opportunity commission and for equal opportunity legislation in Trinidad and Tobago is the hon. Prime Minister of Trinidad and Tobago. He has been advocating for several years the setting up of such a commission. In 1991, there was at San Fernando a discussion sponsored by the Naparima Old Boys' Association, entitled "Does Trinidad and Tobago need an Equal Opportunities Commission?" At that meeting, the President of the Law Association, Mrs. Glenda Morean, stated:

"My view is that the need for an equal opportunities commission is so imperative that if we did not have such a concept, it would be necessary to invent it."

She further stated:

"It would be nice to say that discrimination is unknown to our society and that it will never rear its ugly head in this fair land. That, of course, would be wishful thinking. Discrimination seems to be the product of human nature. It is universal. It stalks every country on the face of the globe. It is, always was; it always will be."

Mr. Deputy Speaker, the United National Congress in Opposition, actually set up an Equal Opportunities Commission. It was set up at the Opposition office. It was in effect a non-governmental body. It did not have any coercive powers, but it was a commission to receive reports and to make representations to study these matters. The duties outlined in the constitution of that Equal Opportunities Commission were:

- (a) to work towards the elimination of discrimination in its many forms;
- (b) to promote equality of opportunity and good relations between persons of different racial and ethnic groups;

- (c) to promote plantocracy as opposed to patronage;
- (d) to be a principal source of information on allegations of discrimination in the society;
- (e) to prepare reports in accordance with the law and investigation carried out and to publish them and to make copies available for inspection to the public.

Mr. Deputy Speaker, the people of Trinidad and Tobago and any joint select committee would have the benefit of a report from the Centre of Ethnic Studies entitled "Employment Studies in the Public and Private Sectors in Trinidad and Tobago". That center was set up in November 1993 by the PNM administration and it has provided useful information. It has completed its research. It was set up and I think that praise must be given where praise is due. The hon. Member for San Fernando East who was then the Prime Minister of Trinidad and Tobago, caused that centre to be set up. The report and information which has been provided will be very valuable to the people of Trinidad and Tobago.

I think what we are doing here today is seeing whether the Parliament will have a joint select committee set up in order to explore whether there should be an additional institution which would, in effect, be directed to investigate and see whether there is discrimination in any form and to promote equality in all forms. I do not think that any reasonable thinking person would want to object to such an inquiry. One can foresee that if several other countries have had this kind of institution, that is not a reason why it should be had in Trinidad and Tobago, but as to whether having regard to our situation, we should not have such an institution to investigate complaints in order to bring satisfaction to the public in respect of perceptions or allegations in respect of inequality.

I thank you, Mr. Deputy Speaker.

Question proposed.

2.30 p.m.

[MR. SPEAKER *in the Chair*]

Mr. Patrick Manning (*San Fernando East*): Mr. Speaker—

Mr. Speaker: You know, for a moment I wondered whether you were not prepared to speak because I was in the Chair.

Mr. P. Manning: That is not so, but do not push me, Mr. Speaker. I am, indeed, honoured by your return, if I am to be guided by my Friend from Tobago East.

Mr. Speaker, if Trinidad and Tobago were a completely homogeneous society, that is to say, if everybody in Trinidad and Tobago were of the same height, were of the same complexion, of the same sex, of the same race, of the same religious persuasion, then there would have been no need for this Parliament today to be directing its attention to matters that relate to discrimination in one form or the other. But the Constitution of Trinidad and Tobago expressly talks about avoiding discrimination based on colour, class, creed, race or sex, which suggests that the framers of that Constitution were of the view that in the society of Trinidad and Tobago such discrimination exists, to whatever extent that it might.

Indeed, the experiences around the world suggest that in societies in which differences exist, those differences conspire to divide rather than to unite. The examples around the world are numerous. I draw your attention to a country called Fiji. In 1974, I had the pleasure and honour of visiting that country and having a look at the country's constitution. Fiji, as you know, was a society, at that time, in which there were 52 per cent Indians—people of East Indian extract—and 48 per cent native Fijians, yet the constitution of Fiji at that time gave political power to the native Fijians, in perpetuity. When I noticed that I was sure that the country was headed for trouble of one kind or the next. Twelve years later—it was in 1986—based on the outcome of an election in that country in which there were some ethnic complications in the composition of the political party that won—I do not need to go into the details of it—it led to the army in Fiji seizing power, with consequences that are now known to all of us. The difference that conspired to divide was race.

The story of Northern Ireland is one that also is known to us here in Trinidad and Tobago. In Northern Ireland there is a majority of Roman Catholics; and a minority of Protestants/Anglicans. But Northern Ireland is a part of the United Kingdom of Great Britain and Northern Ireland comes under the control of the British Government which, as you know, is the home of the Protestant movement, as it developed following the activities of Henry VIII many years ago.

A war has been going on. Conflict has developed in Northern Ireland based on religion. So deep have those divisions gone, that there is the Irish Republican Army and a number of developments over a period spanning in excess of 25 years. The most ignoble development in that was an attempt on the life of the British

Prime Minister some years ago. All of that came about because differences exist in that society. In that society the difference that conspired to divide was a difference of religious persuasion.

Beirut at one time—Lebanon on the whole, but Beirut in particular—was seen as an Athens in the Mediterranean, but today Beirut is a city that has been virtually destroyed. More than that, it is a society that has had its social fabric rend apart. Again it was religion. Even though the place is virtually destroyed, the fighting continues and several informed commentators have asked themselves: for what really are the people fighting? Look at what it has brought in Beirut. But that fighting, the fact that it continues, suggests that the difference of religion that exists and the animosities that go along with that are so deep-seated, that good sense clearly has not prevailed and does not now prevail. The fighting continues even though the society physically and socially appears to be destroyed.

Similarly, I can cite a number of examples around the world where differences conspire to divide rather than to unite. The former Yugoslavia under a communist rule—the minute President Tito died, there were a series of political developments in Yugoslavia that led to the fragmentation of that once unified federal state, and the emergence of five or six different nations based, essentially, on ethnic differences.

There is the story of the Soviet Union, a once great and powerful nation which, today, has been fragmented into its constituent parts with the emergence of a number of independent states following differences that exist among the people in different parts of the country, differences that conspired to divide rather than to unite.

I have taken the time to go into that in some detail because of the point that I wish to make next, because, there are those in Trinidad and Tobago who say it cannot happen here. If it could happen in the Soviet Union, in Yugoslavia, in South Africa, in Fiji, in Northern Ireland, in Suriname, in Guyana—as it did a few years ago, not too far from home—then it is not unreasonable for me and for dispassionate observers in the domestic community to conclude that Trinidad and Tobago is not exempt from these developments.

If Trinidad and Tobago is not exempt from these developments, then recognizing that significant differences exist among our people here in Trinidad and Tobago, there is a responsibility that governments must have—any government must see itself as having a responsibility for setting a framework for

the administration and operation of the country that will minimize the opportunities that the differences among us will provide for division, as opposed to unification.

We have differences of race in Trinidad and Tobago. The composition of the society is roughly 40 per cent Afro-Trinidadians and Tobagonians, roughly 40 per cent Indo-Trinidadians and Tobagonians; about 18 per cent mixed, about one per cent white, about 0.5 per cent Syrian/Lebanese extract, the 5.5 per cent, Chinese. It is not homogeneous, but complex, based on race and religion.

Not only do we have Christians and non-Christians in Trinidad and Tobago, but among the Christian community there are such differences in doctrine pursued by the various denominations that some of them are pulled apart from the other base.

2.40 p.m.

There is a Hindu community in Trinidad and Tobago, that is about 30 per cent of the population, a Muslim community and a host of other religions that make Trinidad and Tobago a very complex society from the standpoint of religion. We are complex from the standpoint of race and religion. I have chosen this evening not to go into too much detail on some of our other differences such as sex and so on. The two that I have raised are important—*[Interruption]* Yes, I could ask the Member for Tobago East a question, but perhaps we should discuss that outside.

Mr. Robinson: Do not engage me, please. *[Laughter]*

Mr. Maharaj: The Member for San Fernando East should engage the person on his left.

Mr. P. Manning: I could also ask the question of the Member for Oropouche, but he is not here so let me leave him alone.

Mr. Speaker, I have sought to highlight two critical areas which, based on examples around the world, and based on our own domestic experiences, demonstrate quite clearly that the differences among us have the potential of creating disorder in the society, if some of these issues that are relevant to those areas of national life, are not addressed in a manner that meet with the satisfaction of the people of Trinidad and Tobago.

There is another aspect of all of this that is quite relevant. The debate, especially on race, has gone on in the national community for some considerable time. Not only among those who try to take as dispassionate a view as possible on

it, but it also has gone on among the politicians in Trinidad and Tobago. One of the things struck me—and there are those who would disagree with my views, and are entitled to so do—in the politics of the country is not only the propensity of politicians to subscribe to it at certain periods of the country's history, but that the discussion that has taken place on race, particularly in political circles, has appeared to me to have taken place on the basis of statements that are taken as fact which do not necessarily bear any relation to what the truth might be.

One of the issues I am sure that Trinidad and Tobago requires is some kind of dispassionate analysis and assessment of what some people accept as common norm—so that the society itself can benefit from knowing what is right and not right on these matters.

When the Centre for Ethnic Studies was first set up at the University of the West Indies it was done to take the discussion away from the political arena and uninformed approaches to which many of us in the society have subscribed on this matter of race relations and put it in a centre of learning—a university which, by definition, is looking for the truth, not to prove this or that theory; a university which, by definition, is searching for the identification of truth and, therefore, qualifying as a proper institution to study the question of race relations so that the people of Trinidad and Tobago, benefiting from that study, can be confident that the discussions on race relations in the society can now proceed, not on the basis of emotion, or surmise, but on the basis of fact and truth. That is why it was set up.

It goes a little further, Mr. Speaker; two directors were appointed by the university to head the Centre for Ethnic Studies—not one, but two—and there was a good reason for that. The two persons were Dr. John La Guerre, a very distinguished and noted political scientist in the country, and, Dr. Selwyn Ryan; both of them, being directors of the Centre for Ethnic Studies. One thing which strikes you immediately is that both of them represented the two major races in Trinidad and Tobago.

Mr. Speaker, whatever one does, not only must it be fair and equitable, but it also must be seen to be fair and equitable, especially when one deals with a matter of this nature. So, the appointment of Drs. La Guerre and Ryan was designed to convey to the people of Trinidad and Tobago some equity in the analysis that is likely to take place—those representing the two major ethnic groups in the country—and that citizens of Trinidad and Tobago, looking at the work of that centre, taking an ethnic approach to it can say: “I do not believe that there

Equal Opportunity Legislation
[MR. MANNING]

Friday, August 9, 1996

would have been bias one way or the next in the reports that have emanated from that centre since the work has been directed by two distinguished citizens of the country who represented the two major races in Trinidad and Tobago”.

May I take this opportunity, Mr. Speaker, to place on the record, my appreciation to both honourable gentlemen, Dr. Selwyn Ryan and Dr. John La Guerre, for the work they have done in enlightening the citizens of Trinidad and Tobago as to what the facts are on this very vexed question of race relations by their service at the Centre for Ethnic Studies. I salute and thank them on behalf of the national community. [*Desk thumping*]

Mr. Speaker, recently the hon. Prime Minister fell out with some of his colleagues in Caricom, and as is customary, he laid the customary threat. [*Interruption*] That is customary, Mr. Speaker.

Mr. Panday: In defence of my country.

Mr. P. Manning: I think that the Member has come a long way. He has come a very long way because what he would normally have done would have been to describe them as racist also. On this occasion he did not do that.

Mr. Panday: Or call an election.

Mr. P. Manning: On this occasion he did not do that, which tells me that, perhaps, he has come a long way.

2.50 p.m.

That has been the approach of some politicians in this country. They have said publicly that the Unemployment Relief Programme in Trinidad and Tobago is a programme that was used by the PNM in a particular way. They have always said that. No matter how we have said to them that is not so, it just does not suit their argument to say otherwise and to recognize and to act on the basis of the truth. They continue to make an argument to the point where they have spoken to themselves and they have believed themselves. Now that they have come into Government, they have started to axe the Unemployment Relief Programme on the basis of incorrect information, statements that they have peddled to the national community over the years that were not correct but nonetheless, that did not prevent them from using them as a basis for action in unemployment. We are seeing to where that is leading.

Hardly a day passes without someone coming into my office to complain about the way the Unemployment Relief Programme is being run. This society could never accept a situation in which, based on one's political affiliations, a government decides whether one's children should eat or whether one's children should starve. Do you see how dangerous it could be? It could be very dangerous and that is why the first order of business as the PNM saw it between 1991 and 1995, was to investigate and find out what the facts were so that the discussions, especially on race relations in the country, can proceed not on the basis of surmise and emotion, but on the basis of fact.

The two honourable gentlemen, Drs. La Guerre and Ryan did very good work. The hon. Attorney General in speaking this afternoon made reference to one of the studies that they have done: *Employment Practices in the Public and Private sectors*. There is another to which no reference was made. The pressure on the Government of the day, at that time, was to do a study on employment practices in the public sector. That is where the pressure came. It was the wisdom of the then Government who recognized what that was all about and concluded that there can be no proper analysis of unemployment practices in the country if the private sector is not examined along with the public sector. Today, there is not only one volume but there are two: *Employment Practices in the Public sector*—this is the report by the Centre for Ethnic Studies—and *Employment Practices in the Private Sector*, both documents constituting a proper study of employment practices in Trinidad and Tobago.

Mr. Speaker, the other report which was concluded by the Centre for Ethnic Studies was a report entitled a "Study of the Secondary School population in Trinidad and Tobago, Placement Patterns and Practices". It has much to say. The report emanated from a survey that was done involving over 83,000 students in the school system in Trinidad and Tobago. It is a comprehensive document and another that justified beyond a shadow of a doubt the wisdom that was involved in establishing the Centre for Ethnic Studies. It states:

"Data gathering in 100 out of a possible 101 schools, identified and located 83,358 students out of a possible 83,848. Usable questionnaire responses were available from 83,315."

Mr. Speaker, a comprehensive survey led to this report. It was important that we do this because there were allegations of discrimination in the allocation of students to secondary schools arising out of the Common Entrance Examination, coming by and large from the Opposition at the time, the Government of today.

Equal Opportunity Legislation
[MR. MANNING]

Friday, August 9, 1996

The PNM's approach to it was that it would study it; let the Centre for Ethnic Studies, study it and let us see what is fact, and what is not fact and let its decision-making be informed not by surmise, fiction and emotion, but by informed facts as identified by a dispassionate study of the issue.

In the same way that the Government convinced itself about the PNM's approach to the Unemployment Relief Programme and acted on that basis when it came into office, the PNM is very concerned that the Government may have done so again in respect of the Common Entrance Examination and placement in the secondary school system in 1996. That is why recently I took the opportunity to write the hon. Prime Minister—their methods of operation are now very clear to us—expressing my concern based on what has been coming to my attention as Leader of the Opposition and asking that the Government make a clear statement on placement practices in the secondary school system arising out of the 1996 Common Entrance Examination.

We would like to know, among other things, what were the criteria used? Did they vary the criteria in 1996 from the criteria used in 1995? In particular, we have asked the question: Was there zoning used in the school system and, if so, on what basis? We do not know. We know that some schools—and the schools that are in my constituency as you know are schools in respect of which I will have more information—in San Fernando, that traditionally have done very well in the Common Entrance Examinations where they would have a high percentage of their students passing for their first choice and overall passes of a very high percentage, which today, arising out of the 1996 Common Entrance Examination results, they have found that the situation is reversed where a relatively small number of their students have shown the kind of success that was a normal antecedent in the school. The minute we saw that, the first question that we asked ourselves was: What makes 1996 different from 1995, 1994 or 1993? What makes a difference is that there is a new Government in power in 1996 which has the authority to change the rules of the game. The question is: Were the rules changed? If so, what are the new rules? What were the changes? We just want information. We would like to know. We also have constituents.

Members on the other side are free to interpret my statements in a political context if they wish. I am merely alerting Members of that Government and the national community, through this Parliament, that something is not right about the Common Entrance Examination results of 1996. We foresaw it. We knew that it was a bone of contention with the UNC and it was because of that we asked the

Centre for Ethnic Studies to study it; tell us whether there has been discrimination; tell us whether persons are disenfranchised as a result of school placement practices in the education system in the country based on race, colour, class, or creed and so forth.

I commend the report to hon. Members opposite and to the national community. I do not want to go into all the findings in it but it is here, and I am sure it is available to all Members and may I suggest that the reading of a document like this must be considered.

3.00 p.m.

They came to their conclusion on the Unemployment Relief Programme and acted on it, causing a lot of controversy and confusion in the society. If they are not careful they can foster breaches of the country's stability. That is where it would lead. *[Interruption]* If they do not wish to listen they are free not to listen. If the Government does not take stock of the situation, it could bring about developments in this society of which none of us would be proud and which certainly, I would consider unintended by them. Perhaps, the renegade Minister who is operating it in a certain way ought to be reined in before it is too late. I am asking the Prime Minister to do his duty.

Dr. La Guerre and Dr. Ryan considered this question of an equal opportunities commission. They considered it because it was a point of view which was expressed by the then Leader of the Opposition, Member for Couva North and now Prime Minister of Trinidad and Tobago. The government at the time took the view that if that was something which was being advanced by the then Opposition, it was something that it should have considered very carefully for the merits or demerits.

Let me say what the major pitfall was of which we were concerned. We were afraid that if legislation was made in relation to race, and a legislative remedy was used in the first instance, that might have institutionalized a problem rather than solve it. *[Interruption]* We were concerned, and we are entitled to be concerned. We were aware that in seeking to arrive at prescriptions on this question of race, the pitfalls are so many, that we would have been well-advised to move slowly and cautiously on the matter. We went to the Centre for Ethnic Studies and told them to study certain problems. That was finished. There was another one. Regrettably, the Centre for Ethnic Studies has now been closed down by the Government for reasons which continue to elude us on this side.

Mr. Panday: Their work was finished.

Mr. P. Manning: The work was not finished. The way we were operating was that we would refer matters to them for study. The first to be referred was Employment Practices in the Public and Private Sectors. Whenever that study was concluded, then another one would have been referred. We referred Placement Practices. Let me put on the record that their work was not completed. Indeed, the work had only started. Our intention was that these reports be made public so that the national community would have known what they were saying and the recommendations arising out of studies of this nature would have been used by the government as a basis for decision-making. There is nothing obscure.

It was in that context that we referred the Equal Opportunities Commission. That idea which was referred to by the hon. Attorney General arising out of the Hyatali Commission of Enquiry, referred that for the consideration of the Centre for Ethnic Studies. Do you know what was the conclusion? There was no conclusion because Dr. La Guerre and Dr. Ryan were unable to arrive at a consensus. One advanced the Centre for Ethnic Studies, while the other expressed a reservation about it, and so there was no recommendation coming out of it. It was important enough that they considered it. If anyone of those gentlemen had a reservation, then there was no consensus and no recommendation was made.

I make the point to Members of this Parliament and the national community, through this Parliament, that even today, as the Government advances the question of an equal opportunities commission, that no consensus was arrived at by the Centre for Ethnic Studies when the question was discussed. It may well be that no consensus exists in the society on this matter.

I am not saying that they should or should not do it. I am saying that we have to find a mechanism. In a sense, there is too much to commend the Government's approach to this matter. That is the approach of a joint select committee. I am not certain that it is the right formula. I am prepared as all of us on this side are. We are all prepared.

Mr. Panday: You cannot speak for all of them.

Mr. Valley: He speaks for everybody.

Mr. P. Manning: I speak for everybody.

Dr. Rowley: Do you think that is your side?

Hon. Member: There is no Hulsie over here.

Dr. Rowley: Contrary to what you read in the newspapers Hulsie is not over here.

Mr. P. Manning: I am saying to the national community and this Parliament that no consensus has been arrived at on this matter. I am not certain that the approach of going to a joint select committee will necessarily bring about that consensus. If the Government is prepared to go that way, we would go along with it. We would co-operate and participate in this exercise. Let us see what would emerge from it.

In presenting the Motion earlier, the Attorney General gave us no indication of the methodology the Government considered and is contemplating in dealing with this. Would it call the public in? We do not know. He did not say. If they did not say we are only left to surmise. I hope that when the hon. Attorney General winds up his contribution he would clarify that situation.

3.10 p.m.

Mr. Speaker, when the hon. Attorney General winds up his contribution on this matter, we would like him to make the situation clearer. Give us an indication of the time-frame the Government anticipates that this joint select committee would meet. What is the schedule? Is it possible to do it at all? What I say is: as desirable as it is to move with haste, the pitfalls are so many on these matters that the Government and the society will be well-advised to hasten slowly before coming to conclusions on this matter.

The Attorney General (Hon. Ramesh Lawrence Maharaj): Mr. Speaker, may I extend our congratulations to the Opposition and the hon. Member for San Fernando East for supporting this Motion. Not only has he demonstrated in his contribution that trouble and explosions can occur in society unless action is taken to put the necessary mechanism in place to prevent such explosion, but he has shown that even in Trinidad and Tobago there has been many studies and no consensus and that the time is right for the Government to get the views of the public through a joint select committee, for the Parliament to decide what to do with this issue.

Mr. Speaker, in Guyana, if there had been an equal opportunities commission, explosions were unlikely to have occurred. In Suriname, if there had been an equal opportunities commission or legislation, the explosions that occurred would have been unlikely to occur. In the Soviet Union, there was no equal opportunities commission. If there had been such legislation, explosions would have been unlikely to occur. *[Interruption]* I am quoting the examples that the hon. Member

for San Fernando East quoted. In South Africa, if there had been equality of treatment, equal opportunity legislation, an equal opportunities commission, the explosions would not have occurred. In Fiji, Yugoslavia and other countries he mentioned, they would not have occurred.

It was only last week that Trinidad and Tobago celebrated Emancipation Day and Prince Al-Senussi, one of the guests who came to Trinidad and Tobago to speak, said that if some of these countries had a Prime Minister like Mr. Basdeo Panday, there would not have been the explosions they had. *[Interruption]* That is what His Royal Highness, the Prince, said. This is a man who has seen the experiences of other countries.

Mr. Speaker: Some hon. Members may not always hear things they want to hear. They do have an obligation to listen.

Hon. R. L. Maharaj: Mr. Speaker, when one runs a country, one has to have vision and one gets vision by considering what has happened in other countries and trying to see what can be done to prevent occurrences that can destroy the society. Therefore, the PNM studied and studied and got reports and there was no action to deal with the problem. If the hon. Member for San Fernando East said that there is this centre from which he kept on getting study after study, what he was saying, in effect, was that there will be no action to deal with the problem. We are saying that the time for studies has passed. It is time for action.

Mr. Manning: I thank the hon. Attorney General for giving way. What I did not say this afternoon is that while the studies were going on there were round table discussions taking place in the Prime Minister's Office involving groups, and I think the Parliament could benefit from the names of those groups: Muslim Coordinating Council, National Council for Indian Culture, Sanatan Dharma Maha Sabha—three Indian organizations essentially—and African Association of Trinidad and Tobago, Club L'Overture; and COATT.

Those are the six organizations, three representing each of the major races which took part in round table discussions on a continuous basis, some 55 meetings being held. What we noticed when those discussions stopped was that many of the irresponsible statements on race to the society just died down. However, we recognized that the mechanism had one flaw—it did not include the politicians and it was from the politicians that the problems eventually came back.

Hon. R. L. Maharaj: Mr. Speaker, so what has the hon. Member for San Fernando East said? That he was prepared to study and study, and talk and talk. The fact is that we are still talking with these people, but we are also acting. We have a different philosophy. It is that we have the studies, we are talking and we are acting and in effect doing things to set up the necessary mechanisms. What the hon. Member for San Fernando East said about the URP and the education system. *[Interruption]* All right, the 1996 Common Entrance in respect of the education system in Trinidad and Tobago.

If there is any reason why there should be an equal opportunities commission one merely has to consider the suspicions. As the Member articulated them here, one feels the need to have institutions to deal with these allegations. If those kinds of suspicions are allowed to ferment, they can cause the destruction of this society as it caused the destruction of other societies he has mentioned.

Mr. Speaker, we agree that in a society there will be different perceptions. There will be allegations and complaints, and we believe that it is important for the public to feel that justice is being done, and the only way to do that is not to study, not to talk but to set up a mechanism to deal with these matters.

The Centre for Ethnic Studies cost the taxpayer \$4 million. We recognize that studies have been done; the material is there. We believe that sufficient work has been done by them to assist any institution in promoting equality in Trinidad and Tobago.

3.20 p.m.

I believe that one should look at a recent speech of Mr. Nelson Mandela to see how important it is for countries to commit themselves to national unity and equality and to take steps for institutions to be set up to ensure that injustice is not done as a result of inequality. The President of the Republic of South Africa, Mr. Nelson Mandela, recently addressed a joint sitting of the British House of Parliament on July 11, 1996 and I will quote parts of his speech. It says:

“Change has come to our country, too, perhaps at last, but bringing with it joy, the promise of a better future and a protracted festival of hope across the globe. Racism is a blight on the human conscience. The idea that any people can be inferior to another to the point where those who consider themselves superior define and treat the rest as sub-human denies the humanity even of those who elevate themselves to the status of gods.”

Equal Opportunity Legislation
[HON. R. L. MAHARAJ]

Friday, August 9, 1996

Obviously he was talking about apartheid in South Africa. He went on to say:

“The first founding stone of our new country is national reconciliation and national unity. The fact that it has settled in its mortar needs no advertising. If it were not so, the blood in the streets would trumpet loudly that we had failed to achieve acceptance of the need for all our people, black and white, to live together in peace as equals and as citizens bound together by a common destiny.

Our second founding stone is the establishment of a democratic system which ensures that all citizens have an equal right and an equal capacity to determine their future. It prohibits the option of tyranny and dictatorship and it guarantees the fundamental human rights of all our people.

Within that broad framework, like other nations, we continue to struggle to find ways and means by which to involve the citizen as intimately as possible in the system of governance...

Furthermore, recognising the diversity of our society, our new Constitution provides for the establishment of a Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities.”

In effect, a commission to promote equality.

“This will ensure that our people as a whole have an additional instrument in their hands to enable them to avoid the emergence of any situation in which ethnic and other tensions might drive us back to apartheid solutions or to an imitation of the cruel example of Bosnia.”

Mr. Speaker, I cannot think of better words to end this contribution.

Question put and agreed to.

Resolved:

That a Joint Select Committee of Parliament be established to receive and consider comments from the members of the public and to submit a report to the Parliament thereon.

WEIGHTS AND MEASURES ORDINANCE

The Minister of Trade and Industry and Minister of Consumer Affairs (Hon. Mervyn Assam): Mr. Speaker, I wish to move the following Motion standing in my name:

Whereas it is provided by section 59 of the Weights and Measures Ordinance, Chap 31 No. 15 that the Governor-in-Council may make regulations prescribing—

- (a) the several matters mentioned in this Ordinance to be prescribed by the Governor; and
- (b) a table of fees to be taken by the Inspectors for stamping or marking weights or measures under this Ordinance:

And whereas it is provided by section 59 of the said Ordinance that regulations shall have no force or effect until they have been approved by the Legislative Council;

And whereas it is provided by section 3(1) of the Existing Laws Amendment Order, 1962 that a reference in any existing laws to the Governor including a reference to the Governor-in-Council shall be read and construed as reference to the Governor General;

And whereas it is provided by section 5(5)(b) of the Constitution of Trinidad and Tobago Act No. 4 of 1976 that any reference to the Governor General shall be read and construed as it were a reference to the President;

And whereas it is provided by section 6(1) of the Existing Laws Amendment Order, 1963 that for any reference in an existing law to a legislature of the former colony of Trinidad and Tobago there is substituted a reference to Parliament;

And whereas on the 29th day of May, 1996, the President under section 59 of the Weights and Measures Ordinance, made the regulations entitled “Weights and Measures (Amdt.) Regulations, 1996” specified fees were increased;

Be it resolved:

That the Weights and Measures (Amdt.) Regulations, 1996 be approved.

Mr. Speaker, this Motion has its genesis in two Cabinet Minutes, one by the previous administration which was introduced in September 1995 and the other by this administration which was introduced in December 1995. Essentially, both Minutes seek to have what I am attempting to do today and that is, to have the Weights and Measures Regulations approved in terms of a change of fees.

The Weights and Measures Ordinance Chap. 31:15 was first enacted in 1878. These laws require that Inspectors enter premises where goods are sold and examine any weights or measures and verify the same by comparison with the

Weights and Measures Ordinance
[HON. M. ASSAM]

Friday, August 9, 1996

proper secondary standards in his possession, then stamp or mark them in a prescribed manner for which a fee is collected.

By supplement to the *Royal Gazette* issued on September 16, 1943, the then acting Governor-in-Council, Mr. A. B. Wright, made regulations under section 59 of the Weights and Measures Ordinance Chap. 31:15 in respect of fees for stamping or marking each weight, measure and counterpoise. The fee charged for each weight and/or measure at that time was 12 cents, and for each counterpoise 24 cents. It is still that price today over 53 years later.

At present, inspectors have considerable difficulty with encouraging persons to stamp or mark their weights and measures, perhaps, because of the nominal fee that is attached to that exercise. Moreover, they probably feel that coming to stamping offices to stamp weights and measures is actually a waste of time, or it is preventing them from pursuing their business and making sales and profit.

3.30 p.m.

[MR. DEPUTY SPEAKER *in the Chair*]

Further, Mr. Deputy Speaker, the cost of running a stamping station far exceeds the revenue earned in the current fee structure. Let me give you an example of what I am talking about. In 1991, the Government collected a mere \$2,129 in fees; in 1992, \$2,036; in 1993, \$2,220; in 1994, \$2,226; and the cost of the administration of this particular service is well in excess of \$120,000. In addition, since the enactment of the Weights and Measures Ordinance, Ch. 31:15 of 1878, we have seen improved and sophisticated weighing instruments used in business establishments. No legislative provisions have been made for these weighing instruments in the existing fee structure, nor is there legally any requirement that they be checked or certified. However, in the interest of ensuring that the consumer is properly protected from unjust weighing and measuring practices, it is the ministry's intention to bring additional legislation to Parliament to correct this situation.

Accordingly, Mr. Deputy Speaker, the Chief Parliamentary Counsel has recommended that section 59 of the Weights and Measures Ordinance be amended and updated, taking into account developments in the field of weights and measures since the promulgation of the Weights and Measures Ordinance. It should be noted also that the Metrology Bill of 1984 relating to weights and measures issues, among other things, is still undergoing a review by the Legislative Review Committee of Cabinet. In the interim, however, the amendment of the

Weights and Measures Ordinance is necessary to ensure adequate protection of consumers.

I must say that since the enactment of the Weights and Measures Ordinance in 1943, several types of scales have been introduced into Trinidad and Tobago which use neither weights nor counterpoises. For example, crane weights, automatic machines and spring balance scales. No provisions have been made for these machines in the fee structure as I alluded to earlier, although legally they are required to be checked and certified. Additionally, by increasing the weights and measures fees, the Government will now be earning an increase of over \$200,000 in revenue, as opposed to the meagre \$2,000 odd that we have collected between the years 1991 through 1994.

It is in these circumstances that I present this Motion, a very simple Motion, one that has been agreed to—the entire scale of fees has been agreed to by the previous government in its previous Cabinet Note.

I thank you, Mr. Deputy Speaker.

Question proposed.

Mr. Kenneth Valley (*Diego Martin Central*): Mr. Deputy Speaker, we on this side have no difficulty whatsoever in supporting the Motion that is before the House. It is, in effect, a user charge and I think the state has a responsibility to try to recover as much as possible of that charge.

Mr. Deputy Speaker, the question at all times is, how does one finance the cost of an expenditure by the state? There are two concepts. One is, at different ends of the pole as it were, that it be financed from general tax revenue. At the other end of the continuum, that it be financed directly by the person benefiting from the service. Of course, I say continuum rather than an either/or situation, because one would see that while certain items of expenditure should be financed from the general tax revenue, I think we would argue in Trinidad and Tobago, that health care ought to be financed from general tax revenue; education ought to be financed from general tax revenue; the whole area of social security ought to be financed from general tax revenue. There are other items of expenditure that would fall at different levels of that continuum.

For example, we say that the state may have a responsibility to make a strategic investment if, by so doing, we would activate the private sector later on and if we accept that argument, we would have to say that part of the cost of that

Weights and Measures Ordinance
[MR. VALLEY]

Friday, August 9, 1996

strategic investment, could be financed from general tax revenue, rather than looking at the bottom line alone for the particular investment. As a matter of fact, one would know that for some time, that was the argument with respect to our national airline: that some part of the cost be financed and even, I think, today. Two years ago, one would have been happy if the cost of the national airline was limited to some \$40 million, but of course, we know that the cost was over \$100 million and one thought that was too much to be financed from general tax revenue.

There are other investments by the state—normally commercial investment, where there is no strategic reason for being involved—that ought either to be self-financing or divested. Obviously, the case in point if one talks about Fertrin and methanol and that sort of thing. In some cases, in the case of public utilities, one would argue that at least for low-income taxpayers some part of the cost of the public utilities may be financed from general tax revenue. The point I am making is that one has to determine clearly where on the continuum one places a particular item of expenditure by the state. After that item of expenditure is so placed, one can determine how it is to be financed.

3.40 p.m.

That brings me, obviously, to the issue of this tourism debate in Tobago, and whether a government should force a national airline to fly on uneconomic routes or whether the government ought to—the concept used was—target, and say, if we want to develop tourism in Tobago, then there might be a cost associated with that, which an institution such a TIDCO may want to bear. So that, in effect, it is from general tax revenue rather than the loss being borne by the airline, which ought to be on a straight profit position.

Let me make the point because of an aside made by my honourable Friend from Tobago West. I think we have long past a situation where we are talking about subsidizing things such as airlines. *[Interruption]* It is a question of how it is done. If we want the airline to pursue a tourism objective, then what we assist in financing is that tourism initiative. We try and determine, clearly, the incremental cost associated with that effort and from general tax revenue, we finance that. We say, fine, you say it is costing you “X” to fly to Tobago, we want you to have “X” dollars number of flights to Tobago, therefore we would meet your incremental cost and we would give that. We are paying you for a service to do so many runs to Tobago. That is transparent; that is above board.

I am saying all of these things to make the point that there are certain services which ought to be financed by the user and we see clearly that this item is one of those. I say, however, that whenever we move to that position, the user-pay concept, and whenever by legislation one is bound to pay a certain fee, then it places on us a responsibility for efficiency of the service, so as to have the cost as minimal as possible to the user.

If the cost of running the operation is \$120,000, fine, but let that be the true cost. Let us ensure that there is efficiency. Let us ensure that when inspectors are out there examining the scales, they are, in fact, doing the job, rather than being in other places, and so forth. So that we have a responsibility to ensure that those costs are minimized.

Secondly, I think we ought, in situations such as these, to have some type of review period, because if we were to pass this Motion today; put it to bed and then look at it in the next 30 years, then we would be back to square one. If we are saying, as policy, that this cost is user-pay cost, then it seems to me that it ought to be up for review at least once every five years. Normally, such a cost, I think, should be subject to a review period every three years.

So that while we support the legislation, I ask the Minister to note two points: firstly, that we have an obligation to efficiency of operations, and secondly, that there ought to be some type of review period.

Thank you, Mr. Deputy Speaker.

The Minister of Sport and Youth Affairs (Hon. Pamela Nicholson): Mr. Deputy Speaker, I really did not come here this afternoon to say anything on this simple Motion before us, because all Parliamentarians, all members of the public, would recognize that this is an obsolete situation which exists today, something from 1848, where people used to pay 12 cents and 24 cents. Therefore, it needs to be changed because when over \$200,000 is spent to maintain a unit in order to keep something that is that old, the public recognizes that there is need for change.

I really rose here this afternoon because of the example that the Member for Diego Martin Central used to justify the most backward piece of argument that I have heard in this House for a very long time. How can you use an example of, let us say, a national airline, in this kind of debate? Because you cannot use an airline and its profitability to justify when we will change this. When you are talking about an airline system, you must look at it against the background of transport in your country, whether it is air, sea or land transport. These are things that governments

Weights and Measures Ordinance
[HON. P. NICHOLSON]

Friday, August 9, 1996

must take into serious consideration when they want to make changes, whether they want to privatize it, and so forth. Because air, sea and land transport are very critical areas as far as movement of people, cargo, whatever it is, are concerned. These are very important areas as far as the development of your economy is concerned.

In most countries of the world—I do not know of any country that is talking about profitability of these areas. They use other linkages for that purpose, because transport is critical for the survival of your economy. These are areas that governments most times must subsidize for the survival, the development and the advancement of their economies.

We have a situation in this country today where we have the national airline, and as representative of Tobago West, I have to go home almost every weekend and I have had to come off the airline at least three times over the last month. I am afraid to go into the aeroplane. The point that I am making is that as far as airlines, and so forth, are concerned, it is my view that these institutions must be subsidized to make sure that we have a proper system. Open the skies so that many aeroplanes can go to Tobago; open the skies to develop tourism in Trinidad and Tobago, and particularly Tobago. Therefore, I do not subscribe to that view from the man who has privatized BWIA, and still it is not profitable. If BWIA was under the purview of the Government, as it was, and subsidized, we would be in a far better situation today.

The Member for Diego Martin Central, whenever he gets up here, should not refer to the airline system because he does not understand. He is one of the most backward economists that we have in this country. Today we would not have had those problems, because BWIA is under heavy duress. We are looking at it and we know that we have to come up with serious decisions to address it. We have a serious crisis with people going to Tobago. We are looking at it again, to take decisions. Because if you have to develop tourism in Trinidad and Tobago, you must have a successful and reliable transport system. When I say, successful, I am not necessarily talking profitability here.

I just wanted to say those few words and to support my colleague, the Member for St. Joseph, for the serious and simple way in which he has laid the Motion and for dealing with a very important area that we should address in this country today.

I thank you, Sir.

3.50 p.m.

The Minister of Trade and Industry and Minister of Consumer Affairs (Hon. Mervyn Assam): Mr. Deputy Speaker, I thank my colleague, the Member for Tobago West, for her very timely intervention and exposition on the whole question of transport: sea, air and land, in Trinidad and Tobago.

I, myself, recognize the difficulties that Tobagonians, particularly, experience. In fact, I was in Tobago earlier this week and many of the business persons there complained bitterly about their inability, not only to travel as passengers from Trinidad to Tobago, but when an emergency occurs, much of their cargo, particularly, fish, fruit, vegetables and flowers, perish either at Crown Point or at Piarco airports because of the inadequacy of air cargo in our twin-island state.

I do not want to dwell on some of the tangential issues, perhaps, irrelevant issues, that the hon. Member introduced when he was on his feet, but merely to say that I have no difficulty with the last two points he raised. His first point was that the service should be efficient. That is something to which I would subscribe, having been spawned in the private sector and having been accustomed to levels of efficiency. I have no difficulty with that at all. Secondly, periodic reviews. I fully agree that periodic reviews in any situation, including user fees, should be the hallmark of any serious administration.

However, with respect to his philosophy on taxation, I am not too sure that I agree with the hon. Member. I think he must go back and look at the various structures that inform taxation in developing societies before he pronounces with such pontification in this honourable House. To suggest that taxation must be based on either/or situations, which he said at the beginning, but went on to develop a theory of continuum which he does not seem to understand. I think he should refer to his philosophy a bit to understand what continuum means.

[MR. SPEAKER *in the Chair*]

Nevertheless, the question of whether Government should use general revenues for one area and not use it for another area depends, to a large extent on the focus of the Government, its developmental needs and the particular circumstances prevailing at the particular point in time.

Mr. Speaker, we must understand that the role of TIDCO is a special one and we do not want to involve it in all the things that perhaps it had been involved with hitherto. TIDCO must be focused, specialized and it must do the work that it was

Weights and Measures Ordinance
[HON. M. ASSAM]

Friday, August 9, 1996

established to undertake, that is, tourism and industrial development in this country and attracting inward investment in certain areas.

I would like the hon. Member to go beyond that and not only say that TIDCO should perhaps get involved in subsidizing air transport or tourism, but perhaps, the Government itself may have to become very active if it identifies transport or tourism or any economic sector, to the survival of the country, to the development of the country, to the generation of employment and for sustainable long-term growth. The whole question of divestment policy and a privatization policy will have to be tempered in order to suit these peculiar and special economic circumstances and objectives.

Mr. Speaker, I am very happy that the hon. Member supported the Motion before the House, and that Members on the other side seem to have supported it because he was the only Member on that side to speak. I am grateful for their support and co-operation.

Mr. Speaker, I beg to move.

Question put and agreed to.

Resolved:

That the Weights and Measures (Amendment) Regulations, 1996 be approved.

PRIVILEGES AND IMMUNITIES

(ANDEAN DEVELOPMENT CORPORATION) ORDER

The Minister of Foreign Affairs (Hon. Ralph Maraj): Mr. Speaker, I beg to move the following Motion standing in my name:

Whereas it is provided by section 9 of the Privileges and Immunities (Diplomatic, Consular and International Organizations) Act, Chap. 17:01 hereinafter referred to as "the Act") that the President may by Order declare that any international or regional organization or agency named or described in such Order shall, to such extent as specified in the Order, be accorded the privileges and immunities set out in Part I of the Fifth Schedule therein;

And Whereas it is also provided by section 9 of the Act that every Order made under that section shall be subject to affirmative resolution of Parliament;

And whereas the President has on the 27th day of March, 1996 made the Privileges and Immunities (Andean Development Corporation) Order, 1996;

And Whereas it is expedient that the Order now be affirmed;

Be it resolved:

That the Privileges and Immunities (Andean Development Corporation) Order, 1996 be approved.

Mr. Speaker, I have the honour to introduce this Order which essentially is the principal purpose for granting privileges and immunities to the Andean Development Corporation.

4.00 p.m.

The Andean Development Corporation, more commonly known as CAF by its Spanish acronym, meaning the Corporación Andeña de Fomento, is a multilateral financial institution which has gained tremendous respect since its inception. It is really a very successful financial institution in Latin America and the Andean countries: Bolivia, Peru, Ecuador, Venezuela and Colombia which are members of the CAF, are all very proud of this institution. They are proud because this institution has developed its capital base; it has been an important part of the integration movement; it is now a respected financial institution and it has been seen as a home-grown financial institution. It has not really had the assistance of the institutions of the more developed countries. In a way, it is seen as an indigenous kind of institution in the Latin American system.

We have been talking for some time now about economic integration and these aspirations can remain just that, if we do not have institutions like CAF to give concrete expression to the aspirations, to give flesh and blood to the aspirations. If we are talking about economic integration in Latin America and the Caribbean, of course, we need to have investment flows, we need to have the financing of public and private sector investments and this is essentially what the CAF has been doing and which it continues to do. I have no doubt that it will continue to play a very important role in economic integration in the hemisphere.

May I say that on our recent official visit to Venezuela, the hon. Prime Minister paid a visit to the CAF and he had very successful talks with high-level officials of the Andean Development Corporation and we have been assured of the organization's role and its intention to finance public and private sector initiatives in Trinidad and Tobago for the long-term development of the country.

Trinidad and Tobago is a member of the Andean Development Corporation. In fact, we became a member in 1994 during the course of the last administration and we are a member in category "C". There are three categories of members. The "A"

category comprises the countries that are members of the Andean Pact: Bolivia, Ecuador, Peru, Colombia and Venezuela and these have the “A” shares. The series “B” shares are underwritten and paid up by the governments of the member countries or public institutions authorized by them, as well as individual or subregional private companies. The series “C” shares are underwritten by countries or individuals outside the subregion. In addition to Trinidad and Tobago, other countries in this group are Brazil, Chile and Mexico. May I also state that Jamaica has indicated its interest in becoming a member of the CAF. I am aware that Argentina has also indicated its interest. This institution is really growing, very buoyant, and from our discussions with the high-level officials who have adopted the kind of conservative approach to their lending and to their financing, which has really proved to be quite successful, it is not a reckless organization in any way. It is not involved in any kind of wild investments and it is an organization of which we are happy to be part.

The agreement was signed between Trinidad and Tobago and CAF on June 24, 1994 and under the conditions of the agreement Trinidad and Tobago can receive financing in both the public and private sectors.

One significant goal of the Andean Development Corporation is to serve the integration process. It encourages countries outside of the Andean Pact to become members. Trinidad and Tobago being a member, if there are business activities, for example, that will serve the integration process between Trinidad and Tobago and the Andean Pact countries, such business ventures, if they are considered to be viable, will receive the kind of financing and the kind of credit support from the Andean Development Corporation. It also seeks to provide technical co-operation so that it is not only a financing institution, but it also seeks to provide technical advice and assistance before financial decisions are made. This is one of the areas from which Trinidad and Tobago can benefit.

Also, lines of credit under the agreement signed by Trinidad and Tobago and CAF may be established to financial institutions from Trinidad and Tobago which are operating in any country in the Andean subregion in order to finance foreign trade among the countries of the Andean subregion. It is proposed that lines of credit will be established to financial institutions operating in Trinidad and Tobago so that foreign trade can be financed among subregion countries. As you know, the Royal Bank of Trinidad and Tobago has already been a part of this process. At this time, Trinidad and Tobago holds “C” shares. It holds 108 “C” shares in this corporation, and in 1994 at the time of acquisition these shares were worth close

to US \$1 million. In fact, it was US \$999,000.00. At the time of discussion with the officials of CAF the administration in Trinidad and Tobago was seeing significant investments coming into the tourism sector and that continues to be a pre-occupation with this administration.

We feel that one of the ways to integrate our economy with the economies of the Latin American region is to encourage tourism among the countries and we see, for example, significant tourism investment emanating from Colombia, Mexico and Venezuela. Whilst we were in Venezuela we had discussions with businessmen in this regard. At the time of the signing as well, there was considerable optimism about what was then called the Orinoco/Apure Project which would have linked Trinidad and Tobago by means of an old waterway route, and which would have seen Trinidad and Tobago integrating with the economy of Venezuela on the eastern seaboard of Venezuela which is very close to Trinidad and Tobago and has many opportunities for joint ventures in agro-processing and other industrial activities. That Orinoco/Apure Project seems to have gone into abeyance at the moment and there is every effort to reactivate it.

When we were in Venezuela we had discussions on that, and we can see the Andean Development Corporation playing a role in this regard. Also, it is expected that through the CAF a line of credit for US \$10 million would be extended to Petrotrin to finance the cost of purchasing crude oil for refining purposes from Colombia and Venezuela.

4.10 p.m.

Mr. Valley: That is already in place.

Hon. R. Maraj: Yes that is already in place. That has been activated and we have benefited from it. With the refinery upgrade we would need extra crude if we are to take advantage of the excess capacity which now exists in the oil refinery.

Membership in CAF and active participation in the process not only provide financing but also bring one into contact with investors. The country at both public and private sector levels is exposed to the investment environment and clientele that are out there. This is an organization that is growing and it enhances the chances of ensuring that the country becomes a major centre for financial and commercial activity.

May I also say that CAF extends its facilities directly to governmental activity. Recently, it extended a line of credit to the Venezuelan government of US \$200

Privileges and Immunities Order
[HON. R. MARAJ]

Friday, August 9, 1996

million for the purpose of restructuring its financial system which underwent some degree of turbulence. The Andean Development Corporation is an important organization. We are very happy that it is operative in Trinidad and Tobago and we are able to present this Order which seeks to grant privileges and immunities to the organization.

If one looks at the actual Order, Part I of the Schedule one would see that in the first clause there is the legal personality and capacity of CAF to contract, acquire and dispose of real and personal property.

Clause 2 states:

“A judicial action against the Corporation may only be filed in Trinidad and Tobago . . .”

It would establish an office in the country. That is important because when we grant privileges and immunities to organizations in Trinidad and Tobago, there tends to be certain sensational statements being made from time to time by uninformed persons that we are giving away things; these people are coming to operate freely and they can do what they want. Judicial action can be taken against the corporation but not by the Government as outlined in clause 9(3), because the Government is a shareholder in the Andean Development Corporation. If it has some grouse with the corporation under the agreement, there is a dispute settlement mechanism. Through arbitration the Government would then be able to have its case heard.

Under the section which deals with assets, the property and other assets of the corporation shall enjoy immunity from expropriation, search, requisition, confiscation and seizure. In other words, the Government cannot take this kind of action against the property of the corporation through any executive or administrative decision. Through executive fiat one cannot take this kind of action against the property of the corporation. That is not to say that the corporation would not be subject to the laws of the land, but any action against the corporation and its properties would only be taken after a final judgment has been pronounced against the corporation.

Clause 7 of the Order says that the property and other assets of the corporation shall be exempt from any type of restrictions and regulations to the extent necessary for the accomplishment of the corporation's objectives and functions. All this would be within the laws of Trinidad and Tobago. This clause prevents any kind of arbitrary action against the corporation.

The Order continues to talk about the archives, communications: the inviolability of the corporation's archives and that the communications from the corporation should be treated with the same kind of respect and immunity, as we would treat communications emanating from the diplomatic missions that are in the country.

Under "taxes and duties" in respect of the corporation's operations in Trinidad and Tobago, the Government undertakes to procure that the corporation shall be exempt from all taxes imposed in duties of any kind. Whatever interests the Government must pay to the corporation shall not be subject to the normal taxes which are applied to citizens and corporations in the country. The exemption of taxes and duties are dealt with in clause 11.

Under "foreign investment and exchange control", the Order creates an obligation on the part of the Government to deal expeditiously with any request for any approval for foreign investment or foreign exchange control purposes, which may be required for a proposed investment. In other words, the Order specifically states that the Government must not act arbitrarily in terms of preventing the expeditious execution of investments under the Andean Development Corporation. It gives authorization for the remittance out of Trinidad and Tobago of all dividends, other distributions and interests/profits. Simply put, it is repatriation of profits. In other words, the corporation would be able to take out Trinidad and Tobago income earned from its activity.

In clause 14 the corporation at its own expense may maintain a representative office in this country to carry out its operation. Even if it does not have such an office, the work can be carried out by staff visiting the country from time to time.

Part II of the Schedule deals with the privileges and immunities of the staff of the corporation. By and large, they are privileges and immunities to which we are accustomed in Trinidad and Tobago. We have granted these privileges and immunities to employees who are non-nationals of Trinidad and Tobago and are employed in the missions here, and the employees of the Commonwealth Development Corporation. Members can look at the Order and be acquainted with the privileges and immunities which they have been hearing about from time to time.

4.20 p.m.

That in essence is the purpose of this Order. As I have said, it is an important organization of which we are now a member. It is important in terms of the development of our economy.

When we were in Venezuela with our hon. Prime Minister, we had extensive discussions with them. They talked about the possibility of infrastructural financing in the public sector. They talked about agro-processing, the possibility of financing private sector initiatives in this area; tourism, manufacturing and so forth, and we feel that our membership with this organization operating in Trinidad and Tobago, will serve the long-term sustainable development of the economy of this country.

Question proposed.

Mr. Kenneth Valley (*Diego Martin Central*): Mr. Speaker, the Motion before us, the granting of privileges and immunities to the Andean Development Corporation, completes an initiative which was started in January, 1994. It marks the end of the paper work with respect to our membership in the Andean Development Bank, otherwise known as CAF.

I am sure that my colleague on the other side would remember when we were participants with the then hon. Prime Minister at the People's National Movement Central Regional Council session in Chaguanas in January, 1994. Shortly after I moved to the Ministry of Trade and Industry where, in the course of my address to them, I outlined the Government's initiative with respect to trade and mentioned that we were considering a proposal to become a member of CAF.

We realized that dream on June 24, 1994 and the fact that we are today completing the paper work is merely an indication of the time it takes, sometimes, to get through bureaucracy. This is not a criticism on anyone, especially when there was a government which was ably led, having a number of different initiatives in the pipeline. We had to wait until 1996 to complete the paperwork on an initiative of 1994. I am pleased that the Minister has brought this to the House. *[Interruption]* The paper work was in the mill in 1995, before the legislative review. *[Interruption]* One can see this from the legislation, and at some time one would have to compare the legislation passed by the previous government and that passed by this Government both in terms of quantity and quality. One can come to Parliament every week with piddling stuff, but that is going off, Mr. Speaker, and I know that you pull people back on track rather quickly, so let me get back on track.

I think we need to put this whole initiative in perspective. One has to remember that when the last government took office, the world environment at the time was one of globalization. It was the new thing in town, starting somewhat in the late 1980s. Trinidad and Tobago at the time had been committed to the

removal of the negative list—to a programme of trade liberalization—but we still had exchange control regulations. We had a manufacturing sector which felt that it was facing instant death with trade liberalization and a fixed exchange rate. They thought there was no hope; they could not be competitive.

It was the mandate of the then government, not only to motivate the manufacturing sector, but to ensure that the institutional framework was there and that Trinidad and Tobago was repositioned based on current realities. That was what we attempted to do. So very early the Prime Minister at the time stated very clearly that we wanted to position Trinidad and Tobago as the business and financial capital of the Caribbean. Now I have heard our new Prime Minister going even further: he wants to position Trinidad and Tobago as the financial and business capital of the world. I wish him luck. *[Interruption]* The hon. Prime Minister was so reported in the newspapers and I have not seen a rebuttal or a correction. Quite frankly, if the hon. Prime Minister can achieve that, he will have one additional supporter. *[Laughter]* However, for the time being—

Mr. Speaker: You will speak to me, you will save yourself all of those problems. You do not believe me! Talk to me!

Mr. K. Valley: Thank you, Mr. Speaker. Mr. Speaker, it is so much nicer looking across there. I can see the ladies and talk to them. *[Laughter]*

Mr. Speaker: I would like the Member for Diego Martin Central to know that I have heard him.

Mr. K. Valley: I will talk to you, Sir.

I was making the point that the basic objective was to reposition Trinidad and Tobago and to sell the message that we wanted to reposition Trinidad and Tobago as the business and financial centre of the Caribbean and the gateway to Latin America. By that second part, we meant that we wanted to pursue an initiative, a strategy, to have expanded trade and investment relationship with Latin America. If we were to do that, obviously, critical to that was the area of finance.

4.30 p.m.

The Andean Development Bank, is second only to the IADB in terms of financial capability in Latin America. Trinidad and Tobago has been a member of the IADB for quite some time, so that it is fitting that we sought membership in the Andean Development Bank. Of course, because at the time—and I say, at the time—we were not considered an Andean country. We obtained category “C”

Privileges and Immunities Order
[MR. VALLEY]

Friday, August 9, 1996

membership, but we advanced the argument that the Andes in fact, finished in Trinidad and Tobago, therefore, we are a country of the Andes and we had strong argument—*[Interruption]* and it went on the back burner simply because we went along with the concept of the model agreement. In other words, rather than Trinidad and Tobago seeking membership in the Andean Development Trade Pact, we were able to convince Caricom that we ought to pursue this initiative and Caricom—I am sure the Member would remember, I think it was in St. Vincent—agreed that Trinidad and Tobago would lead the way with respect to trade initiatives in South America, because we saw quite clearly that if we wanted to improve the standard of living for our people in Trinidad and Tobago, and to increase Caricom trade, the larger countries of Caricom had to go outside of Caricom for trade.

I make the point again that looking for trade in Latin America does not mean that one has to scuttle Caricom. I want to make the point also that the whole initiative with Latin America was going so well up to November 1995. For example, in 1995 alone, Plipdeco initiated and co-ordinated nearly 24 missions to and from Venezuela and Brazil and this was at October 27, 1995. For 1995 alone, practically every month there were at least two missions coming from different states in Venezuela. They were coming with their governors to talk with business people here. Over 300 Trinidad and Tobago businessmen and women were able to meet face to face with over 150 of their Venezuelan and Brazilian counterparts. The Minister mentioned that the Orinoco/Apure Project, on which we worked jointly when he was with us—but since he is on the other side I do not know what is happening. Perhaps he needs a good Minister of Trade, Industry and Minister of Consumer Affairs to work with.

The fact is, that Plipdeco had that mandate to spearhead that initiative and they arranged the missions, got the business people active, and entered into joint venture agreements with ports in Venezuela. If that initiative is now on the back burner, or it is lukewarm, it has to be in the last nine months. I am saying that it is an initiative that can return many benefits to Trinidad and Tobago and I want to ask that we get back on it immediately.

What is that initiative? As the Minister mentioned, quite simply we are saying that here is the Orinoco/Apure River, like the Rhine in Europe where one sees vessels after vessels coming down bringing goods from the hinterland to Amsterdam. Similarly, one can develop that waterway into a transportation system bringing goods from the hinterlands in Venezuela to the port in Trinidad for

onward transmission to Europe, North America and the rest of Caricom. All we are doing is acting as the middleman, perhaps repackaging or whatever and earning some type of fee.

The transshipment hub concept in Trinidad and Tobago is still valid for that Orinoco/Apure Project and, in 1994, Cabinet agreed to set up a mixed commission coming out of a visit which I led to Venezuela in which the Minister of Trade, Industry and Minister of Consumer Affairs accompanied me. When I was the Minister, he could have accompanied me to Venezuela and Colombia, but now he is the Minister, I cannot go with him because he is not even going. Coming out of that visit, we agreed to set up a bilateral mixed commission to advance the Orinoco/Apure Project.

As a fact, we found that our partner was not acting with the speed which was essential for the project. We did some work, but we knew we had to continue talking with the Venezuelans to get them going on the project. I am saying that distinct from the state level, there was much activity: people were coming and going, they were visiting the different states, but at the central level, there was less enthusiasm and we have to work on that.

The other aspect, other than the sea transport, is the air transport about which my colleague spoke on another matter. There are many situations, for example, if one is travelling from Brazil and wants to come to Trinidad and Tobago, one has to go to Miami and then come to Trinidad and Tobago and the concept there, is again the hub and spoke concept using LIAT to do that type of short flight.

Hon. Member: You are lobbying.

Mr. K. Valley: I am not lobbying, because we have to see exactly what we are doing and how the matter ties into a system. If we want to expand trade and investments with South America, and if we want tourism to expand from South America, then we have to have flights coming from those areas. It makes no sense that someone in northern Brazil having to go down to Rio to take a flight to Miami to come to Port of Spain when it is two and a half hours from Belém to Port of Spain. So we need to push BWIA to get together with LIAT to do those flights. At one time, I think it was in 1994 when BWIA had stopped flying to Caracas or had one flight or so to Port of Spain, we had to talk to BWIA to get them to start looking at Caracas once more.

If we say we want to develop tourism in Latin America—

Mr. Speaker: Hon. Members, I am sure you are wondering why we have not yet adjourned at 4.30 p.m. for tea. There is an agreement, I understand, between both sides that we would sit through the tea hour and try to get a little more done.

Mr. K. Valley: Thank you Mr. Speaker, there is such an agreement.

I was making the point that if we say it is not going to be in our interest to develop the tourism market in South America, then that is a situation in which somebody may want to pay the cost because if we are doing that on a straight airline basis, it may not be profitable in the short term because someone other than the airline has to pick up that cost.

[MR. DEPUTY SPEAKER *in the Chair*]

But we know that because they have different times to North America, it is going to be worth our while in the long term to spend some money to develop that market. We need to do that.

4.40 p.m.

Mr. Deputy Speaker, I am making the point that while the Andean Development Bank would provide the finance that is critical and necessary to facilitate trade and investment between Andean and other countries, there is need for other infrastructural initiatives to ensure that the whole thing works. It is a jigsaw puzzle and we need to put all the pieces into the puzzle to deal with the whole. The Orinoco/Apure Project is still critical and can still add value to Trinidad and Tobago. Another important initiative is with respect to air transport, to have an efficient system of air transportation, so that we can move people in the area.

With those few words, I repeat that I am extremely pleased that we have now completed all aspects and conditions of membership in the Andean Development Bank.

I thank you, Mr. Deputy Speaker.

The Minister of Foreign Affairs (Hon. Ralph Maraj): Mr. Deputy Speaker, in response to my colleague from Diego Martin Central, I find it difficult to disagree with most of what he has said, except one thing—that is his description of my colleague from St. Joseph as a not so good Minister of Trade. I assure him that the Member for St. Joseph is a very good Minister of Trade and Industry. Indeed, I am convinced that he will be an outstanding Minister of Trade and Industry because he has brought intelligence, power, energy, commitment and dedication to

the job, and an understanding of the international position of Trinidad and Tobago within the present modern context.

May I also say, Mr. Deputy Speaker, in response to his analysis of what has happened with the Orinoco/Apure Project, it is our interpretation that the Orinoco/Apure Project has lost a bit of its steam, because at the moment it lacks the political impetus. What happened—and I personally saw it happening when we were going along—is that it was taken over by the bureaucracy, to a certain extent by the private sector and it was driven by that energy for a while. But what it really needs now—and in our discussions with the Venezuelan administration, there seems to be concurrence with the view—is the political impetus at the highest possible level. Our Prime Minister and the President of Venezuela both gave their full support to providing that renewed political impetus and I assure hon. Members and the House that we feel convinced that with that political drive and impetus, the Orinoco/Apure Project will once again become the kind of project which will be on its way to realizing its fullest potential.

In fact, we paid a visit, during that official visit to Venezuela, to the state of Bolívar, which as is known is not very far from Point Lisas. We visited Puerto Daz, that booming industrial town on the eastern sea border of Venezuela and there are very real prospects for commercial connection and joint ventures between Point Lisas and the steel companies and so forth in Puerto Daz and we expect, as a result of that visit, that the governor of the state of Bolívar will be leading a private sector delegation to Trinidad and Tobago to have discussions again. The Orinoco/Apure Project is going to be kept in focus and we are now going to give it the political impetus at the highest level.

On the question of air transportation, may I also inform the honourable House that we did take a decision as well that there has to be comprehensive in-depth discussions between the ministers of transport of Trinidad and Tobago and Venezuela at the soonest possible opportunity and a decision was taken that they would meet before the end of the year. In fact, we expect them to meet between now and the first week in October here in Trinidad and Tobago, to look not only at this whole question of air transportation, but sea transportation as well between Trinidad and Tobago and Venezuela, because we feel that it is critical to the economic activity between the two countries.

In fact, may I also announce that a decision was taken and that visit is going to be made. The Minister of Tourism of Venezuela is going to pay a visit to Trinidad

Privileges and Immunities Order
[HON. R. MARAJ]

Friday, August 9, 1996

and Tobago to have discussions with his counterpart in Tobago and he is going to be bringing with him people from their air transportation sector—chief executive officers of airlines and so forth—operating in Venezuela as well as other business people in the tourism sector and that, of course, will also help to improve the transportation sector between Trinidad and Tobago and Venezuela.

We are moving in this direction and BWIA continues to fly on a more regular basis to Caracas. I hope it continues, because we have signed the agreement with them, that BWIA is flying to Sao Paulo as well and I think it had also intended flying to Argentina. If it has not started flying to Argentina as yet, I think it will be doing so soon.

Mr. Deputy Speaker, we thank Members on the opposite side for their support of this Order. May I assure them that the economy of Trinidad and Tobago is in good hands. We are moving apace. We are continuing to ensure that Trinidad and Tobago's economy becomes more and more integrated into the globalized system. In terms of our foreign policy and our international economic relations, it is our goal that all hemispheric and global highways will lead in and out of Trinidad and Tobago.

I thank you, Mr. Deputy Speaker.

Question put and agreed to.

Resolved:

That the Privileges and Immunities (Andean Development Corporation) Order, 1996 be approved.

4.50 p.m.

CARONI (1975) LIMITED

(RETRENCHMENT OF WORKERS)

The Minister of Agriculture, Land and Marine Resources (Dr. The Hon. Reeza Mohammed): Mr. Deputy Speaker, this statement is in response to the issues raised in the media over the past week by the Leader of the Opposition, concerning the retrenchment of workers at Caroni (1975) Limited. by the UNC/NAR Government.

In April 1992, the then PNM Government appointed a tripartite committee "to develop an agenda for action aimed at putting Caroni (1975) Limited on a viable footing over an agreed time-frame."

The then Hon. Minister of Agriculture, Land and Marine Resources, Dr. Keith Rowley, made a statement in the House of Representatives on April 3, 1992 on the establishment of the tripartite committee with a mandate to report in 12 weeks. The committee completed its work and reported on July 14, 1992. Its major recommendations were centred around the following areas:

- (a) Financial Restructuring
- (b) Organizational Restructuring
- (c) Sugar Operations
- (d) Diversification
- (e) Human Resources

It is important to note that the Tripartite Agreement did not in any way speak of the retrenchment of any workers from the company. The tripartite committee recognized the critical need to reduce the company's labour force in an effort to enhance the company's economic and financial viability. However, it was agreed that this objective would be achieved not through retrenchment but through a voluntary separation programme and by natural attrition, enhanced pensions and early retirement arrangements.

Further, given the fact that a major objective of the Tripartite Agreement was to encourage greater cane production (75 per cent of canes to be produced) by private cane farmers, early retirees were being encouraged to produce cane through the provision of cane-producing lands of Caroni (1975) Limited.

The view that 6,000 acres of Caroni lands would be taken out of cane production is totally erroneous. In fact, these lands will be made available to those workers who have agreed to be voluntarily separated, thereby achieving one of the Tripartite Agreement's objectives, that is, to allow for a greater percentage of the canes produced (75 per cent) to be grown by farmers, while still meeting the industry's target of 125,000 tonnes, or more, of sugar production annually.

When the previous government in 1993 initiated negotiations with the Inter-American Development Bank (IDB) for the Agricultural Sector Reform Programme, a major component of that programme included the restructuring of state-owned enterprises in the agricultural sector. This included Caroni (1975) Limited. The then government agreed with the bank to incorporate the Tripartite Agreement in this arrangement for the loan. A performance agreement was

Caroni (1975) Limited
[DR. THE HON. R. MOHAMMED]

Friday, August 9, 1996

reached with the bank in relation to the effective implementation of the Tripartite Agreement on Caroni (1975) Limited. This performance agreement included, among others that:

- (a) The Board of Directors of Caroni (1975) Limited implement the plan to reorganize the management and operations of the company on the management audit by 1993. This was never done by the board and remains outstanding.
- (b) The company institute the use of core-sampling techniques for the payment of canes.
- (c) The company schedule labour force reduction through a programme of voluntary separation, retirement and natural attrition.
- (d) The Government of the Republic of Trinidad and Tobago provide the necessary funding for the company's capital investment programme.
- (e) The company establish a land-lease programme to move 6,000 acres of Caroni's cane-producing lands into private management while remaining in cane production; and
- (f) The company develop a strategic plan to reduce its operating losses from 25 per cent of its revenues in 1994 to no more than five per cent by 1999.

When this Government came into office in November, 1995, a critical review of the proposed Agricultural Sector Reform Programme was undertaken. The loan agreement with the bank was not yet signed. The previous government had planned to sign the loan in February, 1996. This Government reviewed the loan contract and thereafter initiated discussions with the bank so as to ensure the security of domestic agriculture against what may have been possible areas for unfair competition from foreign trade.

This honourable House may be aware that Trinidad and Tobago is a signatory to the General Agreement of Tariff and Trade (GATT/WTO). The new agreement seeks to encourage free and open trade. However, this Government sought to ensure that the interests of domestic farmers were secured. Once this assurance was received, the loan agreement was signed.

It is misleading, therefore, to suggest that: "This Government has agreed to the dismissal of a number of employees at Caroni (1975) Limited as one of the main conditions of the loan agreement". This is certainly not the case. The loan

Caroni (1975) Limited

Friday, August 9, 1996

agreement has as a condition the implementation of the Tripartite Agreement, an agreement which you will recall was formulated by the previous government, the company and the unions.

As I stated previously, the Tripartite Agreement sought to enhance the viability of Caroni (1975) Limited. Among the recommendations therein contained was the recommendation of labour force reduction through a voluntary separation and retirement programme that would allow for Caroni (1975) Limited's field workers to become cane farmers. This is to be achieved not by retrenchment, but through voluntary separation and natural attrition.

It should be noted that it was the previous government which agreed to have the Tripartite Agreement tied in with the agricultural sector loan. It is my understanding that they were advised by the technocrats of the Ministry of Agriculture, Land and Marine Resources against this. Notwithstanding, they undertook to link the Tripartite Agreement as part of the loan agreement. This Government will have to live with that decision.

Thank you, Mr. Deputy Speaker.

**PRIVILEGES AND IMMUNITIES (CARICOM FISHERIES RESOURCES
ASSESSMENT MANAGEMENT PROGRAMME) ORDER**

The Minister of External Affairs (Hon. Ralph Maraj): Mr. Deputy Speaker, I beg to move the following Motion standing in my name:

Whereas it is provided by section 9 of the Privileges and Immunities (Diplomatic, Consular and International Organisations) Act, Chap. 17:01 (hereinafter referred to as "the Act") that the President may by Order declare that any international or regional organisation or agency named or described in such Order shall, to such extent as specified in the Order, be accorded the privileges and immunities set out in Part I of the Fifth Schedule therein;

And Whereas it is also provided by section 9 of the Act that every Order made under that section shall be subject to affirmative resolution of Parliament;

And Whereas the President has on the 27th day of March, 1996 made the Privileges and Immunities (Caricom Fisheries Resources Assessment and Management Programme—Resource Assessment Unit) Order, 1996;

And Whereas it is expedient that the Order now be affirmed;

Privileges and Immunities Order
[HON. R. MARAJ]

Friday, August 9, 1996

Be It Resolved:

That the Privileges and Immunities (Caricom Fisheries Resources Assessment Management Programme—Resource Assessment Unit) Order, 1996 be approved.

Mr. Deputy Speaker, the Caricom Fisheries Resources Assessment Management Programme (CFRAMP) is a creation of the Caribbean community and, in fact, it is aligned to and monitored by the Caricom Secretariat. Its main purpose is to ensure management systems in the preservation and utilization of our fisheries resources in the Caricom area, as well as to bring into place a proper institutional framework for the management of those resources. That, essentially, is the real purpose of the Caricom Fisheries Resources Assessment Management Programme, one arm of which has already been located here in Port of Spain and which is already doing very good work with respect to the management and research into the fisheries sector in Caricom.

[MR. SPEAKER *in the Chair*]

5.00 p.m.

The countries and territories which are participating in the project are as follows: Antigua and Barbuda, Barbados, Belize, Grenada, Guyana, Jamaica, Montserrat, St. Lucia, St. Kitts and Nevis, St. Vincent and the Grenadines and Trinidad and Tobago. The programme is expected to be implemented over an 8-year period and is designed to provide information on the fisheries sector and to develop the management capability for the exploitation and the regeneration of this sector.

Mr. Speaker, there are four major projects of the Caricom Fisheries Resources Assessment Management Programme, which has to do with the fisheries management system, and very importantly, it has to do with training, resource assessment and the development of the actual mechanism for the regional fisheries management. Various resource assessment units have been set up, one of them in Trinidad and Tobago. Trinidad and Tobago was identified for the Guyana Shelf Zone and the specific Resource Assessment Unit which is set up in Trinidad and Tobago will have as its mandate the monitoring and management of the shrimp and the demersal research. Trinidad and Tobago, as Members know, has tremendous opportunity for economic activity in the area of shrimp farming and other shrimp activities.

In fact, the Prime Minister, when he visited Venezuela recently, did make the very innovative suggestion to the Venezuelan President about Trinidad and Tobago and Venezuela getting together in a joint venture to do some shrimp farming in the Gulf of Paria in the waters between Trinidad and Tobago and Venezuela, which, as Members know, has been described as a great salt-water lake.

Mr. Speaker, that in a sense is the purpose of the Caricom Fisheries Resources Assessment Management Programme. This Order seeks to grant privileges and immunities to the Caricom Fisheries Resources Assessment Management Programme and the actual privileges and immunities that we would be granting to them are very similar to the ones that were spoken about a while ago, but in these there are special cases, for example, dealing with the premises of the programme. The premises, for example, shall be inviolable and shall be under the control and authority of the programme. The officials of the Government, whether administrative, judicial, military or police, shall not enter the premises except with the permission of the Secretary General, and the service of legal process and so forth, including the seizure of private property may take place only within the premises of the programme and only with the consent and approval of the Secretary General.

With respect to communications, again, the communications of the programme must be treated with the same kind of respect and not be subject to censorship and so forth. It must be treated in the same way as we do communications emanating out of our diplomatic missions and it shall extend to all kinds of communications, whether it be print, film materials, sound recordings, magnetic tapes and so forth.

The archives of the programme shall be inviolable. The whole question of immunity from taxation also applies to the Caricom Fisheries Resources Assessment Management Programme as well as similar privileges as being extended to other international organizations extend to the financial and exchange facilities. Of course, Trinidad and Tobago is obligated to provide public utilities, protection and so forth to the premises and the staff of the programme will enjoy privileges and immunities that are similar to those that we are accustomed to in Trinidad and Tobago.

Mr. Speaker, I have no doubt that this Order will find favour with all Members of the House.

I beg to move.

Question proposed.

Dr. Keith Rowley (*Diego Martin West*): Mr. Speaker, I rise just to make a brief intervention to support the Motion before the House, and also to congratulate my Friend and colleague, the Member for Naparima, who seems within recent months, to have acquired a tremendous amount of skill and persuasive powers which are now being used for national benefit.

At an earlier time in this place my colleague would have had tremendous difficulty impressing upon all those around him that they should support this Motion. In fact, he himself pointed out earlier this afternoon that when motions like this come before the House, it was not uncommon, and I quote him, "for uninformed persons to be making all kinds of statements about giving away all kinds of things". He was talking about my Friends, the Members for Couva South, Oropouche, Couva North and the leader in the other place. Because in an earlier reincarnation, my colleague presented similar motions before this House, but in those days he was attired as I am, elegantly, persuaded to carry a heliconia flower on his chest. When the Member stood in that regalia, that was the response of those on the other side.

5.10 p.m.

Mr. Speaker, could you imagine my Friend saying to these people that we wanted to have in Trinidad and Tobago, compounds for use by international agencies, compounds upon which our local agencies cannot enter without the permission of the Secretary General who is a foreigner? Had he said that before, my Friend from Couva North and his side kick from Couva South would have gone into their drug bag to drum up and dredge up all kinds of drug dealers and all kinds of scenarios about the abuse of our sovereignty and so forth. It is all there in *Hansard*. In a matter of a few months my good Friend from Naparima has been able to persuade them that it is not because one has parliamentary time that one must come to the Parliament to talk what one does not mean.

Today, the Member brings two Motions which warrant support of all Members of this House. I am pleased to see that all those on the other side, by their silence, join me in supporting this Motion for the benefit of the people of Trinidad and Tobago.

Thank you.

The Minister of Foreign Affairs (Hon. Ralph Maraj): Mr. Speaker, judging by the general applause that followed my Friend from Diego Martin West, there is

considerable approval and unanimous support for this Order, therefore, I beg to move.

Question put and agreed to.

Resolved:

That the Privileges and Immunities (Caricom Fisheries Resources Assessment Management Programme—Resource Assessment Unit) Order, 1996 be approved.

ADJOURNMENT

The Attorney General (Hon. Ramesh Lawrence Maharaj): Mr. Speaker, having regard to the hard work which had been done over the last few months by both the Government and the Opposition, Members on both sides recognize that we should be away from this Parliament for at least a month. One has to recognize that we have to adjourn the Parliament to a date to be fixed. In the event there is any situation and we have to come back, I have spoken to the Opposition Chief Whip and I have given him a date.

I beg to move that this House do adjourn to a date to be fixed. I hope everybody would have a good holiday. On the next occasion we would do the second reading of bills in the order in which they appear.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 5.15 p.m.