

Leave of Absence

Friday, March 26, 1999

HOUSE OF REPRESENTATIVES

Friday, March 26, 1999

The House met at 1.30 p.m.

PRAYERS

[MR. SPEAKER *in the Chair*]

LEAVE OF ABSENCE

Mr. Speaker: Hon. Members, I wish to advise that I have received communication from five Members of this honourable House who have asked to be accused from today's sitting. They are the Member for St. Joseph; the Member for Diego Martin West; the Member for Arouca South; the Member for Port of Spain North/St. Ann's West and the Member for Caroni Central.

**RECOVERY WISHES
(MEMBER FOR CARONI CENTRAL)**

Mr. Speaker: Hon. Members, I am sure that all of you would want me to wish a speedy recovery to the hon. Member for Caroni Central.

**NEWSPAPER ARTICLE
(INACCURACY)**

Mr. Speaker: Hon. Members, I also wish to draw to your notice a problem that is, perhaps, affecting the standards of behaviour and the like in this House. I refer to an article which appeared on page 6 of the *Daily Express* of Saturday, March 20, 1999 under the heading, "Chest pains puts Health Minister in hospital", written by one Siewdath Persad of the Central Bureau. It was indicated in that article that:

"Parliament will proceed on a three-week recess following yesterday's sitting."

I simply ask that the media be much more careful in the reporting of issues. This just was not so. It was never on and this honourable House was adjourned on that Friday, to today. This could be very misleading. It is not the way in which one should proceed.

VISITORS TO CHAMBER

Mr. Speaker: I also want to draw to the notice of hon. Members that we do have in the House today some secondary school students of the Republic of Trinidad and Tobago who distinguished themselves by winning an essay competition for Commonwealth Day. They came to the Red House today to

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receive prizes of \$1,000; \$700; \$400; \$300 and \$150. I am sure that you would like me to congratulate them on your behalf. [*Desk thumping*]

They are from Bishop's High School in Tobago, first prize, Devon Miggins; Naparima Girls High School in San Fernando, second prize, Joella Joseph; Holy Faith Convent, third prize, Serene Joseph; St. Joseph's Convent in Port of Spain, fourth, Khadija Bridgewater and Sarah Couteau of San Fernando Junior Secondary School. [*Desk thumping*]

PAPERS LAID

1. Report of the Auditor General on the accounts of The Basic Education Project—Loan Contract #3956-TR between the Government of Trinidad and Tobago and the International Bank for Reconstruction and Development for the year ended January 01, 1998 to September 30, 1998. [*The Attorney General (Hon. Ramesh Lawrence Maharaj)*]

To be referred to the Public Accounts Committee.

2. The Excise Duty (Compressed Natural Gas) Order, 1999. [*Hon. R. L. Maharaj*]

ORAL ANSWER TO QUESTION

San Juan/Laventille Corporation (URP Positions)

36. **Mr. Fitzgerald Hinds** (*Laventille East/Morvant*) asked the Minister of Local Government:
 - (a) Would the Minister state the names, qualifications, job positions and responsibilities of all staff selected to administer, manage and implement the Unemployment Relief Programme in the San Juan/Laventille Corporation in 1999?
 - (b) Would the Minister indicate the recruitment process used to select the staff referred to in part (a) above, including the nature and dates of advertisement for the job positions, interviews, ranking of applicants and reasons for selection of the chosen persons?
 - (c) Would the Minister state whether the Council of the San Juan/Laventille Regional Corporation was consulted prior to the selection of persons referred to in part (a) above?

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The Parliamentary Secretary in the Ministry of Local Government (Mr. Razack Ali): Mr. Speaker, the job positions, responsibilities and names of the staff selected to administer the Unemployment Relief Programme in the San Juan/Laventille Region in 1999 are as follows:

NAME	POSITION	QUALIFICATIONS	RESPONSIBILITIES
Junior Barrack	U.R.P. Manager	O Levels, A Levels and extensive experience in supervisory positions and was a past Senator	Responsible for the overall management of URP in the Region
Atma Maharaj	Materials Manager	Extensive experience in supervisory positions at Carib Brewery, Berger Paints and former Materials Manager in the URP	The co-ordination and maintenance of an inventory system for materials and co-ordination of transportation services
Casimir Joseph	Engineering Assistant	Structural Engineering Degree, O Levels, A Levels with extensive experience in the engineering field	Ensures the implementation of all projects at the construction site is in accordance with plans and specifications
Zarak Khan	Project Supervisor	Extensive experience in the field of project management and implementation. Former Programme Assistant in previous Unemployment Relief Programme	Supervises a group of skilled and unskilled workers engaged in the maintenance and care of public buildings, grounds, roads and other facilities
Shiva Ramlakhan	Assistant	A.A.T. Levels 1 & 2,	Maintains general

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NAME	POSITION	QUALIFICATIONS	RESPONSIBILITIES
	Accountant	O Levels, A Levels with experience in the field	accounts and supervises clerical staff in the Accounting Unit
Zoraline Rampersad	Recruitment Officer	O Levels, A Levels and experience in the field	Recruits worker on URP projects from an approved list
Heather-Ann Boxhill	Data Entry Clerk	Bachelor of Arts—History/Government (Hon), O Levels, with experience in the field	To maintain a register in an efficient and timely manner
Sabrina Cathalin	Clerical Officer	School Leaving Certificate and experience in related field	Perform routine clerical tasks and able to communicate effectively
Salina Ollivierre	Clerical Officer	O Levels with experience in related field	Perform routine clerical tasks and able to communicate effectively
Debbie Gibbs	Clerical Officer	Qualified typist with over 5 years experience in related field	Perform routine clerical tasks and able to communicate effectively
Zoolie Baksh	Clerical Officer	School Leaving Certificate and experience in related field	Perform routine clerical tasks and able to communicate effectively
Marilyn Griffith	Clerical Officer	School Leaving Certificate and	Perform routine clerical tasks and able

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Gloria Springer	Clerical Officer	extensive experience in the field Past experience in the positions of Clerical Assistant, Payroll Officer, Stores Clerk in the former URP	to communicate effectively Perform routine clerical tasks and able to communicate effectively
NAME	POSITION	QUALIFICATIONS	RESPONSIBILITIES
Harry Narinesingh	Stores Clerk	Extensive experience (over 20 years) in the field	Assists the Inventory Control Officer in the keeping and maintenance of stores
Junior Kalpatoo	Accounts Clerk	O Levels and extensive experience in the field	Assists the Assistant Accountant in maintaining general ledgers, posts entries to these books from supporting records
Shahnaz Cassie Paul	Accounts Clerk	O Levels, computer literate and experience in related field	Assists the Assistant Accountant in maintaining general ledgers, posts entries to these books from supporting records
Ray Bradshaw	Accounts Clerk	O Levels and experience in post under the previous programme	Assists the Assistant Accountant in maintaining general ledgers, posts entries to these books from supporting records
Gail Worrel	Training Officer	School Leaving Certificate with extensive experience as Training Officer in the former URP	Among other things to interview applicants to determine suitability for placement under the Industrial Training

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Project

The advertisements for Unemployment Relief Programme monthly-paid positions were carried in the press from December 15—17, 1998. These did not specify qualifications. A panel was established by the Ministry to conduct interviews for the positions. Interviews for the various positions were held as follows:

Position	Date of Interview
URP Manager	January 08, 1999
Position	Date of Interview
Materials Manager	January 11, 1999
Engineering Assistant	January 08, 1999
Project Supervisor	January 11, 1999
Assistant Accountant	January 12, 1999
Recruitment Officer	January 12, 1999
Data Entry Clerk	January 15, 1999
Clerical Officer	January 14, 1999
Stores Clerk	January 13, 1999
Accounts Clerk	January 13, 1999
Training Officer	January 13, 1999

This panel comprised senior officials from within the Ministry's head office fraternity. The panel had at its disposal representatives from the Chief Executive fraternity such as CEOs from Couva/Tabaquite/Talparo and Princes Town Regional Corporations, who could be consulted when necessary.

1.45 p.m.

Due to the large number of applicants, the panel short-listed four applicants for the advertised positions. The panel then selected persons based on a combination of experience and qualifications suitable for the positions.

It has never been the official policy of the Ministry of Local Government to consult with the San Juan/Laventille Regional or any other Municipal/Regional Corporation prior to the selection of persons to be employed in the monthly paid

positions in the Unemployment Relief Programme. Additionally, it should be noted that, general practice in the past was never to obtain inputs from local politicians for the filling of monthly-paid positions whatsoever.

Thank you, Mr. Speaker.

RECOGNITION OF ORISHA MARRIAGES

The Prime Minister (Hon. Basdeo Panday): Thank you kindly Mr. Speaker. Throughout the decades, during which it has been my privilege to represent the people of Trinidad and Tobago in this honourable House, I have unceasingly sought to shape a genuine democracy which would reflect respect, embrace and indeed, elevate all groups in this plural society.

Once entrusted, in November 1995, with the responsibility of leading the Government of the Republic of Trinidad and Tobago and directing the management of the country's affairs, I have done all within my competence to put into practice the gospel of unity that I have never ceased to preach. I have always called for national unity, and I have always worked for national unity, grounded on true equality among the diverse groups that make up our society. Throughout my life in the service of the people of Trinidad and Tobago, I have supported and promoted the principle of inclusion.

I fervently believe the aspirations so wistfully expressed in our National Anthem that here in our beloved country, every creed and race shall find an equal place. But regrettably, that noble and enlightened ideal which was intended to define the essential character of our nation has not always been central to the formulation of public policy in our country.

This comes sharply into focus in the retention in the laws of independent Trinidad and Tobago, repressive statutes enacted in colonial times that have no place in a plural democracy. Not only have offensive laws been retained from this country's colonial era for decades after independence, but they have also been a singular failure on the part of previous governments of Trinidad and Tobago to enact legislation that will fully affirm the reality of the diversity of our country and our society.

The case that well illustrates the point is to be found in our marriage laws. While there exists in Trinidad and Tobago, the Marriage Act, the Muslim Marriage and Divorce Act and the Hindu Marriage Act and despite representations going back over decades, no legislative provision was ever made, or was ever put in

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place for the solemnization and registration of marriages performed under Orisha rights in this country—a religion with the roots of Africa, brought to this country, during the period of slavery. It has long been my resolve to correct this injustice.

When the leader of the Council of Orisha Elders of Trinidad and Tobago raised this matter in a recent meeting with me, I readily affirmed my resolve to right this wrong, to which the members of the Orisha faith have so long been subjected. I placed this resolve on public record when I was accorded the honour of addressing the gathering at the Council of Orisha Elders of Trinidad and Tobago's second annual family day last Sunday.

Mr. Speaker, it is my purpose, today, to report to this honourable House that yesterday, March 25, 1999, the Cabinet agreed that a draft Orisha Marriage Bill be referred to the Legislative Review Committee for vetting and at the earliest possible time thereafter, be laid in this Parliament. [*Desk thumping*]

The draft Orisha Bill represents the consensus evolving out of a series of consultations initiated by the hon. Minister of Legal Affairs in June 1997, between 11 organizations representing the Orisha faith and officials and technical officers of the ministry, with a view to formulating appropriate marriage legislation for the solemnization and registration of Orisha marriages.

The enactment of the Orisha Marriage Bill will give to the devotees of Orisha, the place in our society that has, for centuries, been denied them. Moreover, as far as has been determined, Trinidad and Tobago's Orisha Marriage Act will be the first such legislation in any jurisdiction anywhere in the world. [*Desk thumping*]

My information is that even in such countries as Brazil, where Orisha has a following, estimated in excess of 10 million, or most notably in Nigeria, where Orisha had its origin in the Yoruba culture, no such legislation exists.

The Orisha Marriage Act will thus set Trinidad and Tobago apart in the elevation of Orisha to its rightful place. It is but one set, in my Government's ongoing manifest programme to mould a truly inclusive democracy in our country even as others, in diverse guises and for base and selfish ends, intensify the effort to rend the society apart through religious and ethnic polarization.

I trust that every Member opposite will give unqualified support to the Orisha Marriage Bill. Parallel, with the process in which the draft Orisha Bill was formulated, the Ministry of Legal Affairs has established a committee for the review and harmonization of all existing and proposed marriage laws. The work of

that committee will continue and will take the Orisha Marriage Bill into account when it is enacted. But, I thought it just, that the legal instrument for solemnization and registration of marriages sanctified under Orisha rights, should be deferred pending the outcome of the deliberations of the ongoing omnibus review of the Marriage Act.

Mr. Speaker, next Tuesday—Holy Week—Trinidad and Tobago will celebrate Spiritual Shouter Baptist Liberation Day. It would be good for our nation if, whatever our creed; whatever we think our race to be, will all see in this Spiritual Shouter Baptist Liberation Day, a liberation that was, is and ever will be relevant and uplifting to each and every one of us. [*Desk thumping*]

Next week, all in our country, together with untold millions around the world, will observe Holy Week. Christians and non-Christians will reflect on the crucifixion of Christ and his purpose of redemption of mankind. We will be celebrating the resurrection, as we celebrate Easter.

At times like these, Mr. Speaker, there is a unity of spirit and purpose that eliminates the artificial boundaries that can separate and imprison us. Only when we succeed in permanently eliminating those barriers, indeed, only then, will we be able to mobilize all of our energies, of every citizen of this country—a united effort that will enable Trinidad and Tobago and its people—all of our peoples to realize our great potential.

Mr. Speaker, with your great consent, Sir, I take this opportunity to extend to my colleagues on both sides of this House, my sincere wishes for spiritual liberation and upliftment and joy in this holy season and fulfillment for all the days of our lives. I thank you, Mr. Speaker.

1.55 p.m.

**TRANSITIONAL MANAGEMENT ARRANGEMENTS
(WASA)**

The Minister of Public Utilities (Hon. Ganga Singh): Mr. Speaker, national policy and strategy for the water and sewerage sector is focused on delivering high-quality and reliable services to the people of Trinidad and Tobago. Previous administrations had allowed the country's water infrastructure to deteriorate into its present-day dilapidated state. Substantial effort and funding are needed to put that right. This Government is determined to mobilize those resources and funds to follow through with its plan to deliver the modern affordable water services and

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the public health and environmental improvements that our people are entitled to expect. Hence, Mr. Speaker, on the authority of Cabinet, I wish to apprise this honourable House and the national community on the status of the transitional management arrangement at the Water and Sewerage Authority.

On November 1, 1995 the Government of Trinidad and Tobago signed a three-year management contract, an interim operating arrangement with the Trinidad and Tobago Water Services, TTWS, a consortium of Severn Trent International and Tarmac. Mr. Speaker, the interim operating arrangement provided *inter alia* for TTWS to second senior managers to WASA including the chief executive officer. It also provided for specialist support to WASA, training of staff and the preparation and project management of major works including the streamlining of procurement procedures.

Mr. Speaker, a Government guaranteed loan of \$450 million under the interim operating arrangement allowed the gap between operating costs and revenue to be closed. The interim operating arrangement also included preferential rights for TTWS to negotiate the long-term arrangement. The agreement also provided that failure by TTWS and the Government to reach an agreement on the long-term arrangement would initiate international competitive bidding. The interim operating arrangement took effect on April 4, 1996 after renegotiation of some of the deliverables in the contract by this Government and comes to an end on April 3, 1999.

Mr. Speaker, you may recall the interim operating arrangement was laid in this honourable House on April 23, 1996. In order to independently establish the performance of TTWS, and in accordance with the World Bank requirements, the Government commissioned in 1998 a mid-term review of the interim operating arrangement by the international consultant, Halcrow Management Services Limited. The final report on the performance of the interim operating arrangement covered the first two years of the contract. Mr. Speaker, I wish to place on record the summary of major conclusions of the Halcrow report and I quote:

“For various reasons, and with faults on both sides, the original Board and Management did not form the partnership essential to the success of the interim operating arrangement. We estimate that the overall effect, combined with the lack of IBRD funding for rehabilitation, was to delay service improvements to customers by up to one year.

As far as we can establish, although sound data are sadly lacking, customer perception is that service has not changed under the interim operating arrangement. This is borne out by our quantitative assessment. Significantly more water is

produced and plant breakdowns have reduced but WASA has not as yet made substantive improvements to customer service. New strategies and systems for efficient and effective operational management are now in place. As a result, WASA seems poised to make significant improvements in service provision.

Financial management has shown a marked improvement. WASA will almost certainly post an operating profit for 1998/99 and should remain within its working capital financing limits. Performance to date has, however, been achieved by controlling costs and debtors rather than by increasing sales. Looking forward to the year following the interim operating arrangement, we expect a further significant improvement in profitability.

There are signs that the new Board and the present management are developing rapport. Our estimates of future performance assume that this can be maintained and improved.

The key lesson for the long-term arrangement is one of operator control. The Government must be prepared to set service levels and a charging mechanism for customers and allow the operator the freedom to perform within these constraints.”

Mr. Speaker, I would like to take this opportunity to record some of the key improvements at WASA during the past three years. Firstly, and fundamental to creating the conditions under which the private sector can mobilize long-term arrangement financing, is the improvement in WASA’s financial health. Over the last three years there are indications that WASA is moving in this direction.

Secondly, WASA’s day-to-day operations have improved significantly in key areas such as: overall water production has increased by approximately 30 per cent; water supply to southern Trinidad, an area still plagued by poor supplies, has increased by about 20 per cent and this is said to increase still further as more elements of the South water project come on stream; the percentage of the population which is receiving water supplies for 12 hours or more per day has been increasing on a continual basis in tandem with improvements being undertaken.

Thirdly, Mr. Speaker, customer service has been improved, partly by the establishment of customer service bureaus at Arima, Kew Place, Tobago, San Fernando, St. Joseph and Southland Mall that will provide improved response to customer needs.

Mr. Speaker, the Government of Trinidad and Tobago has strictly adhered to its obligations under the interim operating arrangement. The interim operating

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arrangement contract stipulates the process for advancing the programme of private sector participation in WASA from the interim operating arrangement Phase I to a long-term arrangement, Phase II. In furtherance of its obligations Cabinet agreed on July 31, 1997 to the development of the preferred long-term arrangement option for the Water and Sewerage Authority and to the appointment of a steering committee to co-ordinate, monitor and oversee the development of the preferred long-term arrangement for WASA.

The steering committee comprise the following:

Mr. Nazir Khan	-	Chairman, WASA
Mr. Emmanuel George	-	Permanent Secretary
Mr. Harjinder Singh Atwal	-	Ministry of Public Utilities Director Economic Research and Planning
Mr. Khansham Kanhai	-	Technical Adviser, Ministry of Public Utilities
Ms. Sonia Noel	-	Ministry of Finance
Mr. Patrick Samuel	-	Senior Planning Officer, Ministry of Planning and Development
Ms. Debbie Sirjusingh	-	State Counsel II, Ministry of the Attorney General
Ms. Carol Balkaran	-	Planning Officer I, Ministry of Public Utilities
Mr. Bernard Cropper	-	Representative, Public Services Association
Mr. Alva Allen	-	Representative, National Union of Government and Federated Workers Union
Mr. Gerard Richardson	-	Association of Professional Staff, WASA.

Mr. Speaker, the steering committee reported at the end of November 1998, after reviewing the full spectrum of options for private sector participation and drawing from the experiences of other countries which have adopted similar

approaches. Based on the recommendations for a long-term option for WASA, Cabinet agreed on January 28, 1999 to:

- (a) the deepening of private sector participation in WASA through a concession arrangement involving the key components as follows:
 - (i) the division of WASA into an operating company and an asset company—Government to retain ownership of the asset company;
 - (ii) the operating company to be privately owned providing all future financial needs of WASA and have operational responsibilities and rights to use and upgrade infrastructure assets—all such assets to become the property of the asset company at the end of the concession period;
 - (iii) the shareholders of the operating company to comprise the local private sector, up to 60 to 65 per cent, employees of WASA between five to ten per cent, and strategic international investors, a maximum of 30 per cent.
- (b) to the appointment of a negotiating committee under the chairmanship of Mr. Kamal Mankee, Permanent Secretary, Ministry of Finance to handle all aspects of negotiations and to manage the preparation and implementation of competitive bidding for a long-term arrangement for WASA, should negotiations with TTWS not proceed well.

Mr. Speaker, Mr. Mankee is now working full-time as chief negotiator on this project. Other members of the negotiating committee are:

Mr. Nazir Khan	-	Chairman, WASA
Mr. Harjinder Singh Atwal	-	Ministry of Public Utilities
Ms. Victoria Charles-Mendes	-	Permanent Secretary, Ministry of Planning and Development
Mr. Khansham Kanhai	-	Technical Advisor, Ministry of Public Utilities
Mr. Robert Guiseppi	-	Commissioner, WASA
Mr. Tewari Tota-Maharaj	-	WASA Engineer
Ms. Shobna Persaud	-	WASA, Commissioner
Ms. Sonia Noel	-	Ministry of Finance

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Ms. Debbie Sirjusingh - Attorney General
Mr. Winston Rennie - IOA Secretariat.

Mr. Speaker, this committee has been working since February 1999 and has already set up a schedule to commence the long-term arrangement negotiations with TTWS on March 31, 1999, in accordance with the contract requirements. It is a clear policy from this Government that it intends to assert local private sector and employee participation linked to international investment in the water and waste water sector.

The Solicitor General has advised that when the interim operating arrangement comes to an end on April 3, 1999 WASA and the Government are not contractually or otherwise legally obliged to enter into any transition management arrangements with TTWS between the end of the interim operating arrangement and the commencement of the proposed long-term arrangement.

It is expected that the transitional management arrangements for WASA would be required for a period of approximately 12 months after which the long-term arrangement should be in place. TTWS had, in fact, submitted a proposal on March 5, 1999 for continuation during this transitional period. TTWS's proposal was considered in detail by the board of WASA and Mr. Kamal Mankee, chief negotiator of the Cabinet appointed long-term arrangement negotiating committee.

In essence, Mr. Speaker, the advice emanating from both the board and the long-term arrangement chief negotiator is that, firstly, TTWS's transitional proposal is too costly and lacks definition; secondly, the proposal does not specify the programme of output that TTWS would be expected to achieve and to establish such a programme would entail considerable negotiations; thirdly, the local managers are poised to adequately run the utility during the transition without jeopardizing the continuity or efficiency of the operations; and fourthly, TTWS's proposal had the overall tenor of creating an inextricable link between the management of TTWS during the transition and the private sector participation for the long-term arrangement thereby granting to TTWS an unfair advantage in the negotiations for the long-term arrangement.

Mr. Speaker, the board of WASA and the chief negotiator have, therefore, argued against entertaining TTWS's proposal for the transitional arrangements. Consequently, Mr. Speaker, Cabinet at its regular meeting yesterday took the decision that the management of the operations of WASA, between the end of the interim operating arrangement and the commencement of the proposed long-term

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arrangement be undertaken by a select management team comprising local managers and technical staff presently employed at WASA led by a local chief executive officer as determined by WASA's board.

The core local management team comprises of:

NAME	CURRENT DESIGNATION	PROPOSED DESIGNATION
Richard Ettiene	Business Development Manager	Manager Customer Accounting
Carlton F. Bereaux	Director of Logistics	Director of Logistics
Dennis Cumberbatch	Director, Legal/Secretariat	Director/Legal Secretariat
Ramchand Ramcharan	Director Corporate Development	Director Corporate Development
Tewari Tota-Maharaj	Assistant Director Capital Investment	Director Capital Investment
NAME	CURRENT DESIGNATION	PROPOSED DESIGNATION
Errol Grimes	Assistant Director Operations	Director Operations
Dev Manohar-Maharaj	Director, Management Information Systems	Director Management Information Systems
Dr. Utam Maharaj	Director, Water Resources Agency	Director, Water Resources Agency
Gerard Yorke	Director of Finance	Director of Finance

2.10 p.m.

Mr. Speaker, the management consulting firm of Price Waterhouse Coopers, is currently finalizing negotiations with the chief executive officer designate. As a result, the existing Trinidad and Tobago Water Services chief executive officer and senior managerial team would be demobilized, and the new local chief executive officer and management team would take responsibility for the day-to-day operations of the Water and Sewerage Authority with effect from April 4, 1999.

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The on-going south water project managed by TTWS/WASA would proceed without change and in line with the Government's determination to deliver water for all.

The Regulated Industries Commission Act introduced by the Government last year has prepared the legislative framework for private sector provision of water and sewerage services. It also facilitates the public sector regulation of these services in order to assure value for money to both industry and all elements of society. This new approach together with the step change in the quality of water and sewerage services required under a long-term arrangement, can only be done with the involvement of international operators and leading local companies. Only in that way would it be possible to raise the multi-billion dollars in funds that are needed to rehabilitate and extend infrastructure that was sadly neglected over many years by previous administrations.

The improvements at WASA represent completion of Phase I of the Government's plan for improving water and sewerage services. The Government is now pressing ahead towards a Phase II long-term arrangement that will further increase private sector participation in the water and sewerage sector, including strong local involvement. The action that the Government is taking will ensure that the benefits at the Water and Sewerage Authority are built upon, and will lead to further improvements to the quality of water, public health and environmental services for the people of Trinidad and Tobago.

Discussions were held this morning with the executive management team, the current chief executive officer of WASA and representatives of the unions: Public Services Association and the National Union of Government and Federated Workers. These discussions were held to ensure the seamless transfer of executive authority and the continuity and reliability of the existing water supply system. These discussions were extremely cordial, and I take this opportunity to thank Trinidad and Tobago Water Services for their services under the interim operating arrangement.

Whilst we navigate and implement the institutional and systemic changes necessary to transform WASA, we continue to focus on our goal of water for all. We will not lose sight of the fact that the Water and Sewerage Authority exists to serve its customers with potable and waste water services. That is why we continue to focus on our goal of water for all.

Thank you.

**LAND LAW REFORM BILLS
(FIRST READING)**

The Attorney General (Hon. Ramesh Lawrence Maharaj): Mr. Speaker, in respect of the three Bills which will formally be laid in a short while concerning a package dealing with land law reforms in Trinidad and Tobago, it is important that the Government states the short history of this matter and basically what it would do.

The genesis of these three Bills: the Land Adjudication Bill, the Land Tribunal Bill, and the Registration of Titles to Land Bill lie in the recommendations made in the report described as the Land Rationalization and Development Programme. In 1991 the University of Wisconsin-Madison led a team to carry out on behalf of the Government of Trinidad and Tobago land rationalizations study in Trinidad and Tobago. The University together with the Lands and Surveys Division of the Ministry of Planning and Development; the Ministry of Agriculture, Land and Marine Resources; the Ministry of Housing and Settlements, and the Ministry of the Attorney General, collaborated with these studies. The ministries, in making their recommendations, took into consideration the views of the interested groups in the country.

The studies were carried out over a 10-month period and the report entitled, "the Land Rationalization and Development Programme" was prepared as a result of those discussions, and submitted to Government in February 1992. The report pointed out that there existed insecurity of land tenure in Trinidad and Tobago where lands were possessed without valid deeds or leases, and that the situation posed a serious constraint on the development of the agricultural sector and other land.

The report recommended a complete Land Rationalization and Development Programme. The report observed that about half of the land which people used for agriculture and housing was not protected by valid deeds or leases, and that squatting, informal transaction executed out of these leases, informal assignment of state land to farmers and urban families have all contributed to what was described as a serious and chaotic situation.

The report also pointed out that part of the security problem was due to a land administration system which was designed for relatively few numbers of property owners who once operated a plantation based economy. However, with the change

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of the economy it resulted in thousands of families having acquired land, or they strongly wished to do so for agriculture, housing and even for business purposes.

Mr. Speaker, to regularize the proper registration of titles to land and interests of land, the Wisconsin Report recommended a Land Registration Project, the goals and objectives of which were stated in the report as follows:

"The Land Registration Project (LRP) is the largest component of the Land Rationalization and Development Programme. Its purpose [is] to review the status of all parcels of land in Trinidad & Tobago. When completed each parcel will be entered on the new Land Register and included on a cadastral index. This is necessary in order to coordinate a system that is unable to support the land transactions that take place. Because of the failure to upgrade over the years, an informal system has developed which keeps many of the land records outside of the system. With both a deed register and title registration, the land registry has lost track of many records and if one needs to search for records, it is often impossible to find them. In addition, because state lands, which are extensive, are not registered, it is difficult to determine that status of any particular parcel. The Project is designed to rectify these problems by systematically reviewing all parcels of land and creating a new record of all boundaries and titles."

In order to effectively complete the system of land registration, it was recommended that it would be necessary to carry out surveys where these are needed for the compilation of a title register and for the establishment of a land registry. Such a register would be required to record all dealings relating to land transactions.

The report was accepted in principle by the then Cabinet. The Cabinet therefore recognized that the institutional framework within which land administration and distribution was carried out, was inadequately disbursed and co-ordinated. The report pointed out that there were at least 10 agencies from seven ministries with responsibilities for various aspects relating to land administration and distribution. This itself was clearly an unsatisfactory situation.

In November, 1992 during the previous administration, the Ministry of Planning and Development submitted a study entitled "A New Administration and Distribution Policy For Land", in which it was stated that the Government had undertaken a comprehensive review of land policy with the aim of promoting agricultural developments, achieving greater equity in land distribution and facilitating improved environmental management, as well as formulating a new

land policy, characterized by greater effectiveness, coherence and improved co-ordination. Central to this was the perception that a more effective use of our land resources could be effective.

Mr. Speaker, the report made reference to a property law reform package of 1981. The then Government had enacted seven pieces of legislation in an attempt to deal with the problems of land registration. These Acts of Parliament were: the Landlord and Tenant Act; the Land Law and Conveyancing Act; the Trustee Act; the Limitation Act; the Condominium Act; the Land Registration Act; and the Succession Act, all of 1981. The report stated that these Acts were intended to modernize laws governing property dealings and inheritance in Trinidad and Tobago. For one reason or another, they were not proclaimed into law.

In August of 1993, the then government of Trinidad and Tobago contracted with the Inter-American Development Bank two investment sector loans. These were intended for the balance of payments report and the implementation of the social impact mitigation programme. The Land Rationalization Programme fell into the category of social impact litigation programme. The disbursement of these loans were required to be made in three amounts: US \$30 million; US \$25 million; and US \$25 million.

Apart from the last government accessing the first tranche upon the signing of the loan agreement in 1993, it would appear that no work was done in relation to the preparation of the legislation necessary to implement the Land Rationalization Programme. This Government on taking office, took steps to have these pieces of legislation drafted so that the recommendations contained in the report could be implemented.

The scheme of the development contemplated by these three Bills begins with the Land Adjudication Bill. Under this Bill, the system will be provided for settling titles to land by demarcation of boundaries. To achieve this it provides for the appointment of an adjudication officer who would be in charge of the operations of such a system of adjudication officers, demarcation officers, recording officers and survey officers, as may be necessary; all of whom would be under the control and subject to the control of the adjudication officer. The duties of these subordinate officers will be to enter an area of land for the purpose of making out boundaries, surveying the land and recording claims to the various parcels.

This exercise can only commence after the minister to whom the responsibility of land adjudication is to be entrusted, declares the area to be an adjudication area. He does this by making an order to that effect. The idea is that the adjudication process will be conducted in area after area, in the hope that ultimately the whole of Trinidad and Tobago would have been dealt with under this process.

A record is made of all the claims and submitted to the adjudication officer, who will certify the record and send it to the Registrar to be registered in the book of records kept for that purpose. It is intended that this record would be done electronically, after which a certificate of title would be issued to the claimant.

Mr. Speaker, it is anticipated that there may be disputes, these disputes will be noted and transmitted to the adjudication officer who would adjudicate the matter and prepare a record of the proceedings. The principles to be observed in such proceedings are provided for in the Bill. After the record has been prepared and signed by the adjudication officer, it will be published for inspection, together with a notice of completion. If after 90 days of the publication there is no objection, the adjudication record shall become final and shall be delivered to the Registrar with the certificate of the adjudication officer.

Where within a period of 90 days anyone, including the minister, is affected by the decision of a demarcation or survey officer in respect of any parcel of land, that person can object to the adjudication officer who is required to hear and determine the grounds of objection within 30 days of the receipt by him.

Thereafter, any person including the Minister, affected by the adjudication, may within 90 days of the publication of the adjudication record, who is aggrieved by any act or decision of either the demarcation or survey officer, or dispute entered into the record, may lodge an objection against the record to the adjudication officer.

There is also the procedure for an appeal to the Land Tribunal. After that there can also be an appeal to the Court of Appeal.

2.25 p.m

Mr. Speaker, the Land Tribunal Bill creates an authority known as the Land Tribunal, with the jurisdiction to settle all disputes concerning land in Trinidad and Tobago. At the outset, it will have jurisdiction to adjudicate appeals from the Land Adjudication Officer, to which I have already referred, and to review matters relating to the registration of titles under the Registration of Titles to Land Act and

to hear claims for compensation under the latter Act where the claimant and the Registrar have been unable to agree upon the quantum.

In other words, the tribunal would be vested with an appellate jurisdiction in these matters. Like the situation in the Land Adjudication process, an appeal to the tribunal is of right, and an appellant may appear in person, or by a legal representative.

Mr. Speaker, the Bill documents the full details of the function of the Land Tribunal.

The Registration of Titles to Land Bill. The purposes of this Act are to:

- (a) provide certainty of ownership of interest in land and to simplify proof of ownership;
- (b) facilitate the economic and efficient execution of transaction with respect to interests in land; and
- (c) provide compensation for persons who sustain loss in circumstances prescribed by this Act.

In order to achieve such purposes, it does many things, including the establishment of a parcel base register, a method of identifying each parcel of land and the ownership of such land. All this information is to be recorded in a Land Register in which will be recorded the name of the registered proprietor of each parcel of land and all subsequent dealings in relation to that parcel. Each parcel shall be described based on a cadastral survey.

The register is compiled from the Adjudication Record which the Adjudication Officer is required to file with the Registrar under the Land Adjudication Bill.

The Registration of Titles to Land Bill provides for the particulars to be inserted in the register, thereby enabling a quick identification of not only the ownership of a parcel of land, but all other pertinent information pertaining to that land. This seeks to replace the almost paralyzing method of title search which now obtains in the Registrar General's Department.

It also provides for the registration of interests (such as mortgage, trusts, *et cetera*) and the priority to be given to such registration. It provides for the conclusiveness of the information contained in the register.

Land Law Reform Bills
[HON. R. L. MAHARAJ]

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Where the adjudication process has identified any lands as state lands such land shall be so registered and all rights of the holders of leases of any other estate or interest in the land shall be registered, as encumbrances.

Upon the registration process being completed, a certificate of title or a certificate of lease can be issued which will show all existing entries in the register.

Another important provision of the Bill, Mr. Speaker, is that no interest (including a trust) in land may be created except it shall be in writing in a prescribed form.

Several other important matters are also dealt with. These include: what happens upon the death of a joint proprietor, of a sole proprietor, the effect of transmission upon death, compulsory acquisition or a judgment, the question of trusts and the situation upon the death of a trustee in the case of a joint trust.

Mr. Speaker, a very important and, perhaps, novel provision for Trinidad and Tobago is the creation of an assurance fund to which is paid such part of the fees as are paid to the Registrar under the Act as may be prescribed by the regulations made by the Minister of Finance.

The fund is created to satisfy claims made by a person who has been deprived of land because of certain stated events, in which case, he may claim compensation by way of claim for damages naming the registrar as the nominal defendant. If there is no agreement as to the quantum of compensation, the matter is to be referred to the Land Tribunal for determination. Where there are not enough funds in the assurance fund to meet the compensation, it is made up from the Consolidated Fund.

These Bills, although they are being laid in Parliament today for the first reading, would be made available to the public throughout Trinidad and Tobago, so comments can be received from the public and also the Opposition. The Government will take into consideration the comments which it receives before it proceeds with the second reading of the Bills. Thank you very much, Mr. Speaker.

LAND ADJUDICATION BILL

Bill to provide for the adjudication of rights and interests in land and for purposes connected therewith or incidental thereto, [*The Attorney General*]; read the first time.

LAND TRIBUNAL BILL

Bill to establish a Land Tribunal to hear and determine appeals from the Land Adjudication process, and from the decision of any other body relating to the use and enjoyment [of land], the division [of land], the development [of land] and the compulsory acquisition [of land], and for matters connected therewith and incidental thereto, [*The Attorney General*]; read the first time.

REGISTRATION OF TITLES TO LAND BILL

Bill to provide for a register of land titles, and to provide for the registration of estates and interests in land, in that register, [*The Attorney General*]; read the first time.

INNOCOGEN (UNSATISFACTORY AGREEMENT)

[THIRD DAY]

Order read for resuming adjourned debate on question [December 11, 1999]:

Be It Resolved that this honourable House condemn the unsatisfactory manner in which the Trinidad and Tobago Electricity Company (TTEC) entered into an agreement with the firm "InnCogen" for the supply of electricity by InnCogen to TTEC; and

Be It Further Resolved that this Agreement be voided and that the choice of the provider of the electricity requirement of TTEC be made through the system of public tender. [*Dr. K. Rowley*].

Mr. Speaker: When the adjournment was taken the Member for Princes Town had just about one minute left.

Hon. Member: He had finished.

Mr. Speaker: He had finished? Did the Member for Oropouche want to speak?

The Minister of Planning and Development (Hon. Trevor Sudama): Yes, Mr. Speaker. When I look at this Motion [*Cross talk*].

Mr. Speaker: Before you get up, would you tell me, is it a questioning of my action?

Mr. K. Valley: Mr. Speaker, I would never question your action.

Mr. Speaker: Honourable Members, what had happened was that I had been advised that the Member for Princes Town had one minute left. I am told that he

had completed his contribution. The person who caught my eye was the Member for Oropouche. If the Member for Oropouche would like to give way to somebody else, I have no problem with that. But indeed, he had caught my eye and there is just no debate about that. I would ask the Member for Oropouche whether he would care to give way to somebody from the other side to speak.

Hon. T. Sudama: Not on this occasion.*[Desk thumping]*.

Mr. Speaker: Please continue.

Hon. T. Sudama: Thank you, Mr. Speaker. We have come again on a debate where the *[Cross talk]*.

Mr. Speaker: One second, please. May I just indicate to the Member for Diego Martin Central that what he is trying to do is not right. I will not have it. I have made a ruling, you may do things about it afterwards, but I have ruled and it is quite out of order for you to sit in your chair and address such comments to me.

Mr. K. Valley: Understand what I am saying, Mr. Speaker. I am saying *[Interruption]*.

Mr. Speaker: You cannot stand while I am on my legs! Will the Member for Diego Martin please sit down! It is highly improper for you, or any other Member, to get up while I am on my legs!

Mr. K. Valley: But it is proper for you to do what you want?

Mr. Speaker: This sitting is suspended for 15 minutes.

2.34 p.m.: *Sitting suspended.*

2.53 p.m.: *Sitting resumed.*

Mr. Speaker: Hon. Members, I wish to say particularly to the Member for Diego Martin Central that I trust that his display in this House will not be repeated while I preside. For the benefit of all Members, I wish to refer to Standing Order 33(1) and (2) which states as follows:

Time and Manner of Speaking

- (1) A Member desiring to speak shall rise in his place and if called upon shall address his observations to the Speaker or Chairman. No Member shall speak unless called by the Speaker or Chairman.
- (2) If two or more Members rise at the same time, the Speaker or Chairman shall call upon the Member who first catches his eye."

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I want to indicate two things. First, the only person who stood when I called upon the Member for Oropouche was the Member for Oropouche. I subsequently saw the Member for Port of Spain South sitting in his chair and putting up his hand, as is the wont by many people in this House, and if they read the Standing Orders, they will see that the proper way of addressing this House is by standing and just remaining silent in their place so that the Speaker, whoever he is, would catch an eye. I ask that Members will be guided accordingly. The Member for Oropouche, please. [*Desk thumping*]

The Minister of Planning and Development (Hon. Trevor Sudama): Thank you very much, Mr. Speaker. This Motion which we have before us today is, in my view, a non-motion, because it expresses the Opposition's dissatisfaction with the unsatisfactory manner in which the Trinidad and Tobago Electricity Commission entered into an agreement with the firm InnCogen. Therefore, since the Opposition is not satisfied with the manner in which that agreement was entered, it seeks in the next paragraph to ask the House that this agreement be voided and of no effect, and that we should try to have another provider of electricity for T&TEC through public tender.

Now, Mr. Speaker, if on every occasion we were dissatisfied with the manner in which a governmental transaction was conducted and we sought to void that transaction, I think the whole PNM regime would have been voided over the last 30 years because of the manner in which they conducted the business of Trinidad and Tobago. As I said, this is a non-motion, but what underlies this Motion is an allegation, an insinuation of corruption on the part of the Government in getting into a transaction with the firm of InnCogen.

We come to this House day after day to listen to a recurring theme on the part of the Opposition, and that theme is baseless, unfounded allegations of corruption and it is as if that has steeped into their mentality and their consciousness and they can find nothing else to talk about in this House. They have no vision for Trinidad and Tobago. If asked what is their vision for Trinidad and Tobago, they will shout "corruption"! If asked what plans they have for Trinidad and Tobago, they will say, "corruption". If asked what they will do for Trinidad and Tobago if they were in the Government, they would say, "corruption". It seems that they have been put into a corruption mode.

It behooves us on this side to answer these allegations. First, I want to deal with the allegations made by the Member of Parliament for Diego Martin West. Then, I want to look at the Powergen deal by the PNM. That is a transaction into which they had entered in 1994 which they are holding up as a virtuous transaction

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and they claimed how it was scrupulously above board, how due process was observed and public interest was abundantly served by the Government instruction for T&TEC to get involved into an agreement with Powergen. I am going to deal with that.

Finally, since all the contributions hinged on the issue of corruption, I want to ask the question, given the track record of the PNM—past and present—given their record of governance in Trinidad and Tobago for 34 long years, what moral authority does that past PNM government possess to speak sanctimoniously about corruption?

Mr. Hinds: You should not even use the word moral!

Hon. T. Sudama: Mr. Speaker, the Member for Diego Martin West raised the issue of process and transparency; that the Government did not go through a process which was transparent and above board. I want to emphasize the point that Innercob Industries Limited, of which InnCogen is a subsidiary, made the approach as investors to Trinidad and Tobago interested in multifaceted investments. I think that point escapes the people on the other side.

One element of that investment was electricity generation; a cogeneration proposal which was part of the investment package. Therein lies the fundamental difference between what Innercob Industries Limited and InnCogen were coming here to transact and, indeed, the basis of the Powergen deal, because when we get an offer of investment, the Government of the day—whether it is PNM, UNC or NAR—does not go then and take that offer of investment and put it to public tender. They have come here and said that they want to put up a glass plant, a paper plant, a board plant, an ethanol plant and also, in order to satisfy their electricity needs, they will put up an electricity generating plant and sell the excess electricity generated to T&TEC. That was the nature of the proposal that was before the Government.

Therefore, if they want public tender, then we should have gone out and put out a tender to all the firms in the world who want to invest in glass, ethanol, paper board, paper and electricity to come and provide comparative offers to the Trinidad and Tobago Government. Is that the way they wish any Government to proceed with respect to dealing with investment? It is so stupid, silly and unrealistic for them to ask that question!

So, Mr. Speaker, when the Government gets an offer of investment, it looks at it. It analyzes the offer through its agencies to assess the feasibility of the offer

and to look at the benefits that would accrue to the country as a result of that. It was not a case of abstracting the generation component from the package and proceeding on a competitive basis on just the generation aspect and leaving the other aspect of this proposal which was before the Government, aside.

The whole issue of our accepting offers for cogeneration was part of a policy statement which we made and part of the manifesto of the UNC Government. It was not something we dreamed up overnight as a Government. The country had advanced warning of the policy with which we were going to proceed with respect to electricity cogeneration in Trinidad and Tobago. I want to emphasize the point that InnCogen has not come here as an independent power producer. InnCogen came and their offer to Trinidad and Tobago was for cogeneration in collaboration with other investments which they are going to make in Trinidad and Tobago.

Mr. Speaker, what were the benefits that were to accrue when the Government looked at it and analyzed this offer? What were the benefits which were to accrue to Trinidad and Tobago in this package which was an offer from Innercob industries? First, there would have been enhanced reliability of electricity supply, because here we would have had increased additional capacity installed. And, therefore, one would have had enhanced reliability, because there would have been another source of power supply and as a result, T&TEC would have been able to maximize its reliability at lower cost, through access from power both from PowerGen and InnCogen.

3.05 p.m.

The advantage also was that InnCogen was introducing the newest technology, 1998, whereas PowerGen was operating with 1985 technology and, obviously, if you operate with new technology you are going to operate with higher levels of efficiency and, that would result in lower fuel cost to Trinidad and Tobago Electricity Company and, therefore, in savings which would be passed on to the consumer. So that on a national scope, it was of national benefit to the country in accepting this offer.

Mr. Speaker, in fact, when we looked at the figures, the conversion cost per unit of electricity was 23 per cent lower in the case of InnCogen than was being supplied by PowerGen and those on the other side want to argue that that is not a benefit. This would have resulted in savings of \$19 million per year to T&TEC and for anyone consuming on a two-month basis, 500 kilowatts per hour of electricity, they would have saved \$21 per month.

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Then, the transaction cost to complete the deal with InnCogen was only \$2.7 million. In the case of PowerGen, they spent \$25 million because they hired all sorts of foreign experts International Foreign Corporations and a number of other foreign experts, in order to facilitate that deal, costing the people of this country a whopping \$25 million.

Another advantage was that the competition in the generation of electricity would bid for a further reduction in cost later on, because of the advantages in having economic activity take place in a competitive environment.

Mr. Speaker, most significantly, the completion of InnerCob's plants—the paper, ethanol and board plants would provide over 700 permanent jobs and 2000 jobs in the construction phase at a capital cost of US \$350 million, which is additional capital being injected into the economy of Trinidad and Tobago but, more significantly, the new investment would have facilitated and promoted the diversification of the non-oil manufacturing sector in Trinidad and Tobago. This was a key consideration. That has been one of the policy objectives that we have promoted. We want to diversify and increase the non-oil manufacturing activity in Trinidad and Tobago and, this was one investment that was going to promote that very objective.

I am reliably informed that the Ethanol Plant is due to commence in April 1999. We are due to see start up of operations of the Ethanol project.

I want to deal with the question of procedure. They claimed that this was a very secret deal that was hatched in the premises of the Prime Minister's residence and, as a result of this, that it was mysterious and that it had a lot of corruption and irregular undertones to this deal.

Mr. Speaker, I want to say, that the InnerCob industries initiated the process in November of 1996. The first letter to the Ministry of Public Utilities was November 1996. It was only on February 12, 1998, after 15 months of discussions and negotiations, that the agreement was actually finalized and signed, in the course of which this Parliament was continually apprised of the development. How it became mysterious—maybe they were not listening, and some of them are never here in this Parliament and if they are here they do not pay attention to what is going on in the proceedings of this House. They cannot even catch the Speaker's eyes.

Let me repeat for the purposes of this Opposition the procedure which was adopted and culminated in the signing of this agreement. In November, InnerCob

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industries wrote the Ministry of Public Utilities. On January 30, 1997, because this proposal was passed on to T&TEC, they met representatives of InnerCob to discuss details of the co-generation project and the involvement of York Research Corporation.

On February 6, 1997—and all this was done publicly—T&TEC wrote York indicating its willingness to negotiate a Power Purchase Agreement, only if it could meet the deadline of September, 1999, which was a crucial and critical consideration; when others who deemed to have shown an interest could not meet that deadline.

February 24, 1997: T&TEC received a letter from York indicating the site for the co-generation project and its firm commitment to make power available to T&TEC by September, 1999.

March 16—21: 1997, T&TEC held discussions with InnerCob/InnCogen to discuss details of the Power Purchase Agreement. InnCogen tabled a draft power purchase agreement at the end of the discussion.

June 25—27, 1997: Members of T&TEC board and executive management performed a due diligence exercise on York Research Corporation in New York and this is what Mr. Ottley, the General Manager of T&TEC, had to say and I quote from the daily *Express* dated November 3, 1998 which states:-

“Ottley said that InnCogen had approached T&TEC in 1997 with a proposal to provide power to meet the company’s increasing load demands.”

It was not a load demand invented by the Government. This was T&TEC’s own investigation and analysis.

“After a preliminary meeting, they looked as though they could be a prospective supplier of power,” said Ottley. “We did a due diligence exercise on the parent company, York Research Corporation in New York. A top-level team comprising members of the board (including me) spent a week in New York going through their plants and interviewing their top personnel in order to satisfy ourselves that they had the capability, both administratively and in plant operation. We were satisfied that they could satisfy our requirement in Trinidad and Tobago.”

Having gone through that procedure on July 3, a report on the due diligence exercise was submitted to the Ministry of Public Utilities.

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July 25, 1997: A memorandum of understanding was signed between InnerCob and TIDCO and Caroni (1975) Limited for the purpose of establishing paper, glass, particle board and ethanol plants.

July 31, 1997: Cabinet accepted the Ministry of Public Utilities' recommendations for T&TEC to enter into negotiations with a view to formalising a purchase agreement with InnCogen. Discussions took place during the following seven months:-

October 7, 1997: T&TEC presented a status report on the negotiations to the Energy Sub-Committee and sought guidance on some form of guarantee in the Power Purchase Agreement to ensure that InnerCob's four projects materialise within a certain time limit.

October 15, 1997: The Ministry of Public Utilities approached Cabinet on the Energy Sub-Committee's view that it may not be appropriate to include "time limit" references to other projects.

February 4, 1998: The board of T&TEC approved the Power Purchase Agreement.

February 5, 1998: Cabinet authorised the board of T&TEC to sign the negotiated Power Purchase Agreement.

February 6, 1998: The Minister of Public Utilities made a statement in Parliament on the status of negotiations for a Power Purchase Agreement between T&TEC and InnCogen.

On February 12, 1998: The Power Purchase Agreement was finally signed. That was the background to the transaction. How was that irregular? Only the mind of the opposition could conjecture.

Mr. Speaker, the Member for Diego Martin West stated that Cabinet instructed T&TEC to enter into an agreement with InnCogen; that is the kernel of the Motion.

3.15 p.m.

But, Cabinet instructed, after a due process of investigation and analysis, the carrying out of a due diligence exercise, satisfying it of the capability of InnCogen and so forth. That was done after due process.

Cabinet did not dream and come one morning to say, "We are going to authorize T&TEC to sign a power purchase agreement." It was as a result of open

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negotiations and things which were known to all and sundry in Trinidad and Tobago.

What I want to point out to those who claim that procedure was not followed here, is that the PowerGen and InnCogen transactions are two separate and different types of transactions; one was a comprehensive investment proposal, the other one was merely for the generation of electricity.

I will show later that this so-called transparent procedure with respect to the PowerGen agreement was a gross sham that Southern Electric International and Amoco's bid, the preferred bid, was accepted under very questionable circumstances by the then PNM government. The only reason that saw the light of day was because they had to come to Parliament to amend the T&TEC Act and if they did not have recourse to come to Parliament to do that, that deal with Southern Electric International and Amoco, signed in 1994 on the instruction of the Cabinet of the PNM in those days, would never have seen the light of day.

So, the PNM Cabinet instructed T&TEC in July, 1993 to divest generation operations with the divestment to take the form of a joint venture company, owned 51 per cent by T&TEC and 49 per cent by the joint venture partner. Now, by what process were they going to do this? That is the issue.

First of all, implicit in that instruction was that the joint venture partner had to be a foreigner. On March 22, 1994 the PNM Cabinet instructed T&TEC to sign an agreement with SOUTHERN ELECTRIC INTERNATIONAL/Amoco as the preferred investor, but this only happened after a certain chronology of events on which I will now elaborate, to show the sham procedure that was gone through by the PNM and the undertone of corruption in that procedure. Now, they are saying that since a UNC Cabinet instructed T&TEC, something is wrong with that. Mr. Speaker, let me go back to that because the PowerGen agreement featured greatly in the contribution of all those on that side.

I want to go back to 1994. On March 13, 1994, the then Minister of Public Utilities, Morris Marshall, a noble and committed son of Laventille, died. The then Prime Minister, the Member for San Fernando East, Patrick Manning, appointed himself—not any other Minister—Minister of Public Utilities on March 15, 1994. I want you to note carefully the sequence of events. In March, Cabinet instructed T&TEC to enter into a deal with Southern Electric International/Amoco on March

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22 while the Member for San Fernando East and Prime Minister held the portfolio of Minister of Public Utilities.

On March 23, Manning relinquishes the post of Minister of Public Utilities after having supervised the signing on the instruction from Cabinet, to T&TEC. Having done that, his work was done so he relinquished the post of Minister of Public Utilities and handed it over. So, he gave himself a “seven-days”, not even a “10-days”, as is normal with the Unemployment Relief Programme, but that was sufficient for him to seal the deal. Then, on March 24, Sen. Barry Barnes was appointed Minister of Public Utilities. Now, we ask why? Why would the Prime Minister want to take a portfolio for a week, during the course of which, Cabinet instructed T&TEC to enter into an arrangement with a preferred investor? Why?

I am not indicating anything, but I ask the question: Did the Member for San Fernando East have a personal interest in this matter why he took the portfolio for a week? Did he have a personal interest? I must emphasize that I am not asking whether he had a pecuniary interest, I am merely asking whether he had a personal interest in this matter to see this matter go through.

Now, T&TEC acquired 51 per cent of PowerGen, and Southern Electric International/Amoco, a foreign company, acquired 49 per cent. The question to be asked is: Why was there a necessity for a foreign venture partner? Much has been said about InnCogen being foreign and that we are selling out the patrimony of Trinidad and Tobago to a foreign company and so forth. Why was it necessary for 49 per cent of PowerGen to be held by a foreign partner?

The OWTU thinks otherwise, when all that was done, despite the claim that additional generating capacity would have been added and so forth, that was the pretext being promoted by the Member for San Fernando East, that if that did not happen, T&TEC would collapse and so forth. But, in the final analysis, not one single generating kilowatt of additional capacity was installed. So, that was the hoax which was perpetrated and all that was done was the refurbishment and repair of available generating capacity, no additional.

All the reports, the Ottley Task Force Report, the Generating and Exploration Planning Report of 1991—2010, although it said we had to have more capacity, it did not say that we had to have additionally installed capacity and that the alternative was to refurbish existing plant in order to get that capacity.

Then, the late Minister of Public Utilities, Morris Marshall, insisted that local investors be considered and the OWTU proposal estimated that only US \$34 million would have been required to repair and refurbish the existing facilities and that the OWTU was in a position to handle the project and did, in fact, put forward a proposal for local investor participation. But all this was shafted and ignored because when a deal is made with a foreign venture partner, it is in foreign currency, obviously, and it was so necessary to have that deal in foreign currency.

So, the proposal of the OWTU was given short-shrift, but a group called Black and Veatch came down here to do an analysis of the OWTU proposals and they did a walk through. They came here and walked through a few plants and said that the analysis was done, of the OWTU proposals. But, the prelude to this shows that this so-called process, where they went out to invite for tenders, where they narrowed the tenders down to six and, finally, selected Southern Electric International/Amoco, was a sham and a hoax perpetrated on the people of Trinidad and Tobago.

Let me give the background, Mr. Speaker. The PNM won the election in December 1991. Ken Julien was appointed Chairman of the National Gas Commission shortly after. That is the flagship energy enterprise in Trinidad and Tobago. Patrick Manning, the Member for San Fernando East appointed himself Chairman of the Cabinet Task Force on Energy. Chairman of the National Gas Commission, on the one hand, Ken Julien; Chairman of the Cabinet Task Force on Energy, none other than the Member for San Fernando East.

Shortly after, Julien finds himself in Atlanta, Georgia, trying to procure a generating plant of all things, on a joint venture basis, to supply electricity to T&TEC. Is it a coincidence that Southern Electric is also based in Atlanta, Georgia? He flies to Atlanta where he has a company called South Western Aluminium Wire, and Atlanta is also the home of Southern Electric International which eventually came out to be the preferred bidder. I am just wondering if all this is coincidental, because if it is, it is a very happy coincidence.

But, while that was going on early in 1992, when everything was already in motion for a joint venture foreign partner for power generation in this country, in July of 1993, the Cabinet instructed T&TEC to divest generation operations to a joint venture company. The matter was already put in train in 1992, but then comes 1993 and you note the sequence of events.

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After the deal was already struck between Julien, Manning and the others of that corrupt PNM regime of 1991—1995, they then came and made a Cabinet announcement about divestment.

Mr. Imbert: Mr. Speaker, I rise on a point of order under Standing Order 36. The Member is imputing improper motives to a Member of this House.

Mr. Speaker: No. I am not satisfied with that. Please continue.

Hon. T. Sudama: Thank you, Mr. Speaker. So, when we come to this House to talk about process, when they talk about process and transparency—and I have outlined the events here which led to the divestment of the generation activity of T&TEC—you understand, Mr. Speaker, that they have no authority, moral or otherwise, to come to talk about transparency and process and that sort of thing.

Now, what was the implication of this deal they struck with Southern Electric International/Amoco, a joint venture. What is the implication for T&TEC and what was the implication, by extension, for Trinidad and Tobago?

Firstly, the transaction cost to complete this deal was US \$25 million, for one deal as against the InnerCob transaction deal which was US \$2.5 million. Southern Electric International/Amoco tendered price for kilowatt hour was higher than the generating cost of T&TEC at the time. Here, there was a company coming in, reputedly to reduce costs and its generation costs were higher than the generation costs of T&TEC at the time.

Now, in other countries when a bid is made for a co-generator or an independent power producer, the tendency is a reduction in cost, sometimes to the order of 25 per cent, but Trinidad and Tobago has to be different. This very, very noble PNM government entered into an agreement where the cost of the independent power producer was higher than the current generating cost of the utility. The Southern Electric International/Amoco joint venture brought in no new plant capacity; what it brought was a growing concern and paid US \$72 million for that.

3.30 p.m.

Now, they paid this country \$72 million to buy into a going concern called T&TEC. Nobody in this country has any idea where that US \$72 million went—transparency. Where did that US \$72 million go, that Southern Electric International/Amoco paid to the Government of Trinidad and Tobago? They talk about transparency. No one knows. Then, another US \$35 million was to have been brought in to maintain and upgrade the plant. There is no evidence that the

US \$35 million ever came into Trinidad and Tobago—none whatsoever. Transparency, maybe we should get in transparency international on this one.

Mr. Speaker, after spending US \$72 million, which, at that time, with the exchange rate, was approximately \$350 million, the sale of electricity to T&TEC was a big order. PowerGen was selling to T&TEC \$426 million in 1995; \$457 million in 1996; and \$495 million in 1997. So that, if you could recoup the money that you are spending in three, four or five years, there is no need for you to borrow money on a long-term basis. There is no need to borrow from the long-term funds. There is no need for concessions. They have all kinds of corporate tax exemptions, customs duty exemption, VAT exemption in this deal—the sweetheart deal between the PNM Government and Southern Electric International and Amoco. They got that, and there was no need to give guarantees for 15 years—the time limit of the contract, but they got all that. They got the shop and everything, and they are set to recoup their money in less than 12 years, and they were laughing all the way to the bank. They were not laughing alone, I suspect, Members of that regime were also laughing all the way to the bank, or laughed all the way to the bank, after having concluded this deal.

Mr. Speaker, I just want to show you the effect of that transaction on the balance sheet of Trinidad and Tobago Electricity Commission. I want to tell you that—and this has put T&TEC into a bigger hole—that transaction, the generating capacity joint venture arrangement—between 1991 and 1995, T&TEC sold electricity. Their sale increase was from \$418 million to \$755 million—an increase over that five-year period of one-and-a-half times, that was the increase in revenue. However, the cost of generating electricity, between 1991 and 1995—do not forget the deal, the PNM deal, went through in 1994—moved from \$216 million in 1991 to \$630 million in 1995—more than three times. Your revenue increase is one and a half times, but your generating cost jumps by three times, and that is how they protect the interest of the people of Trinidad and Tobago.

Even as late as 1993, the generating cost of T&TEC was \$217 million; by 1995, after the deal was struck, T&TEC generating cost jumped to \$650 million. Why was this? I will tell you why—because the power purchase agreement that the PNM government struck with Southern Electric International/Amoco was a sweetheart deal. The PowerGen's price escalation is indexed at 95 per cent of the US Consumer Price Index, which meant that your generating cost, on the basis of that costing, was going to escalate. InnCogen's price escalation index, by comparison, is only 27.5 per cent, as against 95 per cent for the PowerGen transaction.

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Mr. Speaker, T&TEC's deficit in 1991 was \$110 million and they had embarked on a programme to reduce deficits. In 1992, T&TEC's deficit was \$80 million; 1993 they had reduced it to \$6 million; 1994 came the sale—the famous sale of the generating assets and the formation of PowerGen. It was \$24 million but, by 1995, T&TEC's deficit had jumped to \$131 million.

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

Motion made, That the hon. Member's speaking time be extended by 30 minutes. [*Hon. K. Persad-Bissessar*]

Question put and agreed to.

Hon. T. Sudama: I thank Members of the House for the extension. I was on the point of indicating that while the current management of T&TEC was on the path of reducing the deficit—in fact they had reduced it to \$6 million in 1993—by 1995, after the sweetheart deal between the PNM government and Southern Electric International/Amoco, it jumped to \$131 million. So therefore, we are saying, that it is all right, though T&TEC's deficit increased between 1993 and 1995 by \$125 million, that is okay, but PowerGen is making a profit. PowerGen is making a profit and we may be getting 51 per cent of the profit, but do not forget that 49 per cent is going overseas, which should not have happened in the first place. Forty-nine per cent of that deficit that we are incurring with T&TEC is going into the PowerGen coffers and 49 per cent of that is going overseas. That is the way they protect the interest of Trinidad and Tobago.

The Member for Diego Martin West talked about corruption costing a country, well let him know how it was costing T&TEC and, by extension, Trinidad and Tobago, because when T&TEC goes into deficit it is the Treasury that has to provide the funding for that deficit. Taxpayers in this country have to provide the funding for the deficit. Deficit for the benefit of whom? That is why today the transmission and distribution system on T&TEC, for which they are responsible, is in such a state, because they do not have the capital expenditure to go and upgrade their transmission and distribution facilities, because all of the money is going to PowerGen. Half of it is going into the pockets of Southern Electric International and Amoco. That is economics for you, from the Members on the other side—the Members for Diego Martin Central, Diego Martin East and Diego Martin West. Someone said it was voodoo economics that they were practising.

Furthermore, the implication for this country, of that deal was that it concentrated greater and greater economic power in the hands of one multinational enterprise—Amoco. You know, Amoco is involved in almost every sphere here in Trinidad. They have investment in oil; oil production and exploration; gas production and exploration; pipelines; methanol plants; electricity generation and in gas liquefaction in Trinidad—you name it, Amoco is at the heart and core of it. By their action they have added more to that concentration of power in the hands of a multinational enterprise.

They come here with the gall to talk about, we are inviting foreign companies to come here and do this, but they are coming here to invest and increase capacity and to create jobs, unlike what they were doing—selling the assets, getting money, no additional capacity installed and then putting the money to these various uses—various PNM uses. That is what they were doing. Now, they come here to talk about corruption. You see the foolishness on the other side that you have to come to terms with? They argue, “well, you know, we are now 51 per cent in control of Fifty-one per cent of what control?”

The effective management of PowerGen is in the hands of foreigners, in the hands of Southern Electric International/Amoco, so you may get a little dividend distribution, but that is all. The effective management and control of PowerGen is in the hands of foreigners, even with 49 per cent shareholding. I do not allow them to forget. Tesoro had 49 per cent shareholding. The Tesoro Oil Company had in our fields—eventually it was merged with Petrotrin. In Trinidad Tesoro, the Tesoro Company of the United States of America, had 49 per cent, for which they paid US \$50, 000, but through which they milked this country of hundreds of millions of US dollars, and effective management was in the hands of Tesoro Limited, despite the fact that you had 51 per cent shareholding.

3.40 p.m.

I want to disabuse that side this afternoon of that facade of having formal majority control, Mr. Speaker.

Now they asked the question, why was PowerGen not invited to tender? Well I have already answered that question in a certain way in the sense that PowerGen was not coming with a proposal to get involved with ethanol and glass and paper and so on, so that it was not a comparative situation. But it was the PNM who argued in 1994 that T&TEC should not get involved in any further investment in

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additional capacity, and that is one of the reasons they advanced as to their reluctance to give T&TEC the go-ahead to install additional capacity in 1994.

Secondly, their consultants, Adam Smith Institute of the United Kingdom who were advising the PNM in 1993, emphasized the dangers of monopoly powers given to one generator of electricity because if you did that then you were putting all your eggs in one basket so to speak and, therefore, that would have given PowerGen an overwhelming advantage by inviting them to bid for a new generating capacity. And it was also felt by our Government that it was necessary to expand the competitive element and to reduce the dependence on one supplier, and these were valid reasons why PowerGen was not invited to tender; very valid reasons.

Then of course, Mr. Speaker, there is the experience with PowerGen. I have said that here, again, PowerGen is producing electricity at costs which are much higher than one could have gotten from a foreign supplier, a foreign cogenerator as in the case of InnCogen. So if you knew PowerGen would get into additional capacity at a higher cost, why did you negotiate with PowerGen to saddle yourself with higher cost electricity?

Mr. Speaker, they also raised the question of the size of plant: why is InnCogen coming here to put down a 250 megawatt plant? According to a report they needed a 75 megawatt plant in 1993 and another 75 megawatt plant in 1995. I do not know which generating company will invest in a 75 megawatt generating plant. Who in the world would put down that size of plant in any country, Mr. Speaker? It is just that they live in a world of illusion. There is a certain basic level of generating capacity below which it would be uneconomical to produce electricity. It is a fact of life. So why are you talking about 75 megawatt generating capacity in one year and after two years another 75 megawatt generating capacity, as if they could build stand-alone capacity?

Mr. Speaker, when we look at their performance—and I have gone to some trouble to research the PowerGen deal—as one newspaper report has it here, “it stinks to high heaven”. The PowerGen deal negotiated by that PNM government “stinks to high level”. You have the three musketeers there, Diego Martin Central—

Mr. Speaker: No. I would prefer if the hon. Member does not refer to hon. Members as musketeers, please?

Hon. T. Sudama: It was merely a metaphor, Mr. Speaker, but I will abide by your ruling. I do not know if “adventurers” would be a more acceptable term than “musketeers”, but anyway, the Member for Diego Martin Central, the Member for San Fernando East and the other Member who is not present, the Member for Diego Martin East, they were there in that Cabinet. They presided over this. They collaborated in the rape of Trinidad and Tobago in this deal. Now we are hearing sanctimoniousness on the part of this PNM regime coming here to this House.

Mr. Speaker, you know, the Member for Diego Martin West in his contribution told this House, and I want to quote from him. “I asked them to look at some of the contracts that we did when we were in Government during 1992 to 1995. Let them go to the BWIA and Fertrin contracts.” Well I am going to stop there. I am going to add with Pride, and Farrell House and National Fisheries. I want to add all these and see how this sanctimonious PNM government performed during the period of 1992 to 1995.

Now, of course, Mr. Speaker, time does not permit me to go into the detail I would have liked but I will do my best to show this House and the country what was their track record between 1992 and 1995. Let us look at the sale of Fertrin and Urea to Arcadian Company of America for US \$175 million less \$60 million debt, so what this country really got was \$115 million from that transaction. Again, God alone knows what they did with all these moneys coming in.

There was, we were told, a local firm with an overseas partner who offered a superior bid. Petroland Trinidad Industries and Farmland Industries Limited of Kansas offered a superior bid, but that was never considered. They argued they could not raise the money. That argument was never substantiated. They ran up and down and they concluded their deals. They had a sweetheart natural gas deal in the process with Arcadian and the brokers and Arcadian benefited to the tune of \$115 million in that deal, US that is. Another feature of the acquisition was that the brokers, First Boston, did not open the bid of all the bidders to the public, that was a private deal, and they were not impartial in the advice that they gave either, and that the Farmland Group had the backing of one of the highest rated brokerage firms in the US, S. G. Worber. That is what the allegations were.

Mr. Speaker, as I am saying, they are very quick to accuse other people of irregularity and corruption and so on, but let them look at the mote in their own eyes, not that we are accepting that any irregularity or corruption is perpetrated by this UNC Government of Trinidad and Tobago. If you are going to accuse other people then come with clean hands in your accusation. Look at the corrupt mote in

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your own eyes, if I may say so. And, Mr. Speaker, that was one transaction which was questioned in the newspapers, it was questioned in this House and of course at the heart of it was the Member for Diego Martin Central, deal maker himself.

Then there was the divestment of shares in the Trinidad and Tobago Methanol Company. We were told that the Mitsui Company of Japan was, in fact, selected as the preferred investor, and they offered US \$51 million for 25 per cent of the shares in the Trinidad and Tobago Methanol Company but that was not taken up and Ferrostaal/Helm, which offered \$18 million for the same number of shares, eventually landed the deal. Now they will argue, well there was a contractual arrangement which stated that one could not sell the shares without the approval of Ferrostaal/Helm and so on and so forth.

The first question I want to ask is—and some newspaper report referred to it
Ferrostaal/Helm given preemptive rights?

Mr. Valley: I wonder if the Minister would answer quite simply: which government eventually sold that block of shares to Clico, all right, when Mitsui was still there arguing for their right to purchase those shares?

Hon. T. Sudama: Mr. Speaker, I do not really understand the nature of the question: which government sold which block? This 25 per cent share we are talking about, that was the deal struck between you and Ferrostaal/Helm. They were the preferred bidder, so to speak.

The issue is, why did you enter, in the first place, into a transaction where you had to give the option of first bid to Ferrostaal/Helm? Was there some underhanded transaction in that, Mr. Speaker? Why is it? And it was for a small amount of money. I think it was less than \$18 million, that first transaction in which they sold the first block of shares to Ferrostaal/Helm. But, in selling the shares, Ferrostaal/Helm extracted a condition that you could not sell the rest of shares without making a first offer to them, and they had the right of blocking any offer. There must have been some, as the newspaper report says, “grease
Mr. Speaker, as a result of entering into such an unconscionable condition.

Let me move on to Farrell House under the PNM 1992 to 1995 regime. You know Farrell House, the 78-room, is it, hotel in Claxton Bay, owned by the Government, sold to Energy Consultants Limited, a San Fernando-based company, for the princely some of \$8.1 million, which included 18 acres of land and a hotel for \$8 million. The lowest, the garage sale price would have been \$12 to \$14

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million for that hotel. But who is this Energy Consultants Limited? It is a paper company owned by the husband of a PNM Councillor and the other shareholder was another PNM crony, right.

Now they are talking about process. Who were the other bidders for Farrell House? Have you told the country? Who were the other bidders and what were their offers? What price were they offering? But in order to pay for this \$8 million hotel, this paper company went and borrowed money from another state institution. They had no money. A paper company with two PNM shareholders in it, went and borrowed from a state institution to pay for this transaction to buy a hotel, and that is transparency and that is proper governance and so on: by PNM standards, that is.

Then they come here to talk about corruption? Well your history is one. And I read another article here and I come to BWIA. The article says that "Valley did the donkey dance...". I am just quoting from this article. That is the headline. "Valley did the donkey dance on this one"—BWIA, right. Now this fellow with whom they made the deal, Acker, Ed Acker—and he talked about process—he had access to the confidential data and in the process he was paid a US \$150,000.00 consultancy fee for getting confidential data then utilizing them to land a deal with my good friend, the Member for Diego Martin Central.

A risk-free investment which would have grown five times in three years, and he promised all sorts of things: how the lines of profitability would be seen in the end after three years. After having raked a lot of money out of the airline courtesy my friend from Diego Martin Central, Acker went about his business, and left the airline in a bigger hole than it was found, after enriching himself.

3.55 p.m.

This fellow had a record with France Airlines, Atlantic Coast Airline, Air Florida and so forth. But what was very curious, was the fact that when the Member for Diego Martin Central was asked about these things he did say, and I quote from the *Express* of December 10, 1994:

"Valley pleads guilty on divestment charge"

But at the end of his contribution this is what he had to say:

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"He added that the Prime Minister, the Minister of Finance and he had met for over three hours with the Acker executive and, at the end of it, 'we felt comfortable'."

This was transparency, the three of them met privately. The three—Mr. Speaker, you said that "musketeers" is not a parliamentary word—the three initiators felt comfortable.

The article continues:

"And you know that critical decisions are very often made on how you feel,"

Not on the basis of facts and figures before you, the analysis is how you feel, and he felt very comfortable. I want to know in what part of his anatomy and his dress did he feel comfortable. Did he feel comfortable in his pocket or otherwise, as a result of this negotiation and transaction with Acker?

"'And you know that critical decisions are very often made on how you feel,' he told the House. The unions also told him, Valley said, that they had met with the Acker Group and were comfortable."

It seemed like a zone of comfort passed when Acker was around. He was disseminating comfort to the Members of the government, the unions and everybody with whom he came in contact. That is the Member for Diego Martin Central, and that is how they transact business. Yet they come here in March 1999 to talk about transparency, process and due procedure.

Mr. Speaker, if I were to go on to the National Fisheries Company, that one literally stank because of the offers which were made and finally accepted by a Taiwanese group of companies, and all our fisheries assets and infrastructure were given away for a song by the PNM Government and now they talk about transparency.

When a question was asked in this House the then Minister of Finance indicated quite clearly that Cabinet—[*Interruption*]

Mr. Imbert: Make up "yuh" lie!

Hon. T. Sudama: —did not approve the transaction. Mr. Wendell Mottley, a former Minister of Finance said in this House that Cabinet noted the transaction, but did not approve it. Cabinet Note dated October 27, 1992, said that Cabinet did not approve the National Fisheries Company deal but merely noted it. I want to know, who approved it? The Member for Diego Martin West? Where the

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patrimony of this country that they claimed they were protecting—when they say they are protecting something I always remember a cat that is looking after milk. For them to protect the public interest of Trinidad and Tobago is like putting a cat to protect milk. The deal was not approved by Cabinet, now they are coming here to talk about Cabinet and the role of Cabinet.

Then there was Pegasus, a \$2 company owned by one man in Texas who came here and was the preferred investor for a US \$80 million deal for the airport project, "Pride". Two international experts advised against preferring Pegasus as the preferred investor in this deal. But the Member for Diego Martin East was the then Minister of Works and he got his friend to be Deputy Chairman of the Airports Authority, a fellow who is the owner of M & M Insurance, to whom I understand he is very close. Then he tried to inveigle the decision-making process with respect to the award of the tender for that airport project called Pegasus. Yet he comes here and makes very long speeches about what is going on with the current airport contract.

He should reflect a bit: how is it that Pegasus, a \$2 company owned by one man somewhere in the backwoods of Texas, was given first rate ranking? He did not qualify on the original proposal where they were asking for 12 gates at the airport. Pegasus came in with a proposal for 12 gates, but you know the 8-gate proposal got preference over the 12-gate proposal.

There was interference. Remember a whole commission was set up to look at the question of ministerial interference in the award of contracts for the Airports Authority? At the heart of that investigation was none other than the Member for Diego Martin East. Mr. Speaker, I do not have to tell you that in a certain sense that investigation was aborted, because when the original report came in, it came to the then Prime Minister, the Member for San Fernando East, who tampered with it. He adjusted the report, sent it back for the approval of a hapless Mr. Justice Collymore and then to present it to the public, to say that everything was honky dory and above board. And they come here and talk about transparency, good governance and integrity in this House.

Mr. Speaker, I do not know, but sometime when I sit here and listen to people who are such blatant hypocrites, when coming to the issue of corruption, in this country, I ask myself—sometimes I sit here and wonder, "Why am I made to endure this on the part of this PNM regime?"

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I see that I have just a few minutes to go—

Mr. Speaker: You have one minute, to be quite honest.

Hon. T. Sudama: Mr. Speaker, let me conclude by saying that we understand their strategy. We understand why they come day after day to talk about corruption and to instigate their cronies in the media to keep this corruption fire burning. We understand why they are doing that, because they have nothing else to talk about. They have no vision, no view, no plan for Trinidad and Tobago, but just to come and engage in negatives in this House. That is what they are doing!

But I want to tell you, Mr. Speaker, this House and the country, that despite their nefarious attacks, we the United National Congress will prevail. [*Desk thumping*] If you look at certain polls done you will see where their hapless leader, the Member for San Fernando East, rates in the consciousness of people of Trinidad and Tobago.

Thank you. [*Interruption*]

Mr. Speaker: All I was about to say is that, if he stands and then sits, he forfeits the right of his stand. The hon. Member is already short, so it is necessary that he stands. [*Laughter*]

Mr. Colm Imbert (*Diego Martin East*): Thank you, Mr. Speaker. I am afraid the strategy of the Government to use up all the speaking time of the Opposition on Private Members' Day would come to nought. [*Desk thumping*] We were treated to a tissue of inaccuracies and untruths, a web of untruth from the Member for Oropouche. Typical of him! A tissue of inaccuracies. Re-inventing reality in his typical style, to suit his distorted version of the truth, typical of the Member for Oropouche. [*Desk thumping*] Putting clear falsehood on the Parliament record.

For example, let me deal with a minor issue, the Farrell House divestment which, among many matters, was laid in this Parliament by the Member for Diego Martin Central, and it is in the Parliament library, all the bids and prices, everything, but he has the audacity to try to fool people, telling them that "nobody told us what the other bids were, nobody told us anything". A tissue of untruths!

Let me deal with his major untruth: the matter dealing with the partial divestment of generating assets of T&TEC. I have before me the parliamentary library record in this matter, including a statement from Stanley Ottley of T&TEC, all laid in Parliament. What I find amazing is that the UNC administration has no qualms whatsoever about engaging in insider trading, sole selective tendering, and

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giving contracts to their friends, but when contract evaluations are done in a proper manner, they have no hesitation whatsoever in attacking some of the most reputable and established institutions in the world. [*Desk thumping*]

For example, the Member for Oropouche would attack the whole process of evaluation of tenders for the PowerGen divestment. I shall read from the statement of the General Manager of T&TEC, Stanley Ottley November 7, 1994, page 5. I would go through the process which was laid in this Parliament.

"...in late August 1993 when the chairman and secretary of Government's energy task force met in Washington D.C with representatives of the IFC."

For those who do not know, the IFC is the International Finance Corporation which is an arm of the World Bank. What the Member for Oropouche effectively did today was to cast aspersions on the IFC and the World Bank, to the extent of calling them corrupt. He said that the deal was corrupt, the whole thing was manipulated and the evaluation process was corrupt. He was essentially calling the International Finance Corporation and the World Bank corrupt, and it is amazing that this same Minister will meet in Washington with the same World Bank and the same International Finance Corporation, and go down on his knees and beg for money.

4.10 p.m.

He would pretend that he did not get up in this Parliament and call the World Bank corrupt. That is the kind of Government we are dealing with, Mr. Speaker.

Let me go to the substance of the matter. According to this statement which is the fact, an information memorandum and a tender document were prepared and prequalification was effected by asking firms to prequalify with due diligence and, so forth.

In September 1993, a list of 52 companies had been compiled, as compared to the one firm to which the UNC has given this InnCogen deal. Under the PNM we invited 52 firms; under the UNC one firm. That is transparency UNC style. The statement made by the General Manager of T&TEC, which is available to the Members for Oropouche and Caroni East says:

"This list consisted of companies answering the prequalification document for the now aborted turnkey construction of the proposed generation expansion,

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companies expressing interest in the electrical energy market in Trinidad and Tobago, petroleum and energy sector companies already present in the country and firms suggested by IFC”.

The World Bank. “Under the guidance of IFC, a prequalification document was prepared for delivery to these firms”.

The purpose of the prequalification document was:

“... to elicit broad data on the firms’ sizes, financial stabilities, scopes, engineering bases and experience in the ownership and operation of power plant”.

When this UNC maladministration decided to give the ‘shortpants’ man from New York the InnCogen contract, did they determine how many firms had the financial capability, engineering base, experience, ownership and operation of the power plant? [*Desk thumping*] No! They gave it to a paper company with a ‘shortpants’ man with no experience whatsoever in this matter.

There were 52 firms invited and eventually 15 firms and organizations were prequalified. There were 12 from the United States, one from Britain, one from Venezuela and one local entity. Eleven showed continued interest by signing a confidentiality agreement and paying the required US \$10,000 fee for the Information Memorandum. It deals with the value of the assets—how this was established and the whole process of evaluation and so forth. In this comprehensive statement made by T&TEC and laid in this Parliament by the hon. Barry Barnes, Mr. Speaker, there is a full disclosure of exactly what took place.

The World Bank sent its experts to evaluate all of these tenders: Accountants; International Auditors, Engineers. The International Financial Corporation selected an engineering firm called Black and Veatch. The International Financial Corporation—not us—selected them. So, you are going to tell me that after that process—52 firms expressed an interest, 15 are prequalified. The International Financial Corporation and the World Bank used all their resources and expertise and eventually selected Southern Electric International/ Amoco. But the Member for Oropouche, the Minister of Planning and Development said that the World Bank is corrupt. That is what is going on in this Trinidad and Tobago today, Mr. Speaker. In an effort to deflect attention from this InnCogen scandal, he is willing to call the World Bank corrupt. He is willing to place untruths on the record. All these untruths about all the divestments that took place under the PNM which were

all laid in Parliament—a thick document laid by my colleague for Diego Martin Central. He comes here and pretends that this never took place. Tissue of inaccuracies and untruths—typical of the Member for Oropouche and the UNC administration.

In his absurd defence, Mr. Speaker, hear this foolishness: PowerGen was not invited to tender on the independent generation of electricity, because they were already involved in the electricity sector. This UNC administration wants competitiveness; they want options; so they disqualified PowerGen. They say: You cannot tender because you are already involved in electricity generation. But what about everybody else? If there was any truth in that statement, all they had to do was to invite public tenders; disqualify PowerGen and invite the other 50-odd people who had indicated interest on the previous occasion, and anybody else who might have come along in the three or four years hence—easy. It is an absurd argument. If you do not want PowerGen, no problem; disqualify them and invite the 52 other people who had indicated an interest on the last occasion.

In an effort to mask their mischief and the corruption that was endemic in that transaction, they come with these absurd defences: Because PowerGen was already involved we could not invite them. They forgot all the other 52 firms named in the documents laid in this Parliament in 1993 and 1994. What a joke!

What is really going on here is that the UNC Government has been caught engaging in—I will use the words of the Member for Oropouche—nefarious activity and the Prime Minister has been implicated. That is the problem [*Desk thumping*]. It is just like the rice deal. Any time the Prime Minister is implicated they bury it. The Prime Minister was implicated in that matter; his name was in the Minutes—they buried it. His name is implicated in the InnCogen fiasco, so they want to bury it, and that is why they use all these devices and strategies here today: taking up all our speaking time; jumping up when the convention is that you have an exchange of speakers. They know that, Mr. Speaker, but they are jumping up in an effort to take away the Opposition's speaking time; but they would not. We have our time and we will speak.

The absurdity of the defence. InnerCob submitted a proposal to establish four manufacturing plants and for those plants they were going to put down an electricity generation facility of 25 megawatts. They were quite happy with that; they were quite prepared to do that; they stated their intention to do so. The Member for Oropouche would have us believe that our memories are defective. He

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comes with a “Nancy story” that nobody would want to establish a plant with 25-megawatts, that there is a certain minimum size. Nonsense! Mr. Speaker. Electricity generation facilities could go from one megawatt to 1,000 megawatts. It all depends on the use.

InnerCob was quite happy to establish a 25 megawatt facility when it was going to be used to power their four manufacturing plants. But they saw an opportunity to come in surreptitiously, pretend they were going to establish these manufacturing industries, indicate that they are going to have an electricity generation facility to power these facilities, get their foot in the door, start doing their wheeling and dealing, and all of a sudden their power facility goes from 25 to 225 megawatts, and a paper company with absolutely no experience—electricity generation. You want to talk about paper company? A paper company never built, operated or had anything to do with electricity in its life, suddenly it is being given preferred status; sole selective status to construct a 225 megawatt plant or 250 megawatts—whatever it is—financed by the Government of Trinidad and Tobago [*Desk thumping*]. That is what it is. They received a 30-year take or pay contract. On the crudest of calculations, they are going to earn almost US \$700 million from that contract. I want to repeat that, US \$700 million over the 30 years! It could be more.

Hon. Member: The first ten years.

Mr. C. Imbert: A sum of US \$700 million over the first 10 years. A sum of TT \$4.5 billion.

4.20 p.m.

Our Government has given them a take or pay contract. We must not allow the Government to distract us with all this foolishness about the ammonia plant, Pride and Farrell House. They are not catching me with that today! We came here to talk about Innercob and InnCogen and the racket that has taken place in that contract. That is what we came here to talk about!

It is so amazing that a personal friend of the Prime Minister puts little or no investment into a project and ends up being able to sell his shareholding \$30 million. All of that for nothing! That is what is going on in this country today. A personal friend of the Prime Minister puts little or no investment into a Government project and by a process of manipulation, denying other persons the opportunity to tender, working all kinds of skull in the background, he converts his

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zero investment into \$30 million—as Max Senhouse used to say—“Solid liquid cash!” All of that for nothing!

Mr. Speaker: If I may intervene, I think that Max Senhouse used to speak about he needs the money, but it is Sham Mohammed who used to speak about solid liquid cash.

Mr. C. Imbert: Mr. Speaker, I am guided by your experience, but the fact of the matter is that a “short pants man partner” of the Prime Minister got \$30 million for doing nothing but introducing persons from York Electric to the Prime Minister. That was all he did! He said, “This is the Prime Minister”, they shook hands and he got \$30 million for that. That is breaking it down into its simplest form. For nothing! He put no money, he had no experience, he was just the Prime Minister's friend.

This person got \$30 million for being the Prime Minister's partner. Not only that, he got a lease at a peppercorn rate from Caroni (1975) Limited for some 80 acres of land. He has divested himself of the portion required for this InnCogen bacchanal. He has 60 acres of prime land that he got for free because InnCogen is paying for the lease. So, in addition to the \$30 million he gets from making introductions, he gets 60 acres of land which he could now lease to manufacturers and industrialists in Central Trinidad. What a benefit, Mr. Speaker! This is why they want to hide. This is why they want us not to speak today. This is why they are using all kinds of tricks to prevent us from speaking today, but they are not getting through! [*Desk thumping*] They miscount the time! They talk about smelling? This thing smells like rotten fish!

Dr. Mohammed: National fisheries!

Mr. C. Imbert: There is a group of individuals claiming to be coming here to manufacture glass, wood and ethanol, and every month we hear that next month they will do this and that. April will come and go and there will be no ethanol plant in Trinidad and Tobago. They might cut a ribbon and dig a shovel in the ground, but it will just be a facade—a sham—because these characters have no intention of doing these things. They got what they wanted. They got their 30-year take or pay contract, they got their money, the other company, York Electric, the plant is only costing \$75 million but they borrowed \$150 million. So, it is \$75 million to establish the facility and \$75 million in someone else's pocket financed by a 30-year Government-guaranteed take or pay contract from the Republic of Trinidad and Tobago.

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Miss Nicholson: What is take or pay? Explain that.

Mr. C. Imbert: I need to explain that. Thank you, hon. Member. Take or pay means that even if the electricity is not required, as is becoming more and more apparent now with the closure of the Nucor plant and the mothballing of the DRI plant in ISPAT and what is going on in our energy sector generally and our petrochemical sector, it is clear that the demand for electricity that caused this Innercob scandal may not reach the levels required, but under the take or pay system, whether we take it or not, we still have to pay for it. That is what take or pay means. Even if only 100 megawatts of power is required, the people of Trinidad and Tobago have to pay for 250 megawatts. So they are paying for electricity they are not using! [*Desk thumping*] That is the sweetheart deal this administration worked out, and that is what they do not want us to talk about in this Parliament today. That is what they are trying to hide because the Prime Minister is involved. That is a technique. I am waiting for them! Come! The last time I raised the spectre of corruption, it hurt. Come with the bacchanal. I am waiting. They have a tendency. They cannot take it. They will come with their nastiness just now. Anyway, let us move on to the matter at hand.

Mr. Hart: You should bow your head in shame.

Mr. C. Imbert: This administration is great at red herrings. The last red herring was brought by the Member for Couva South. Economy on the decline, we have this Innercob scandal, bacchanal at the airport, unemployment is rising, and the Member for Couva South brings a Bill that would essentially have allowed him to lock up the Chief Justice. Distract the population for a month and they are still distracting the population, because they know they are in trouble! Now we are hearing all kinds of stupidity designed to distract the national population. But I am asking the population to, as they say in football, keep your eye on the ball.

In this particular case it is the corrupt, nefarious activities of the UNC; the mismanagement of the economy; the wheeling and dealing that is taking place in the board rooms and behind closed doors; the discrimination. The Prime Minister is talking about national unity, but in reading the list of names of the monthly-paid people who have been hired to manage the Unemployment Relief Programme in Laventille, I ask: Is this representative of Laventille? It is a joke! The people who have been hired to manage the Unemployment Relief Programme under this mismatch of administration, all of them have school leaving certificates. We do not even know if they have the ability to read and write.

Imagine the Government is putting out advertisements for management positions with no minimum qualifications. So they do not have to be able to spell, read, write or do arithmetic. They are hiring people with school leaving certificates who are wholly unrepresentative of the country in general and the constituency of Laventille. They want to hide from the population. They are bleating and mouthing off about national unity and the Prime Minister is talking his nonsense and saying he is acting on behalf of everybody, but in his administration, out of ten persons, nine of them managing the URP in Laventille are not representative of that area, and they have school leaving certificates.

I am asking for a public inquiry on InnCogen! Anything the PNM does, they want to enquire into that, but I want an inquiry also—

Mr. Speaker: Hon. Members, the sitting is suspended for half hour. The hon. Member has used only a fraction of his time. He will be able to continue when we return.

4.30 p.m.: *Sitting suspended.*

5.05 p.m.: *Sitting resumed.*

Mr. Speaker: Hon. Members, I apologize for starting five minutes late. It was no effort to steal your time; but it is just that we had some children here with whom we had to speak. It is not necessary now, because you were there all the time.

Mr. C. Imbert: Thank you, Mr. Speaker.

Mr. Speaker: All you have to do is read the Standing Orders, that is all.

Mr. C. Imbert: Mr. Speaker, let me just summarize the important points, because people tend to get very emotional when they are accused of wrongdoing and they lose sight of the issues. Let us deal with the issues here. What are the issues?

The fact of the matter is, that there was an opportunity and quite a reasonable one for the Government to have proceeded along a different path with this InnCogen power generation matter. It was quite simple as in the case of the New Zealand Post situation; of course, that was started by the PNM, so the Government had no choice but to continue under the rubric established by the PNM.

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Mr. Speaker, when things are done properly, the kind of concern that is generated by this InnCogen matter would not exist, and really, the Government, when it decided that it wished to invite firms to be independent power producers, it should have done this by way of public tender. That is the substantial issue here. It is not correct to say, that the InnCogen arrangement was the only possible arrangement and the best price. There is no process that has established that. If there had been public tender and if by a process of using proper evaluation techniques by independent persons, such as, the World Bank, InnCogen had come out at the end, as being the best, then all of these arguments would not really have been brought to the Parliament and the national community. But the Government lost the opportunity when it decided to enter into negotiations with a single entity. The irony of the whole matter was the fact that the eventual producer, York, was not really involved at the beginning. York came in afterwards.

I would ask those Members of the Government who are rational in their thinking, to understand the essential differences here. It is absurd for the Member for Oropouche to say that they wish to have competition, Southern Electric International Amoco was already involved in electricity generation, so they did not wish to have them involved; they wanted to have other persons so that they could have a competitive environment. That falls flat against the Government's actions in the airport, northern construction, Cherokee jeeps and so on.

There is no standard. They give reasons on the one hand, for doing certain things which have no substance when you compare it to their actions in other areas. They are masters at making awards to their friends and supporters without a proper competitive tendering environment and really, this is not the way for Trinidad and Tobago to go.

Miss P. Nicholson: Taxpayers money.

Mr. C. Imbert: Taxpayers money you are dealing with—so what make the point that the InnCogen people would offer some price reductions; who is to say, that one of the 52 other firms identified in this divestment process were not in a position to offer a price even lower than InnerCob. There is no evidence; it cannot be speculation; it cannot be old talk—they talk to this one and that one. There was no process of scrutiny, evaluation and no level playing field, absolutely nothing.

Another red herring I would like to debug that has been put out by the Member for Oropouche.

Hon. T. Sudama: I do not understand that.

Mr. C. Imbert: In the final evaluation and selection of Southern Electric Amoco, the winning tender was a cash payment on closing of US \$71.6 million, commitments of US \$19.6 million for plant upgrades, US \$14.9 million for plant maintenance and US \$1.4 million for the provision of working capital. A total of TT \$625 million. At no time was it ever stated, declared, understood or committed that new generation plant would have been constructed by PowerGen. At no time during the process. It is just another manifestation of the nonsense that the Member for Oropouche is talking.

What PowerGen agreed to do and what they have done was to upgrade and improve efficiency in the present generating facilities. That is what they have done; that is what was in their tender; that is what was accepted; that is what was evaluated by the World Bank; that is what was recommended by the World Bank. It is a fiction, a figment of the Member for Oropouche's imagination, a red herring that they have not established new generating plant, that is fantasy Mr. Speaker, and part of the smokescreen that they are attempting to use to disguise the fact that what they have done is they have handed our country's further, they have mortgaged it, for 30 years to a group of persons who have no experience in this field and they did not allow other firms the opportunity to bid. These are the salient points. The only way you would know whether you got the—

Hon. T. Sudama: Glass and paper.

Mr. C. Imbert: Best arrangement, is if you put it out for public tender. The nonsense that I am hearing and I heard from the Member for Oropouche today, that InnerCob offered glass and paper and so on—that has nothing to do with independent power production. That was not the arrangement. There was no tender put out for co-generation. None of the investors in Trinidad and Tobago, not one was asked by invitation of tender to established a co-generation facility to supplement the existing plant. ISPAT was not asked, none of the energy sector companies was asked, so that argument has no merit whatsoever.

If in fact, the Government wanted a co-generation of electricity, they could have asked Farmland to do it, the LNG people to do it; they could have put it out to bid and they could have asked anyone of these persons who is involved in

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manufacturing in Trinidad and Tobago, would you please submit your proposals on the co-generation of electricity as a supplement to your manufacturing operation. They did no such thing [*Desk thumping*] because the intention was to give a man called Narinesingh a gift of \$30 million

Mr. Speaker, these are the facts and I join my colleagues in asking this House, to condemn this nefarious arrangement and to revoke the award to InnerCob for the generation of electricity. Thank you Mr. Speaker. [*Desk thumping*]

ADJOURNMENT

The Attorney General Hon. Ramesh L. Maharaj: Mr. Speaker, I beg to move that the House do stand adjourned to Friday, April 9, 1999 at 1.30 p.m.

5.15 p.m.

Mr. Speaker, may I say that on that day we intend to debate Motion No. 3, which deals with the Elections and Boundaries Commission (Local Government) Order to be approved and we hope to complete debate on the Motion dealing with the Motor Vehicles and Road Traffic (Amdt.) Regulations.

Mr. Speaker, I am giving notice that there is a Companies (Amdt.) Bill for the extension of date which is hoped to be debated in the Senate. It is a one clause Bill and I give notice that we will take the debate through all the stages on that day. Then, the Constitution (Amdt.) Bill, depending on the time.

Miss Nicholson: Are you still coming back with that?

Hon. R. L. Maharaj: That is a very good Bill, the Constitution (Amdt.) Bill.

Miss Nicholson: I thought you withdrew that.

Hon. R. L. Maharaj: Withdraw.

Mr. Speaker: Hon. Members, before I put the Motion for the Adjournment of the House, I wish to advise that I had given leave to the Member for Toco/Manzanilla to raise two matters on the Motion for the Adjournment, and to the Member for Morvant/Laventille to raise one matter. So that I call on the Member for Toco/Manzanilla to raise his matter on the adverse effect of the non-construction of the pavement from Rampersad Trace to LP #109 on the Toco Main Road, Vega de Oropouche.

**Non-Construction of Pavement
(Vega de Oropouche)**

InnCogen

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Mr. Roger Boynes (*Toco/Manzanilla*): Mr. Speaker, today is a very sad day in the history of the constituency of Toco/Manzanilla and on behalf of the entire constituency of Toco/Manzanilla, I wish to convey condolences to the Bousignac family on the loss of four members of that family. They are in the process of being buried, as I speak.

The problem that the Bousignac family has experienced and what the entire village of Vega continues to experience is not a new one. The problem in that particular village is the lack of proper pavement facilities from Rampersad Trace to LP #109 which will take one to the end of the village.

Now, it is instructive to note that Miss Daniel from the village council wrote to the Regional Corporation, to the Minister of Works and Transport and to the Member of Parliament since last year asking—

Hon. Member: What did you do?

Mr. R. Boynes:—all of the above to assist in continuing the pavement which would help the community. The reason for that request was due to the fact that the road is a very narrow one and whenever vehicles pass close to each other at the same time in opposite directions, there is no room on either side for anyone to walk, not even for a child to walk.

I took the opportunity to walk from Rampersad Trace to the place where the accident took place and, whenever a vehicle passed on that road, I had to jump the drain. It is instructive to also note that school children have to use that road on a daily basis so it is in that light that in 1998, I sought to utilize the office of the Member of Parliament to try to assist the Vega Village Council to get the administration to extend the pavement. I have a letter here from the office of the Member of Parliament dated September 11, 1998, addressed to the Sangre Grande Regional Corporation requesting the extension of the pavement.

I have another letter dated September 22, 1998 to the Regional Co-ordinator of the Unemployment Relief Programme asking for the construction of a footpath on the Toco Road in the vicinity of the Vega de Oropouche R. C. School; in other words, to continue the pavement. One of the children who perished in that accident attended the Vega de Oropouche R. C. School. She was well on her way to school. She was a Standard 4 student who came first in test. It is unfortunate that today she has to be buried.

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[HON. R. L. MAHARAJ]

Now, the village council wrote letters to the Sangre Grande Regional Corporation on August 10, 1998. I have a copy of that letter here. The Parent Teachers' Association continued writing letters to the Regional Corporation, one as recent as March 10, 1999. It is a sad day and a sad thing to see that nothing was done in time to save the lives of three young children and an adult.

I am asking the authorities and I am asking the Minister of Local Government to utilize his office to extend the pavement because if they do not do so, we will all ask the question: How many more must die? I defused a potentially dangerous situation when I went to the village and told the villagers not to protest and not to block the road, that I would come here to Parliament to ask the Minister to use his good office in trying to get the Regional Corporation to extend the pavement.

Today, what they are doing is silently protesting. On the windshields of most of the people attending that funeral today is simply the question: How many more must die? I am in the process right now of appealing to the Minister to try to see, if that particular pavement could be extended as soon as possible. Because, the letter that the village council wrote to the Regional Corporation was answered; the answer that was given was that works were completed. That was the answer from the Regional Corporation.

What did happen was that materials were dropped on site for the continuation of the pavement, but in the still of the night, like a thief in the night the very next day, the materials were removed. That is exactly what happened and lo and behold, they had the temerity to write the Vega Village Council to inform them that works were completed.

Mr. Sudama: Who stole it?

Mr. R. Boynes: Mr. Speaker, the corporation sent that to the village council and I am saying that works were not completed; the pavement was not extended. [Interruption] It reached that point. That is the point I am making. It reached that point until we demitted office. That is why we are asking for the extension of the pavement.

Mr. Speaker, what that amounts to, as the Vega community calls it, is the Vega death trap. Another death trap is the problem at the back of the Vega R. C. School. There is a problem with the river. Whenever rain falls, the river floods the entire school and that is a problem. That is another death trap. I am asking the Regional Corporation, through the Minister of Works and Transport, to see if work can be done on the river to prevent the flooding of that school. [Interruption]

Member for Nariva, I know it is not your constituency, so you could joke around all you want. If a child should be—

Mr. Speaker: I am not on the point that has just been made there, but with this type of matter, you really need to stick to the pavement. On another occasion, you can go to the river.

Mr. R. Boynes: I am obliged and guided, Mr. Speaker.

If for instance, a child is carried away by the flood from the river, it will be a very sad day, again, so I am respectfully asking that some work be done in that particular area as well.

The recreation ground at the school also needs to be cut as well because every day the teachers have to be taking out coral snakes from the school. This is the problem. We have been writing to the Regional Corporation asking for assistance. I am asking the hon. Member for Mayaro every day—

Mr. Ramsaran: Every day?

Mr. R. Boynes: Every day. The bush is very high and when I visited the school, they brought a coral snake to show me, “This was in the school today”, so I am simply asking, in the best interest of the people of Vega de Oropouche, if the Member for Mayaro could utilize his good office to assist the villagers so that no more shall perish.

I thank you, Mr. Speaker.

The Parliamentary Secretary in the Ministry of Local Government (Mr. Razack Ali): Mr. Speaker, I am sure that the people of Trinidad and Tobago and we, as Members of this august House, feel the hurt and we are all saddened by the recent unfortunate predicament experienced by the Bousignac family where four Members of that family lost their lives in that accident.

The present width of the road and the failure to continue the pavement spans a period of over 30 years. It is a pity that the Member of Parliament for Toco/Manzanilla can show so much concern today when, of course, we know that he was once the Chairman of the Sangre Grande Regional Corporation and some time during that period, the PNM was in government.

5.30 p.m.

Non-Construction of Pavement
[MR. BOYNES]

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Mr. Speaker, I cannot understand why the Member for Toco/Manzanilla is raising these matters in this august House, when from information supplied to me, the Sangre Grande Regional Corporation has already discussed these matters at great length with the Member for Toco/Manzanilla. However, as a caring Government, we would respond again [*Desk thumping*]

Mr. Speaker, as you know, local government bodies are responsible for local roads and state traces. However, the issues being raised here relate to that of the adverse effects of the non-continuation of construction of the pavement from Rampersad Trace to LP #4109, on the Toco/Manzanilla Road, Vega de Oropouche. This road really falls under the jurisdiction of the Ministry of Works and Transport, which was originally involved in the construction of the pavement in question. That construction began in 1996 under the Ministry of Works and Transport using Unemployment Relief Programme resources. As we are all aware, the Unemployment Relief Programme is now under the Ministry of Local Government, and the Regional Corporation in that area—the Sangre Grande Regional Corporation—which is a very responsible local government body, has already programmed the continuation of this project under the Unemployment Relief Programme [*Desk thumping*] I am sure the Member for Toco/Manzanilla is aware of this, because of discussions held in the past with the Sangre Grande Regional Corporation.

This project will recommence in May 1999. The proposed project involves the extension of the pavement from Rampersad Trace, to the 4 mile mark on the Toco Main Road.

It is my hope, that the Member for Toco/Manzanilla would come to this House, at the completion of the project, and congratulate the Corporation and this Government for its concern for the people of the Sangre Grande Regional Corporation.

Thank you Mr. Speaker.

Mr. Speaker: The Member for Toco/Manzanilla has been given leave to raise the question of the misspending of public funds of the Sangre Grande Regional Corporation with respect to (i) \$25,000 paid to the Chairman of the Sangre Grande Regional Corporation for his trip from Trinidad to Malta to Spain and back to Trinidad; and (ii) funds paid to maxi-taxi drivers to transport persons to Port of Spain on September 20, 1998.

**Sangre Grande Regional Corporation
(Misappropriation of Public Funds)**

Mr. Roger Boynes (*Toco/Manzanilla*): Mr. Speaker, I now have to address the issue of misspending of public funds at the so-called responsible Sangre Grande Regional Corporation.

I raised the point with respect to the recreation grounds in Toco/Manzanilla needing to be upgraded. I also raised the aspect of the pavement in Vega de Oropouche which needed to be continued, but lo and behold, the Sangre Grande Regional Corporation, which does not have an overseas vote, has given a cheque in the sum of \$25,000 to the Chairman of the Sangre Grande Regional Corporation to go on a trip to Malta and Barcelona.

Mr. Speaker, if you remember, in the first instance, the Minister, by letter dated February 05, 1999—and it was also raised in this House—wrote to the Association of Local Government Authorities informing them that:

“Mr. Verne Richards has been nominated to travel with me to Malta and Barcelona, and the travel tickets et cetera, sponsored by the international bodies will be utilized by Mr. Richards for this trip. Mr. Elvin Edwards did not form part of the delegation.”

I wish to draw your mind's eye to the travel ticket *et cetera*, sponsored by the international bodies. I also wish to mention that, in a letter from the Minister, it was stated that the exact trip would be from Trinidad to Malta; Malta to Barcelona and back to Trinidad.

On searches conducted at the Association, when I spoke to persons at the Association, they indicated to me that the international bodies would pay for the ticket—that was agreed for the ticket to Malta. When it was found that the Barcelona Conference would be held after the Malta Conference, the international bodies also took up that leg as well—in terms of the cost of the ticket. The cost of the ticket then, from Trinidad to Malta to Barcelona and back to Trinidad and Tobago again, would be covered by the international bodies. In other words, the entire official trip, will be covered by the international bodies. However, what they indicated, was that the Chairman would have to pay for meals for the Barcelona Conference. He would have to pay for accommodation for the Barcelona Conference. I could give you a list of the things for which he would have to pay—registration US \$800; meals which cost about \$2,205; subsistence US \$50 per day

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[MR. ALI]

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for seven days; ground transportation and hotel. Nowhere here, is reference made to any flight. That came up to \$17,415. That is the sum total of the cost which this trip would have cost the Chairman of the Sangre Grande Regional Corporation.

However, a cheque was issued on March 10, 1999, to the said Chairman, Mr. Verne Richards, in the sum of \$25,000. So, I asked myself why is the Chairman given \$25,000, if the total expenses is approximately \$18,000? When I made enquiries, I realized that the Minister—the Member for Pointe-a-Pierre—on February 23, 1999, gave approval for the Chairman to go to New York, and directed the Sangre Grande Regional Corporation to pay for the New York leg of the Barcelona trip.

On March 04, 1999, by a special statutory meeting, the Corporation approved the sum of \$6,000 as the estimated cost for the New York leg. Mr. Speaker, I am saying that there is no way that the Chairman had any responsibility of paying for any travelling expenses, yet the Regional Corporation had to pay for travelling expenses to go to New York. He does not have any official business in New York, and I would like to know why the Sangre Grande Regional Corporation had to pay \$6,000 for the Chairman to go to New York. [*Desk thumping*]

I do not understand that because, the recreation grounds need fixing; the pavement in Vega de Oropouche needs extending; roads need repairing; and the river in Vega de Oropouche needs repairing, but yet, we are giving the Chairman extra moneys to go to New York.

5.40 p.m.

I come to the next point, the spending of moneys on September 20, 1998 by the Sangre Grande Regional Corporation, given to maxi-taxi owners. I wonder if Members could remember what happened on that day? That day, Mr. Speaker—and I have the newspaper articles here—as you know, was the annual UNC General Assembly at the Queen's Park Savannah on September 20, 1998. If you remember, that was when the Prime Minister said he was “hurting over jailbreak”.

Mr. Speaker, I am hurting today. I am hurting today because I have here proof of maxi-taxi owners being paid the sum of \$10,000.00 when they picked up passengers all dressed in UNC T-shirts at the Sangre Grande Regional Corporation and took them down to the rally in Port of Spain. Look under what heading that was paid for. They approved money here by way of the statutory meeting, “Visit by hon. Minister,” under this heading, “Seminars Assembly, Transportation

Funding” under “URP, \$10,000.00”. “Councillor Bissansingh moved and Councillor Imamdi seconded that \$10,000.00 be set aside under the Unemployment Relief Programme to meet expenses related to the above captioned.”

Mr. Speaker, do you know how this came to my attention? When the maxi-taxi drivers could not get their money they came into my office and they were quarrelling and they asked me to contact the Regional Corporation for their money. They started cursing and quarrelling on the steps of the Regional Corporation. Shame, Mr. Speaker. You know, there is this one. I mentioned that Councillor Imamdi seconded this. The same Councillor Imamdi's son, who owns maxi-taxi HAX 9763, Ali Imamdi, he claimed \$180.00 for transporting passengers to Port of Spain on September 20, 1998 in motor vehicle HAX 9763, and the list goes on and on.

Mr. Speaker, we have a lot of problems in Toco/Manzanilla. We have a lot of problems in the region where we need our funds, and to see that the Chairman of the Regional Corporation is using our funds to pay for transport of UNC supporters to go to this UNC rally, this UNC assembly meeting, is totally untenable, Mr. Speaker. That is misspending of public moneys, and I would be investigating and referring this matter to the Public Accounts Committee because this cannot be accepted and cannot be tolerated. Mr. Speaker, I rest my case.

The Parliamentary Secretary in the Ministry of Local Government and Acting Minister of Local Government (Mr. Razack Ali): Mr. Speaker, just two weeks ago we addressed this issue relating to the Chairman of the Sangre Grande Regional Corporation going to Malta and Spain and it comes up again in a different form, nevertheless I shall deal with the matter again.

Mr. Speaker, according to the Municipal Corporations Act, the Council of the Sangre Grande Regional Corporation is a legal entity and this UNC Government believes in autonomy and empowerment. We do not subscribe to the emasculating of local government councils. We do not put undue pressures on them. Our job is to facilitate and support their decisions.

So, Mr. Speaker, the Council, recognizing that the Chairman of the Sangre Grande Regional Corporation, who incidentally is the Chairman of the Trinidad and Tobago Association of Local Government, would benefit from training and international exposure, readily approved \$25,000.00 to assist, and I repeat, to assist in meeting the costs associated with the Chairman's participation at the Local

Sangre Grande Regional Corporation
[MR. BOYNES]

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Government meeting in Malta and Spain. Mr. Speaker, this UNC Government is about quality local government. When one goes to these international seminars—

Mr. Speaker: One second, please? Hon. Members, I ask you please, let us, as parliamentarians, observe the well-known principle that we must hear the other side. The hon. Member for Toco/Manzanilla has had his say. He has said it loudly enough so that everybody could hear, and whether you agree with what—whether you agree or you want to accept what the acting Minister of Local Government is saying, you must allow it to be heard. I ask you please to live by the principle that you may not agree with what the other man says, but you must be prepared to fight to the finish for his right to say it. I ask you please, give him the right to say what he has to say notwithstanding that you may not agree. Please continue?

Mr. R. Ali: Thank you very much, Mr. Speaker. As I was saying, Mr. Speaker, this UNC Government is about quality local government. When one goes to these international seminars, one is exposed to different experiences and practices in those countries where local government is contributing to national development, and one can return and assist in transforming one's system, and this is what we are doing.

Mr. Speaker, we are aiming for high-class local government and when the Chairman comes back he is going to bring ideas that would not only help the Sangre Grande Regional Corporation, but Trinidad and Tobago's local government system at large. Mr. Speaker, as we all know, there is a close nexus between training, development and a viable local government system. Funding for attendance to local government seminars is, in my view, legitimate use of public funds.

The second part of the Motion, Mr. Speaker, is the matter relating to maxi-taxi drivers used to transport persons to Port of Spain on September 20, 1999. I say 1999, Mr. Speaker, because although the information received from the Clerk of the House seeks information relating to transporting of persons on September 20, 1999 this was clarified, because I felt that it was a mistake, between the Clerk of the House and myself I have, therefore, prepared an answer.

Mr. Speaker, this payment was made under the URP. As you may know, the URP programme under the Ministry of Local Government is one which not only relates to direct employment, but one which relates to empowering people in the various communities, one that is involved in training people, exposing people to new experiences and one that relates to people sharing their achievements. It is

against this background that the payment to the maxi-taxi drivers for transporting people must be seen.

These people were transported to a meeting place where they could showcase their accomplishments under the URP:

- (a) in the area of arts, craft and food, *et cetera*;
- (b) meet with other URP personnel to discuss their feelings—[*Desk thumping*]*—thank you very much—on how the URP was being conducted;*
- (c) to meet with URP planners;
- (d) to see and hear what URP people are achieving in other parts of the country.

In conclusion, Mr. Speaker—

Mr. Speaker: Order please, order, order please?

Mr. R. Ali: Mr. Speaker, I am begging for respect for our local government bodies. Let us allow them the autonomy and authority to implement their duties. We cannot harass them and expect them to discharge their responsibilities effectively and efficiently. As I close I hope that the Member for Toco/Manzanilla will not continue to fight the Sangre Grande Regional Corporation. The success of that Corporation is essential to the development of the Sangre Grande region. Thank you, Mr. Speaker.

Mr. Speaker: Order please, order.

Teachers (Threat Of Criminal Action)

Mr. Fitzgerald Hinds (*Laventille East/Morvant*): Mr. Speaker, first of all, my Motion has to do with the threat of criminal action as instituted by the Government of Trinidad and Tobago, and in particular the Minister of Education, against the teachers of the country of Trinidad and Tobago. First off, I want to advise the Minister of Education that talk, cheap talk, small talk, is no substitute for government action. At the moment, based on the reports, 80 to 85 per cent of the nation's teachers are now at risk of being prosecuted on the recommendation of the Government of Trinidad and Tobago, and this is not the first time that they have been subjected to that risk.

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In 1996 the teachers resorted to industrial action, in my view simple industrial action, and, Mr. Speaker, the threat was made at that time as well, except at this stage it has gone a bit further; names, addresses, dates, schools, have been forwarded to the Director of Public Prosecutions with a recommendation for criminal proceedings. Mr. Speaker, no one would gainsay the fact that there is indeed a problem of indiscipline in the society that is Trinidad and Tobago, including in the nation's schools. But, Mr. Speaker, when the Minister of Education will unearth a ten-year-old report, a report that was commissioned and delivered in 1989, and use that report to highlight indiscipline in the nation's schools as his get off point for blaming the People's National Movement for what is happening in the society, we must have serious concerns.

Mr. Speaker the Minister's ability or inability did not cause him to grasp the single fact that during those ten years the PNM spent roughly four years in government.

5.55 p.m.

Mr. Speaker, I was moved to say in the earlier Motion, that being ignorant may not be the Member's fault, but remaining ignorant certainly is. It is quite obvious that if the report he relied on was 10 years old, it would have been given life under the then NAR government. The UNC has been in Government for almost as long as the PNM was, when the PNM demitted office in 1995, and the situation has obviously worsened.

In the social theory of Emile Durkheim, his Anomie theory—I am not saying that the UNC Government is responsible for crime, what I am arguing is that under the UNC, indiscipline and crime flourish. [*Desk thumping*] In the fourth year of the tenure—

Mr. Speaker: Order please!

Mr. F. Hinds: —of the Minister of Education, the Member for Tabaquite, he has only distinguished himself by upsetting teachers and ministry officials. No doubt, since this matter was referred to the Director of Public Prosecutions he must be advised by the Prime Minister and no other person than the Attorney General. I am sure he has been advised by them to take this foolish action. The worse possible course of trying to resolve the situation now is the threat of prosecuting and criminalizing the nation's teachers.

The President of the Trinidad and Tobago Unified Teachers Association, Mr. Trevor Oliver, has been waging a virtual one-man crusade, not only now, but for

the past three years, pleading with this Government, bringing to its attention the state of affairs as it now exists. He has been doing a one-man crusade. You know what, Mr. Speaker, the Government refused to do anything substantial about the matter, other than simply talk. He has been highlighting the need for the personal safety and the safety of plant and equipment across the nation's schools and, as I said, the Government has done nothing. I need not remind this Parliament and the country of the textbook fiasco that was put upon this nation some time ago, and which still remains. [*Crosstalk*]

Under this Minister what was good in education has been allowed to become bad, and what was bad is simply getting worse. Yet the Minister seeks to blame the PNM for what is happening in the schools, a government that has been out of office now for almost four years. [*Crosstalk*]

Mr. Speaker: Order please!

Mr. F. Hinds: The situation in the nation's schools is, indeed, now getting out of control. Teachers are being threatened, abused, stabbed and choked, and all manners of indiscipline and bad behaviour are taking place at the risk of these teachers. The Government is appearing to scapegoat the teachers for its own refusal to act promptly and sensibly in these matters. The Government is seeking to criminalize the teachers when, in fact, the teachers are the victims in all this. They are the ones being threatened, beaten and abused.

I understand that recently while the Minister was driving by, a student from a school west of Queen's Park Savannah said something that the Minister understood to be offensive. He was quoting from some calypso. [*Interruption*]

Mr. Speaker: Hon. Members, I appeal to Members on the Government Benches please, what I advise the Members on the Opposition side to understand about listening and hearing the other side, and holding one's fire, applies equally well to both of you. So please, I am sure the Minister of Education is competent, pass a vote of confidence in him, pass your note to him, what he should say, but this is not the way to do it. The other thing I want to say to the hon. Member for Laventille East/Morvant, is that he is veering away too much from the topic which is very specific. I ask you please to stick with it.

Mr. Sudama: He is always irrelevant.

Mr. F. Hinds: I am grateful to you, Mr. Speaker. As I was indicating, just to conclude that point, the Minister took strong action: he chastised the boy and summoned his parents. [*Interruption*] I am obliged. Not one hair on the Minister's

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head was touched, but the teachers are the ones being beaten, and they are afraid. The teachers chose to react by staying away from the scene of these crimes. [*Crosstalk*]

Hon. Members: They broke the law!

Mr. F. Hinds: They did so out of fear, because of the threats and the abuse. Mr. Speaker, I want, from this side, to condemn the Government for not taking action as it should have. It was highlighted to them two and three years ago by TTUTA. I condemn this Government for its inaction in total and for seeking now to criminalize the teachers who, as I indicated, are merely the victims in all of this. What the Prime Minister said in words about criminals, the Government is now trying to put into action by encouraging the Director of Public Prosecutions to prosecute teachers in these matters.

Our teachers are not criminals, you must understand that. No one doubts the fact there may be a few bad eggs in the teaching service, a few irresponsibles, a few inefficients, but the majority of our teachers are good, sensible, hardworking people, who are providing a serious public service and are not being really recompensed. They are not criminals. The one thing we do not need at this point is to have a government seeking to criminalize these victims in all of this. I suggest that the Government, if it could, rather than encourage the prosecution of teachers, it should leave the DPP to investigate various important matters in this society, as he is really supposed to be doing. I can give examples but I may be urged to remain on the topic.

We on this side suggest that this Government ought to seriously consider dealing with the problems as have been brought to its attention by the teachers in this nation. The teachers need your protection not your criminalization. What the country needs at this point is a serious and sensible government who can provide real solutions to the problems in the nation's schools and across the country as a whole. I submit, Mr. Speaker.

Thank you.

The Minister of Education (Dr. The Hon. Adesh Nanan): Mr. Speaker, this Motion speaks to three principle issues: an allegation of the Ministry's failure to improve security in various schools; teachers staying away from their jobs,

allegedly in displeasure over the Ministry's failure to deal with the issue of school security; and thirdly, a supposedly developing threat of criminal proceedings against teachers on account of their actions.

The hon. Member for Laventille East/Morvant seems to have had a lapse of memory in this House this afternoon, but I would remind him. In November 1997, if he may recall, a committee was set up to deal with the issue of school security. There were representatives from the Ministry of Education, The Trinidad and Tobago Unified Teachers Association, the National Parent Teachers Association, the National Primary School Principals Association and, of course, our crusade included the community police.

The schools were categorized as follows: high risk, 158 primary schools; medium risk, 107; and low risk, 143. They were selected based on risk factors, and these included: location; frequency of break-ins; and larceny of school, student and teacher property; interference with the water supply; and physical assaults of teachers and students, as well as occupation of the school premises by vagrants. The total number: 39 highest risk schools were identified for immediate action, that was in 1997.

In 1998, 39 primary schools were secured, they included: Belmont Government Primary School, Chinapoo Government Primary School, Eastern Boys', Lower Morvant in Laventille East/Morvant, Piccadilly Government, Escalier Anglican, Tunapuna Boys' R.C., Bourg Mulatresse R. C., Malick Girls' R. C., San Fernando Boys' R. C., and Santa Flora Government. [*Interruption*] These schools, part of the 39—

Hon. Member: All PNM areas!

Dr. The Hon. A. Nanan: The Ministry's bill for school security was \$27.454 million annually. High risk schools in 1998, \$4.3 million, plus \$2 million in terms of improvement in infrastructure. For the Member to say nothing has happened is definitely—he is not speaking the truth. I think he is being mischievous.

This approach to security developed by the committee was on a phased approach, 39 schools were secured and a number of them in PNM areas.

Hon. Member: All of them!

Dr. The Hon. A. Nanan: Mr. Speaker, 44 were in the second phase. In discussion with the denominational boards, the security of schools would be considered from a holistic approach. [*Crosstalk*] I want to make reference to one

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particular school for my friend from Laventille East/Morvant, which is Success R. C. School, a school that was secured by this Government in terms of security. I want to remind him of that student called Pilar McShine from Beetham Gardens who has been selected by the National Amateur Athletic Association to represent Trinidad and Tobago at this year's Carifta Games.

I also want to remind him—[*Interruption*]

Hon. Member: She needs a ticket.

Dr. The Hon. A. Nanan: I am well aware of that. Of course he is familiar with the Beetham Government Primary School that would be finished shortly, another achievement of this Government. [*Crosstalk*]

Now, Mr. Speaker, where are these 44 high risk schools? They include: Our Lady of Laventille R. C.; Woodbrook Presbyterian; Mucurapo Boys' R.C.; Morvant North Government; Belmont Boys' R. C.; Mucurapo Girls R. C.; Morvant Central Government; Diego Martin Government; Point Cumana Government; Eastern Girls' Government; Gloster Lodge Moravian; Laventille Boys' Government; Arouca Government; Febeau Government; Cocoyea Government; St. Paul's Anglican School; and San Fernando Boys' Government.

6.10 p.m.

Mr. Speaker, the physical works would include: fencing, provision of security, lighting, securing of water tanks, burglar proofing, supply and installation of doors, installation of iron angle posts, supply and installation of new gates, raising the height of the existing gate and supply and installation of razor wire and barb wire. The annual security costs for secondary schools is TT \$18.9 million.

I want to remind my friend from Laventille East/Morvant that for every dollar that goes into security there is a cut in transportation, school nutrition and free textbooks for children. So, the more security costs that come on the ministry, something else would be cut. I am sure you are well aware of the needy children in deprived areas for school transportation, even the building of an Early Childhood Centre in Rose Hill.

The security bill at the ministry is climbing, but I want to inform the hon. Member there, that as the security bill climbs, there are going to be cuts in other vital areas such as school transportation.

So, I want him to come on board with this holistic approach. [*Desk thumping*]
I want him to join with the ministry. We are bringing in the community and I just

want to invite him to come forward with respect to the local school boards. Let me give you the terms of reference for these local school boards because this is the kind of holistic approach, Mr. Speaker.

The specific duties and responsibilities of local school boards will be:

- a. To assist the Principal in relation to the management and operation of the school, and cause to be conducted an annual performance appraisal of the operation of the school.
- b. To monitor and assist with the development and implementation of school improvement plans and other strategic plans for the school.
- c. To provide liaison with the community at large
- d. To strengthen community relations and to help mobilize community support for the school.
- e. To meet with parents or school staff from time to time, and specifically to convene, at least once per year, a joint meeting with parents and school staff, all with the community concept built in.
- f. To undertake continuous assessment of school plans—we have seen gross neglect over the years with respect to the previous administration—and in keeping in conjunction with the principals to make recommendations to the Minister.
- g. To undertake reviews with the Ministry of Education in consultation with the principal.
- h. To develop and execute short, medium and long term plans for the physical facilities and equipment. All to tie in this concept of the holistic approach to secure our nation's schools in the interest of our future leaders, the children of Trinidad and Tobago.
- i. To assist the Principal in fund-raising activities on behalf of the school and the control and expenditure of such funds.
- j. To assist with the support programmes within schools and to recommend apprenticeship training programmes linking schools with the community and the business sector. That is the concept of the local school boards.

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I want to talk about our approach in terms of the education system. He never talked about the annual vacation leave for principals and vice-principals of public secondary schools. He never talked about that. He never talked about bereavement leave for teachers; he never talked about paternity leave for teachers; he never talked about occasional leave or subsistence allowance, Mr. Speaker.

I also want to inform this honourable House about the situation with respect to salaries, because that is important when we are dealing with teachers. From 1996—1999, there were \$226,584,000 in bonds to teachers.

Hon. Member: Bonds buy out?

Mr. Speaker: There are two things. These matters raised are not Motions and they are limited to 10 minutes on each side. I just want to indicate to the Minister that he is very close to the last minute of that time.

Dr. A. Nanan: Thank you, Mr. Speaker. What is the law? According to the Industrial Relations Act, Chap. 88:01.

“69. (1) The following persons shall not take part in any industrial action:

(d) members of the Teaching Service;

78 A prosecution for any contravention of sections 67 to 69 and section 77 shall not be instituted save by or with the consent of the Director of Public Prosecutions.”

Mr. Speaker, these are almost purely procedural and where action has to be taken in an industrial relations matter, it must be taken in accordance with the law. Therefore, I have instructed the Permanent Secretary to take the necessary action to comply with the provisions of the law. [*Desk thumping*] I have an obligation to manage relations with the teaching service in accordance with the law and in the interest of the national community. [*Desk thumping*]

As I close, my colleague there made reference to me as ‘tiger balm’, but any rubefacient he wants to consider, whether it be thermogene, bengues, musterole, whatever, I want to tell him that whatever name he calls me, I will ensure that the aches and pains imposed by the PNM in this education system will be removed. [*Laughter*].

Mr. Speaker: Hon. Members, I want to say that I must have lapsed because I did not hear when an hon. Member was referred to as ‘tiger balm’, and I assure

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you that if I had heard that, I would have corrected the hon. Member who so did. But you seem to be dealing with it, otherwise.

The Attorney General (Hon. Ramesh Lawrence Maharaj): Mr. Speaker, I beg your indulgence be given. I made an error when I said Friday 9 at 1.30 p.m. I communicated to the Opposition Chief Whip that it is going to be Friday 9, at 10.30 a.m. An additional matter will have to be debated because of the time-frame, the Excise Duty Compressed Natural Gas Order. There is a 21-day period where it must be debated. I have indicated that to the Opposition Chief Whip.

Mr. Speaker: I take it that there is co-operation.

Question proposed.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 6.20 p.m.