

HOUSE OF REPRESENTATIVES*Friday, July 30, 1999*

The House met at 10.10 a.m.

PRAYERS[MR. SPEAKER *in the Chair*]**LEAVE OF ABSENCE**

Mr. Speaker: Hon. Members, I wish to advise that I have been contacted by the Member for La Brea who has asked to be excused from today's sitting of the House. The leave that he seeks is granted.

PAPER LAID

The Report and Financial Statements of Telecommunications Services of Trinidad and Tobago Limited for the year ended March 31, 1999. [*The Attorney General (Hon. Ramesh Lawrence Maharaj)*]

To be referred to the Public Accounts (Enterprises) Committee.

ENVIRONMENTAL MANAGEMENT (AMDT.) BILL

Bill to amend the Environmental Management Act, 1995 [*The Minister in the Ministry of Planning and Development with responsibility for the Environment*]; read the first time.

ORISA MARRIAGE BILL

Order for second reading read.

The Prime Minister (Hon. Basdeo Panday): Mr. Speaker, I beg to move,

That a Bill to amend the provisions for the solemnization and registration of Orisa Marriages be now read a second time.

Mr. Speaker, I am grateful to my Cabinet colleagues who have agreed to bestow upon me the signal honour of presenting this Bill a week ago and now the further honour of leading the debate upon its second reading.

This Bill is one more step in my long and arduous journey towards the goal of giving life and living meaning to the words of our national anthem "Here every creed and race find an equal place". [*Desk thumping*] When those words were put into the anthem, they were not intended as a statement of fact but rather as an aspiration. Those words need to be given life and to be given living meaning and this Bill that we present before Parliament, is an attempt to do so.

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It is amazing that those who claimed to be the champions of the Pan African Movement in Trinidad and Tobago should have allowed the century to end without correcting one of the most blatant, heinous and degrading colonial injury against African slaves and their descendants. That is, a denial of the right to lawful marriage and to legitimate birth.

Mr. Speaker, I know how they feel because I, too, have been a victim of the denial of the right to be classified as legitimate. If you look at my birth certificate, Sir, you will see in the column labelled "sex," there is the word "boy". And in the column that is intended for name, there is the word "illegitimate". My mother's name is there because I imagined they could not avoid that. Under the column "father's" name, there is a dash—blank. If his name is there at all, it may have been in the column, labelled informant. So from the time I was born, my name was illegitimate and my father's name was "Blank".

I, like hundreds of thousands before and after me, the prodigy of Hindu parents, who are married according to Hindu rites, as they call them—and I am sure you would know—being a country boy like myself. They were married "under bamboo". That is how they termed Hindu marriages. But those people who married "under bamboo" their children were bastardized at birth, because such marriages were not recognized in a eurocentric Christian society.

The Hindus were not alone. The children of Muslim marriages were also condemned as bastards, as illegitimate and, like their Hindu bastard brothers and sisters, were not entitled to the property of their fathers upon an intestacy. In such cases, the property ceded to the state and the children were left to swaddle in poverty. There is much validity in the argument that the state, as it existed in those colonial circumstances, robbed people of their property and their inheritance. The stupidity of the argument, however, was the implied allegation that only the Hindus were robbed and that they must be compensated. But the Muslims and all other non-Christian religious groups, including the Orisas, were also the victims of state sanctioned robbery. The call for compensation is equally foolish. Compensation to be paid in what amounts and, to whom and by whom?

We are now an Independent state. Our revenues come mainly from taxes imposed upon our citizens, the very victims of colonialism. Are they saying then that the victims of colonialism must compensate the victims of colonialism? If anybody should pay, it is the colonial masters. But I am afraid it is now too late for that. The time to argue that case was during the negotiations for our Independence. Be that as it may, this atrocious wrong against these victims of colonialism was righted to some extent, by the passage of the Hindu Marriage Act

of 1945 and the Muslim Marriage and Divorce Act of 1961. Thereafter, marriages solemnized in accordance with Hindu and Muslim customs and religious practices were registrable, hence for legal purposes, their prodigy were deemed now to be legitimate.

A simple device used was to licence, as marriage officers, religious leaders in the respective religious groups and to provide for registration of the marriages performed by them. It is amazing, Mr. Speaker, nay horrendous that no one on the Government since the advent of the PNM in 1956 and since Independence in 1962, could have noticed that a large section of our population of African descent, the victims of that abomination known as slavery were outside the pale of cultural legitimacy, crying out to be part of the nation of Trinidad and Tobago, where every creed and race were supposed to find an equal place. Such was the fate of the Orisas, that is, until this day. But from this day it will be no more. [*Desk thumping*]

10.20 a.m.

It is amazing how the pseudo-intellectuals who, from the safety of their Sunday columns, are forever paying lip-service to the struggle against slavery and colonialism, but could not comprehend the simple fact that in order to successfully enslave a man, one must first deculturalize him. When I speak of man, I mean the generic term meaning “human being” which, of course, includes women. I repeat, in order to successfully enslave a man, one must deculturalize him. It is not enough merely to capture his body. We must also capture his mind and his psyche.

The African remained in slavery for so long because the slave masters were able to purge him of his culture and, to some extent, fill the resultant psychological void with the culture of the slave master. As long as the victims of slavery are unable to fill this void in their psyche with the regeneration of their original and, therefore, real culture, so long will they remain slaves even though they are physically free.

Slavery is not only a physical phenomenon, and not only a physical condition. It is equally a psychological, spiritual and cyclical condition. Consequently, a former slave is never really free until the nakedness of his deculturalized soul is once more clothed with the regenerated culture of his ancestors, his roots. This is the real significance of what we are doing here today as we seek to give legitimacy to our culture.

We have misled our people into defining culture as the art forms. We have told them that culture is calypso, pan, chutney and soca. That is not culture, Mr.

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Speaker. Those are art forms which constitute the expression of the culture, but it is not the culture. Culture, Mr. Speaker, is the sum total of all the customs and behavioural patterns that influence the behaviour of a people. That is what culture consists of, and we must stop fooling our people about that.

In man's life, Mr. Speaker, the most significant events are birth, marriage, harvest and death. That is why there are elaborate ceremonies around these events. If we look at any culture, any people, we will see that these things are birth, marriage, harvest and death. So, Mr. Speaker, if we illegitimize his ceremonies and customs which are associated with his birth, his marriage, his harvest and his death, we succeed in dehumanizing him completely. We reduce him to the level of beast, and that is what has been done and is being done to the adherents of the Orisa faith which the slaves brought with them from Africa. It is possibly the oldest religion since Christianity that is associated with slavery and indentureship in this country.

Mr. Speaker, that was also what was done to the Spiritual Shouter Baptists and to all non-Christian groups in the society. If we are to be true to the operation of our Constitution and true to our vision for an inclusive society, we must right these wrongs. *[Desk thumping]* That is what we tried to do when we declared March 30 a public holiday in honour of the Spiritual Shouter Baptists. That is what we tried to do when we allocated 30 acres of land at Maloney for the establishment of a park of African spirituality where Baptists and Orisas can build their churches, temples and houses of worship. That is what we are struggling to do now as we try to erect a monument to mark emancipation, and that is what we are doing now as we bring this Bill to Parliament.

Mr. Speaker, I wish to extend my most grateful thanks and appreciation to the honourable Kamla Persad-Bissessar for the work she has done to bring this Bill to the stage it has reached. *[Desk thumping]* I also want to thank the people of the Orisa faith for their patience in waiting so long to have this abominable wrong righted.

To give a history very briefly of how this Bill came into being, may I, with respect, inform the House that the first Orisa organization in the Orisa movement of Trinidad and Tobago, Egbe Orisa Illewa Incorporation Act was passed in 1981. Later, the Oba Orisa Shango movement was incorporated by Act No. 27 in 1991.

From 1986, the Orisa community, having drafted the proposed Orisa Marriage Bill, attempted to meet with the government of the day—not this Government—to discuss translating their efforts into legislative action. Between 1992 and 1994,

when the present Opposition were in the Government, the Orisas made several attempts by letter and meetings with the then Attorney General's Department in an effort to make some progress.

Frustrated by the lack of Government response at this time, they turned to the UNC Opposition and we gave them the promise which we are honouring today. *[Desk thumping]* We told them then, and we say to them now, that we could not understand the reason for discrimination which the Orisas had suffered and continued to suffer, and we promised that when and if we were elected to office we would right that wrong by enacting appropriate legislation to give the Orisas the right to marry according to the faith that they were guaranteed under the Constitution.

Until this Government worked in partnership with the Orisa community to produce the marriage Bill which is the subject of today's debate, the statute books of Trinidad and Tobago, whilst being littered with Marriage Acts concerning Christians, Muslims and Hindus, maintained a discriminatory silence about the right of the Orisas to marry according to their customs and beliefs.

From about June 1997, the Minister of Legal Affairs, together with her Permanent Secretary, the Registrar of Marriages—in other words, the Registrar General—and technical officers of the Ministry of Legal Affairs began to meet with no fewer than 11 organizations which are members of the Orisa faith to work on the marriage legislation for the Orisas. Consistent with this Government's policy of popular consultation, a series of meetings were held by the Ministry of Legal Affairs with the relevant groups, and by April of 1998, a draft Bill had been finalized which was sent out to the heads of the different organizations for their approval. Following upon their comments, the draft Orisa Marriage Bill was further amended and was sent to the Legislative Review Committee for review.

The Ministry of Legal Affairs has maintained its dialogue with the Orisa group and met with them again, as recently as this week, to ensure that legislation which is before us today reflects their needs and the requirements of their religious beliefs. Mr. Speaker, we thank them for their patience.

The Orisa Marriage Act will be similar to the Hindu Marriage Act and the Muslim Marriage and Divorce Act. The purpose of the Bill is to give legal effect to marriages performed according to Orisa rights and is drafted in response to the fact that the Orisa faith has been advocating such legislation for many years. The clauses of the Bill—and I highlight only some of the contents—are as follows:

Clauses 1 and 2 contain the short title and the interpretation provisions. Clause 3 allows the President to, by order, divide Trinidad and Tobago into Orisa

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marriage districts, and by clause 4, the President has the power to designate the Registrar General as the Registrar of Orisa Marriages in Trinidad and Tobago, and revenue officers as District Registrars of Orisa marriages in each of the districts. This prevents the problem of them having to move to one centralized position. So, there has been an advent of decentralization to facilitate the implementation of the Act.

Clause 5 of the Bill provides for the issue and application of licences that shall be issued to Marriage Officers who shall be priests or priestesses of the Orisa faith, or such other person as the President may authorize. Clause 6 makes provision for persons to apply for the licence to function as a Marriage Officer. By virtue of clause 7, the District Registrars are required to keep lists of all Marriage Officers licensed under the Act. Clause 8 outlines the requisites for a valid Orisa marriage and clause 9 deals with the issue of the age and consent of the parties to the marriage.

Clause 10 provides that the parties to the marriage shall give notice to the District Registrar of the district in which they reside, and that the parties must have resided in the said districts for at least 7 days prior to the notice.

Clause 11 requires District Registrars to send to the Registrar copies of the marriage notices lodged with him; clause 12 empowers the District Registrar to issue a certificate in relation to the notice of marriage under certain circumstances and clause 13 provides for the parties to the marriage to give notice to the Marriage Officer who must then publish banns of the marriage.

Clause 14 requires that the Marriage Officer send copies of such notices to the District Registrar and clause 15 provides for the issue of a certificate by the Marriage Officer. Clauses 16, 17 and 18 provide for entering of caveats, referral of such matters to the High Court and the removal of caveats and so forth, in case there are problems. Mr. Speaker, birth certificates of children of these marriages will no longer have “name—illegitimate”, “father—blank”.

Clauses 19 and 20 provide for the solemnization of the marriage by Marriage Officers and by clause 21, where a marriage does not take place within six months of the entry of the notice, the Marriage Officer is not permitted to solemnize the marriage to which the notice referred, so, of course, that means that they must post new banns, because, Mr. Speaker, the purpose behind the posting of the banns is to give the parties an opportunity to change their minds, so even though they put up the banns, they do not conduct the marriage.

10.35 a.m.

Clause 22 requires that all prescribed applications, certificates, forms, and so forth be in the English language.

Clause 23 provides that the proof of certain matters is not required once the marriage has been solemnized or contracted.

Clause 24 prescribes that marriage officers shall not be compelled to accept a notice of marriage form or to enter or publish the banns of, or to solemnize a marriage between persons.

Clauses 25 and 26 describe the administrative requirements that must be fulfilled by marriage officers and registrars respectively, subsequent to the solemnization of the Act.

Clause 27 describes a situation in which marriages may be null and void. In case of the Muslim Marriage and Divorce Act, it provides for marriage and divorce should the parties not wanting to continue.

Clauses 28 and 29 provide for the correction of clerical errors and searches, respectfully, mainly for administrative matters.

Clauses 30 to 35 provide for penalties in respect of prescribed offences under the Act. The other clauses deal mostly with administrative matters, fees and the powers of the President in relation to the Act.

Mr. Speaker, at the committee stage, certain amendments will take place. These amendments have been circulated and, by and large, these amendments are to correct clerical errors to make minor amendments that do not in any way affect or alter the purpose and intent of the Bill.

I am assured by the parties concerned that these amendments are in accordance with their wishes. The Bill and its amendments, as I said, have been the result of the fullest consultations with the Orisa committee.

Mr. Speaker, my colleagues and I are happy, proud and grateful to God, to have been the instrument through which, yet another act of national unity has been accomplished. [*Desk thumping*]

I recommend this Bill to this honourable House, and I beg to move its second reading.

Question proposed.

Mrs. Eulalie James (*Laventille West*): Mr. Speaker, thank you for yet another opportunity, to make a small contribution to this important piece of legislation

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entitled “An Act to make provision for the solemnization and registration of Orisa Marriages”.

Mr. Speaker, I see this Bill as a very straightforward one, in keeping with similar pieces of legislation. I want to say from the outset that we on this side of the House, have no difficulty whatsoever in supporting this important piece of legislation. We deem it important, because we see it as an instrument whereby, further recognition and respect would be given to the Orisas.

As a nation, we are made up of people of diverse religious practices and persuasions and the very fact that this is so makes us unique. We have always co-existed peacefully, in unity and respect for each other religious beliefs.

We are very cognizant of the fact, that the Orisa religion has its origin in Africa. I know that the Oni of Ife is the head of this body, and I think it was in 1988, as acting Mayor at the time, I had the distinct privilege of meeting with the Oni. In fact, there was a civil reception at the City Hall and it was well-attended. I am very happy to know that I had been a part of that.

The Yoruba religion originated near Neva at a holy city that is regarded as the “Cradle of Civilization” for the Yoruba of South Western Nigeria. They survived the voyages and rigours of the slave trade and that is perhaps why the emancipation celebrations mean so much to the Orisas here than other African people.

Mr. Speaker, as a truly rooted religion, it has continued to be practised in Trinidad and Tobago and we agree that it must be granted, no less than its rightful place as a firmly established and practising religion in our republic.

The People’s National Movement has always encouraged the development of the Orisa faith and others. This was demonstrated by past People’s National Movement Prime Ministers—Dr. Eric Williams, Mr. George Chambers and Mr. Patrick Manning. In the case of Mr. Chambers, the land at Lopinot was allotted to the Orisa and it is testimony to the initiative of a People’s National Movement government.

In 1994 we heard the Prime Minister mention that the then Attorney General was written to and that the Orisa and the Parliamentary Secretary at the time had several meetings with a view to assisting them to get whatever they needed at that time—whether it was the Marriages Act or to have the Orisa recognized in some way in this country.

Mr. Speaker, before much could have happened—and the people on the other side have a way of saying, “you could ah, you would ah, and you should ah”. The

fact is that meetings were held at that time with a view to making some headway to give the Orisa some recognition. However, we lost the elections in 1995 and documents were left in the Ministry of Legal Affairs and I am sure that the Minister of Legal Affairs would have had access to those documents to see that the PNM really did make an effort.

We are happy that the members of the Orisa faith have come together as one in this quest to give sanction to the marriage rights vested in leaders of their religion. In African countries like Nigeria and so forth, we have been told that there are a number of Orisa groups but there is no strict rule to say that one must be married under Orisa rights. The people are allowed to be married under any religion they wish, whether it be Anglican, Catholic or whatever. However, I know that in Trinidad and Tobago we are a different people, as I said, we are a unique people and we would always like to do things differently. So, one would find that this piece of legislation is the first such legislation in any jurisdiction anywhere in the world. This demonstrates, of course, the resilience and persistence of the people of this nation to achieve in all their endeavours.

10.45 a.m.

Through the years, the Orisa practice has demonstrated its effectiveness in our families, country and has, indeed, created the desired effect on all its members. Very soon, I am advised, the Sixth Congress of Orisa Tradition and Culture would be held here in Port of Spain and we wish to congratulate them for being given that opportunity. It is also fitting that we are in a position to deal with this Bill before that conference is held.

So, Mr. Speaker, as it relates to the Bill before us, and as the Member of Parliament for Laventille West—a constituency steeped in the roots of African culture and religion—and as a member of the People's National Movement in Parliament, I wish to lend my support and, indeed, the support of all of us on this side, to this piece of legislation.

Thank you very much. [*Desk thumping*]

Mr. Patrick Manning (*San Fernando East*): Mr. Speaker, I rise to make a very brief intervention in this important debate on the Orisa Marriage Bill, by which the Parliament of Trinidad and Tobago will introduce and approve legislation which will accord to the Orisa faith the right to marriages under the law in this country.

Mr. Speaker, I come from a political party which recognizes the concept of evolutionary change. That is to say, that the *status quo* in any particular matter

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exists and that on the basis of representations and agitation and whatever else is relevant in the circumstances, one gets a change at the ordinary level, a change at an official level and the horizons are slowly pushed forward and that way, change comes. Indeed, I belong to a political party that is called a movement and not a party, for the very same reason. Because we recognize in our political party that circumstances are never static, but they are always dynamic, and we are expected, with changed circumstances, to make adjustments as we go along.

In the case of the Orisa movement, it is entering a new milestone today. I would just like to remind all Members present that it took some doing to get to this place, and that the Orisa movement first had to be incorporated in Trinidad and Tobago. I was just going through the *Hansard* and I am pleased to report to the House that at the sitting of this honourable House on Friday, October 24, 1980, a motion was moved for the incorporation of the Orisa movement. It was moved by the then Minister of Public Information, the Hon. Patrick Manning. I am very pleased, indeed, to have been a part of the journey of the Orisa movement where today, we can stand up in support of the according of the rights to marriage to the movement of the Orisa faith.

Mr. Speaker, in one of his very rare contributions in this Parliament, the hon. Prime Minister a few minutes ago gave us an argument that is a dangerous one. It is an argument that continues to promote divisiveness in this society rather than seeking to bring the society together.

I am a descendant of an African slave and there is no doubt about it that African slaves were treated in a certain way: they were dehumanized, their culture was removed, all kinds of things were done to them, but it will be patently wrong for me to believe that because of that, this society owes me something. What does this society owe me as a result of the treatment which had been handed out to my ancestors? Society owes me nothing, except perhaps, what the society owes me and what I strive for as a member of the People's National Movement—equality of opportunity. That is what the society owes me. That is what I work for and what we slaved for and that is what we go out and seek to convince people of, in terms of the rectitude of our cause: equality of opportunity. Therefore, what I must expect from the society, on the basis of my own history, is not that society owes me any reparations based on what was done to my ancestors—as dehumanizing as it was, and we must condemn it in absolute terms—but equality of opportunity.

So, as a businessman in this society, when large contracts are to be given, I must have a chance to bid too, like everybody else. I must have a chance to bid

and I must have equal opportunity with everybody else and the system must never be operated in such a way that I am discriminated against for one reason or the other, whether I be a member of a different political party or I may not be one of a small clique of people who seem to be in control of many things in the country. When we talk about discrimination, that is discrimination! When we talk about our history and when we talk about what we expect from the society on the basis of our history, it is that: equality of opportunity. I, for one, do not believe for one minute that the society owes me anything other than that. Of course, it owes me the highest standard of living and so forth in the society.

Mr. Speaker, the history of the Baptist movement is very interesting in the context of debate that is taking place today. There was prohibition, I think the year was 1921, and by 1951 there was a law passed to remove the prohibition and Baptists were given, at least by law, equality of opportunity in the country. They were persecuted between 1921 and 1951 because they could not assemble and the police would come and seek to break up the assembly because of the laws that were passed. Forty-eight years later, in 1999, it would be patently wrong for the Baptists to take the position that because that forms part of our history, that the society owes us something, not seeing that they have achieved what they really have been fighting for, which is the equality of opportunity and the progress that they now make rests entirely in their own hands and on their own efforts.

One of the advantages which this society has experienced as a result of the UNC Government coming into power is that perhaps, for the first time, Indian culture has assumed its rightful place in the cultural milieu that is Trinidad and Tobago. That is a fact. Any dispassionate observer looking at the situation must come to that conclusion. But what does that now mean? Does it now mean, as a result of that and because things may not have gone the way they should have gone—and that is a fact, in the past—that we must now do something to correct previous wrongs, or as a consequence of that, that there is some special advantage that must now devolve on Indian culture as a consequence of a UNC Government coming into power, or as a consequence of the fact that it now assumes its rightful status in the cultural milieu of Trinidad and Tobago? Dangerous arguments, Mr. Speaker.

Mr. Speaker, I was part of a parliamentary committee which reduced the voting age in this country from 21 to 18. I was part of this committee which sat and considered the merits and demerits of the argument and we did so, not on the first call that was made for the reduction of the voting age, but we did so in the context of a worldwide movement which recognized that in nearly all societies of

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the world, 18-year-olds today are much more mature and advanced than 18-year-olds had been so many years ago and that, perhaps, as we conceive the vote and universal adult suffrage, the 18-year-olds have come to a place where the time is right to afford to them the right to vote. They have television, they are better informed, the school system is better.

This Parliament, in its wisdom, approved that. Are those who never had adult suffrage at 18 years of age now justified in saying that, “For three years of my life I was denied something”, and they hold the rest of the society by the scruff of their necks as a consequence of that? It could not be! It is part of the process of evolutionary change.

Mr. Speaker, new religious groups are going to arise in this country and the question that I ask of the hon. Prime Minister and hon. Members opposite is this: at what stage in the development of any religious organization is that organization to be incorporated and, at what stage in the development of any religious faith is that faith to be given the right to marriage? It is a question to which I would like an answer from Members on the other side.

If the answer is not that these two things must take place immediately on the arising of the faith, then they will be accepting and recognizing that there is a process of evolution through which such organizations and faiths must go as they move from one stage to the next and, as the recognition that is given to them, legislative and otherwise, progresses from one state to the next. And that is what is happening today.

There were other ways in which the Orisa movement was recognized. I may tell you, Mr. Speaker, that in the Prime Minister's office between 1991—1995, in the context of race relations in the country, we sat at round table discussions and one of the prominent people in those discussions was a person whose name I will mention today. Her name is Mrs. Pearl Eintou Springer and she played a very important role. She is a member of the Orisa faith and, by having her appointed to such a commission, the Orisa faith was recognized—however indirectly—because they were not selected on the basis of religion, but the Orisa faith was recognized and, they were participating in very important discussions designed to keep race relations in Trinidad and Tobago on an even keel. Many of the people who sat and participated in those round table discussions have said to me then, and subsequently, that those discussions were successful to the extent that many of the wild public utterances which would have come from different leaders in this country were noticeably absent and certainly reduced in many instances during the period of time that those round table discussions were taking place.

The original inhabitants of this country are not African slaves or Indian indentured servants. When Christopher Columbus discovered Trinidad and Tobago: whom did he meet? The Caribs and Arawaks. A case can be made out for Caribs and Arawaks in Trinidad and Tobago. How long are we going to say that the Caribs and Arawaks were discriminated against, as they certainly were, and as a result, the society owes them some special place? Do you understand what I am saying? I am saying that it is the concept of change and evolutionary change to which we subscribe.

11.00 a.m.

If today the Parliament meets to recognize Orisa marriages under the law, then it is to the glory of the Orisa movement and the support of the People's National Movement. We were pleased and proud to be part of the journey which they have travelled from one stage to the next to the point where today, they can sit in the Parliament and listen to the debate of a Bill designed to give effect to their marriage.

Mr. Speaker, like I said earlier on, other religions are going to come up and go through exactly the same process and we are going to have to go through incorporation, and over time, as the representations are made by those religions, and as the authorities recognize the growing status of religion in the society, they will progress from one stage to the next. It is against that background that I am pleased to stand today and speak in support of the Bill that is before this honourable House. With the support of my colleagues, I take this opportunity on this very auspicious occasion also, to extend happy Emancipation Day greetings to all of Trinidad and Tobago.

Thank you.

The Minister of Tobago Affairs (Dr. The Hon. Morgan Job): Mr. Speaker, I am in support of the Bill to make provision for the solemnization and registration of Orisa Marriages. Listening to the Members of the Opposition, I sense a feeling of pathos, a feeling of opportunity not grasped; I sense a feeling of apology. After listening to the Prime Minister in his terse, and succinct delivery, very poignant, the Opposition comes with a long set of apologetics, much of it having nothing to do with the Orisa Marriage Bill, but having everything to do with political campaigning.

I want to encourage the children in the national audience to understand that this Bill is not about a new religion. There is a peculiarity and a particularity about the Orisa Marriage Bill that apparently the Leader of the Opposition does

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not seem to understand. He is saying that new religions would always arise; at what stage would such groups be given the right to marriage? He can ask that about the Rastafarian movement, he cannot say that about the Orisas. It is not a new religion in the context of Trinidad and Tobago. There were Orisas and the Yoruba people worshipping Ogun and Jemanya and Olodumare long before any Christian missionary were in Trinidad. It is not a new religion, Sir. Do not demean the efforts of the people, and do not minimize the anguish and the necessity, the imperatives that are given us at this point by speaking about the Orisa in Trinidad and Tobago as a new religion. It is not. I repeat, say that about Rastafarianism. I will have more to say about that in a while. You spent a lot of time talking about some race relations committee which he set up that was successful.

Mr. Manning: Mr. Speaker, just for the record, I want to make it absolutely clear that I never referred to the Orisa movement as a new religion.

Dr. The Hon M. Job: Mr. Speaker, I would get it from the *Hansard* reporter and at some subsequent occasion, I will deal with it.

He talked about the success of race relations and the fact that the Orisa religion was incorporated by his effort in 1980. The Member did not talk about J. D. Elder and all these people who before 1980 were working diligently. Give them a little boost, say something about them. Do not say something about one: “the hon. Mr. Patrick Manning moved the motion for the Orisa Bill”. I do not understand that kind of specious deviousness, the kind of imperative to self-aggrandizement, using other people's efforts to wave his own flag of glory. It is not the time for that. This is a solemn occasion where you want to congratulate people and make them feel good about what they have done.

I feel that this Bill, as the Prime Minister said, is about understanding what culture is all about and I have my own bit to put into that because I think that the discussion on the debate about emancipation, religion and culture is very subversive of our best interest the way it is carried out. So that we have to understand that the Opposition's contribution to this piece of legislation, in my view, has not pointed itself to the triumph which is the consequence of a long struggle of people who came from Africa with a religion and were denied for all the centuries that they lived in Trinidad and Tobago—an existence where religions that were young compared to Orisa had an official place, a prominence; and it has taken us this long to get here, finally. I think we need to specially understand that.

Mr. Speaker, I just wanted to say these few words. It is an issue that would go on and I would have other occasions to talk about it. I offer those few words as my two cents in support of this Bill.

Thank you.

Dr. Keith Rowley (*Diego Martin West*): Mr. Speaker, it was not my intention to enter this debate, but I begin by stating unequivocally that this measure has my fullest support. It is fully supported by the party which I have the honour to represent, the People's National Movement. I think the effort is worthy of commendation and since today it falls to the Member for Couva North to pilot this Bill, I think as a courtesy, he too deserves some element of congratulation. [*Desk thumping*] But I reserve the greater piece of my congratulation to him for the action he has taken to remove the Member for Arima from the Twin Towers to some back room somewhere in Morvant. So I think there is hope for us yet.

Mr. Speaker, the reason I have entered this debate is because I am very cognizant of the role this country's records will play to future generations. Everytime there are attempts to rewrite the record, and I have the opportunity, I would try to state the current position so the record can read right.

Mr. Speaker, the Members on the other side took an occasion like this—the Orisas have a problem with the Marriage Act—to imply that it has something to do with the PNM and, therefore, the PNM has something to be apologetic about. I want to make it very clear, contrary to what has been said by the Member for Tobago East, that we have absolutely nothing to apologize for. [*Desk thumping*] It was the PNM that inherited—in fact, I would go further. It was the PNM's effort that broke the colonial stranglehold on Trinidad and Tobago and as part of the inheritance of what the colonials left here was this question of how were children recognized.

It is quite incorrect for those on the other side to get up and say that it was some discrimination of a specific group in the country that certain people, Muslims and Hindus had on their birth certificates the term “illegitimate”. That is not correct. Christian children had the same term put on their birth certificates. It was not a question of whether you were Muslim, Hindu or Christian, it had to do with some concept of our colonial masters as to which children are properly produced and those who did not meet their standards, they were termed illegitimate on their birth certificates.

Mr. Speaker, over the years—[*Interruption*]

Mr. Speaker: I would ask the Member for Pointe-a-Pierre not to usurp my function and tell him to sit down. Please continue.

Dr. K. Rowley: Mr. Speaker, it was not an anti-Hindu thing, it was not an anti-Muslim thing. It was happening also to the Christian children and over the years rectification was made to the law and that situation has been changed for Christians, Muslims, Hindus and now it will change for the Orisas.

Mr. Speaker, I find it particularly galling to sit here and hear the Prime Minister and the Member for Tobago East attempt to chastise those of us who represent the PNM on a matter like this. I am not going to take it because when the PNM sought to get Trinidad and Tobago out of the colonial stranglehold and moved towards Independence, one of the things we had to do was establish a Constitution and in that Constitution of Trinidad and Tobago, which is the law that governs our conduct as a people, one of the things you will see in there is a recognition of God as the supreme being. God is recognized by different religions in a variety of ways, but a dominant PNM political party preparing a Constitution for Trinidad and Tobago had written in that Constitution, recognition of power, and then in practising the management of the country's affairs, a Hindu marriage Act which was incorporated in 1945 was amended and improved in 1961, 1962, 1963, 1973 and 1976, every time under a PNM Government seeking to improve the condition for the Hindus. So I cannot understand how any government can seek to give the impression that there was some practise of discrimination against Hindus. It is the same thing with the Muslim Marriage Act which was passed in 1961, and amended in 1973, 1976 and 1980. On every occasion, seeking to improve some condition for those persons who practise that faith.

With the Seventh Day Adventists, at a different time under the Albert Gomes government, the prohibition laws were removed, but in modern times when the PNM had control of this country, the question of public servants in particular, who were Seventh Day Adventists having to go to work on a Saturday, or give up their jobs or other aspects of discrimination, in order to further improve on the condition of the Seventh Day Adventists, the PNM government removed that and those persons recognized how their conditions have changed. I am not going to accept from anybody on the other side led by the Member for Couva North, that the PNM was discriminating against the Orisas.

11.15 a.m.

I was a member of the Cabinet between December 1991 and November 1995, and what I do know is that there was contact between elements of the Cabinet and Orisa groups. As I worked in the Cabinet I fully expected that when that contact bore fruit, somewhere along the line, it will come to the Cabinet in some form and I could have given the assurance that when it comes—if this had come when we

were there—it would have had the support of the Cabinet. As governments come and governments go, that work has now borne fruit and today we are in the Parliament giving support to this measure. What is the need, then, to try to cast aspersions on the PNM and previous Cabinets, and talking about discrimination? I am not aware that it was said: “I want this”, and somebody said: “No, you cannot have it”, or structures were put in place by us to say: “You cannot have that”. If that was the case, I would say: “Yes, we are guilty of discrimination”, but if, in fact, we had every intention to do it and the systems are in place to take you to this point then, when we arrive there an argument can be made that this could have been done 40 years ago, it should have been done 25 years ago.

I want to ask those on the other side, who are so quick to jump on the PNM back, did we have any Orisas in this country between 1986 and 1991? Because if it was the PNM that was discriminating against them how is it—when my friend from Couva North was part of a government with 33 seats in the Parliament this matter was not regularized—that discrimination was not there? Do you understand? I do not understand why it is necessary, that every time they bring legislation here, they have to come and try to jump on the PNM back. We are not going to take it because when we were writing our Constitution in 1962, acknowledging God as our supreme being in whatever form or fashion he is recognized by various elements of the community, the same person who gets up now and tries to speak in this affected accent and saying that the PNM is discriminating against the Orisa, was a practising communist! A practising communist! One of the tenets of communism is that they do not recognize any religion. If his Workers and Farmers Party had won the elections there would not have been Christians, Muslims, Hindus or Orisas. [*Desk thumping*]

But fortunately, the people of Trinidad and Tobago acknowledge what he represented and took away his deposit. When he attempted to foist communism on this country to kill religion, he lost his deposit. So, he should not come here this morning and try to look at the PNM’s record and cast aspersions on the PNM. It was the PNM that acknowledged the rights of religion them in this country: Muslims Hindus and Christians and took steps to recognize in every situation. I would not allow any hypocrite to come here this morning—If he wants to come here this morning and make a contribution, as I said before, I congratulate him for that, but do not think that we have forgotten him. We know him.

It reminds me of this situation when he talks about national unity. I was observing on television, in the not too distant past, the funeral of George Wallace, that former Alabama Governor. I noticed in the funeral a large number of Afro-

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Americans, I was very surprised. But on reflection, and in following up the issue, I discovered what had happened. Mr. Speaker, I commend the life of the late George Wallace to the Member for Couva North: the Prime Minister, because there are things to be learnt there. George Wallace, coming up in the southern United States where racism was part of the culture, where white superiority was part of the culture, it was the land of the Klu Klux Klan and Jim Crow who was an avowed racist who publicly did everything to keep down black people in America. At some point in this life, for whatever reason, he saw the error of his ways and he publicly and openly disavowed his earlier positions in politics and in social life and began to advocate the exact opposite of what he grew up with. He eventually, in a contrite way, very publicly apologized to Afro-Americans and his apology was accepted. He ran for office and had the distinction of carrying significant Afro-American support when we was eventually re-elected.

By the time he died, in his funeral, there were a number of people who you would never have thought would have anything to do with a man like that. I say this because I am fed up, absolutely fed up of the Prime Minister of Trinidad and Tobago coming time and time again and insulting us with this national unity nonsense when his record is one that he needs to confront and do like George Wallace and say: "I have changed my ways, I have taken a different position and I can now rave about national unity." I am not going to take his nonsense! I am not going to take that!

I mentioned his communist past [*Interruption*] Yes you can "steups", because you were not even reading primary school books—which you are still not reading—when that was happening. I am talking about this country's history.

Mr. Speaker: I suggest that the Hon. Member speak to me. I think that the more one addresses one's remarks to Members on the other side, the more confrontational it becomes, and its going to give rise to something that we will not want to see. I suggest to you please do the right thing, according to the Standing Orders, and address your comments to me please.

Dr. K. Rowley: I entirely agree with you, Mr. Speaker. I was saying that the Prime Minister, even on this occasion, has to inject his championing of the cause of national unity.

My friend from Tobago East took great umbrage to the fact that the Member for San Fernando East pointed out that he had moved the Motion here to incorporate the Orisa Movement. I do not know what is wrong with that but he saw it as self-aggrandizement. The Member for Tobago East very frequently

comes here and quotes himself. He writes things on paper and then comes into the Parliament and quotes it. How many times have we asked you, Mr. Speaker, to ask the Member to tell us what it is that he is quoting from? And he is quoting from himself, and he talks about self-aggrandizement.

The Member for Couva North—every time he talks about national unity, he places himself in the centre saying: “I, the champion of national unity”. Mr. Speaker, that is not so. It is not so at all! The record of this country will show that the Member for Couva North has been one of the most divisive factors in Trinidad and Tobago in modern times. [*Desk thumping*] He continues to be so even as he administers the Office of Prime Minister. He is a divisive factor. He is fighting the doctors, the nurses, the unions, the teachers; he is fighting every God in heaven person in this country, a confrontational style that keeps this country on edge every day he is in office. That is his record. Every time there is a disturbance in this country you look carefully and the Prime Minister of Trinidad and Tobago is somewhere nearby or in the middle of it. But he comes here and talks about national unity, and tries to give that impression.

Mr. Speaker he can fool his colleagues, he cannot fool me. I meant to bring it this morning but I said I would not. I knew what he was going to say. I know his style so much, I really thought of bringing here this morning an article written by Raffique Shah which was published for all and sundry to read [*Interruption*] My friend! If he is my friend, he is your compadre.

Mr. Manning: From namottee!

Dr. K. Rowley : Because I have never appointed him to anything, and I could tell you Raffique Shah had the distinction of serving in this country as Opposition Leader, with his help. Do not come and bawl Oh my God! Raffique Shah—if he is my friend, I am pleased to have a friend like Raffique Shah, I would not hide that.

I am saying, Mr. Speaker, he wrote an article and he was the author because he was close to the Member for Couva North and because the Member for Couva North keeps parading himself around the country as though he is this paragon of national unity, Shah had been driven to write the real story about him and his conduct.

Those who know the history of this country will know about the political party called the ULF, which he led and broke up on a very racial position he took in the ULF—which resulted in that party disintegrating. I am not making this up. I am not the one who confronted—[*Interruption*] Are you getting nervous? I am

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not the one—[*Interruption*]. I am not writing the history, I am simply repeating it. As long as the Speaker is not bothered, I am not bothered either.

Mr. Speaker, in talking about national unity, I am not the one who publicly accused Errol Mc Leod of riding on Indian backs to get into Parliament. Who did that? It was not me. I did not do that. I was not in Kelvin Ramnaths's wedding behaving in a most disgraceful way as written in public record.

Mr. Manning: Because there was a balisier plant in the wedding.

Dr. K. Rowley: Do not argue with me.

11.25 a.m.

Mr. Speaker: Hon. Members, I think we are in danger of moving too far away from the business at hand and I would ask that we try to focus once more on the main issues.

Dr. K. Rowley: Mr. Speaker, I am simply responding to the hypocrisy that comes from the Office of the Prime Minister, the Member for Couva North when, in his presentation, he talks about his championship of this idea of national unity. I am saying that unless he is prepared to disavow his past in a sincere way, everything he says I have to take in that context.

When he seeks to point fingers at the PNM and accuse us of discrimination as he is doing this morning, accusing us of discriminating against the Orisa group, we must take umbrage. I know they want to run away from their past; I know it is uncomfortable; I know it is grating for them, but that is the record.

Mr. Manning: And facts are stubborn things. They do not go away.

Dr. K. Rowley: I am not going to accept that.

Mr. Panday: And that is why I am here and you are there.

Dr. K. Rowley: Mr. Speaker, the Member for Point Fortin can bear me out on this. When the Orisa group wanted a parcel of land and a previous government suggested they be given one acre, if my memory serves me right—I am being corrected that it was one lot of land they were being offered by a previous administration—it was my friend from Point Fortin who, at the time, had the responsibility and he can correct me. How much did he agree to make available to the group? Was it five acres or 10 acres? Does that sound like discrimination? Does that sound like a government which was wanting to keep a group down to move an offer from one lot to 10 acres? Those are indisputable facts. That is our record with respect to the treatment of people.

I can tell you that I have been to Orisa weddings—participated in functions, I am very impressed—and I have been to other weddings of other faiths, and was unaware that after the function was over and we all went to our homes that something else had to be done so that those young people who were married in those ceremonies would be properly registered. I was unaware of that and when I became aware of it, my thoughts just had to be corrected and that is what is happening here. So how could I not support it? I do not pretend to know everything in this country; I do not pretend to know everybody; but do not accuse me of discrimination for the fact that something has been happening which required correction.

I have mentioned earlier on how many times the Hindu Marriage Act and the Muslim Marriage Act had to be amended. How do we know, even as we are doing this here now that there is not some other group out there practising some kind of religion, that someday would move to this point? Would the present Government offer to accept that they are now discriminating against those persons? That is the argument we are making on this side, not that the religion is new.

Hon. Member: Revolutionary change.

Dr. K. Rowley: There might be 10 people out there now practising a particular African or Indian religion and, maybe, 10 years from today or 100 years from today, they may become a large enough group saying that they should be recognized as the others are. When that time comes and the Parliament of that time is doing it as we are doing this now, will we accept that, as we are here now, we are discriminating against them?

It is in that context that we are happy for this moment. We join with our brothers and sisters in the Orisa movement to celebrate emancipation and they can count on our total support to make this Bill law. What we will not accept from the movers, is any accusation about our discrimination against these our fellow citizens.

Mr. Speaker, I thank you.

The Prime Minister (Hon. Basdeo Panday): Mr. Speaker, as we bring to an end the 500 years of prejudice and discrimination brought by colonialism and slavery, we are pleased to have the support of the Opposition at long last. How times have changed. All I can say, Mr. Speaker, is blessed be the Lord; blessed be Oludumare for the effect he has upon men's minds.

Mr. Manning: You are sounding hollow. It sounds hollow.

Hon. B. Panday: As far as his contribution is concerned, he said that his great contribution to this movement consisted of his moving some motion or the other, I just say that that is recorded in *Hansard*, Vol. 10 at page 386 when the Orisa brought a Private Bill before the Parliament, not the Government. I will read it to show the sum total of his contribution to this great movement.

It was on Friday, October 24, 1980, sadly after prayers had been said:

**“PETITION
Orisa Movement**

The Minister of Public Information (Hon. Patrick Manning): Mr. Speaker, I have the honour to present a petition on behalf of the Orisa Movement to this honourable House. The organization is seeking the leave of the House to have a private motion introduced for its incorporation.

I beg your leave to have the Clerk read the petition, and that the promoters be allowed to proceed.”

That is the sum total of the contribution, a Private Bill which is the sum total—

Mr. Manning: Without that, it could not go any place!

Mr. Speaker: Order please.

Hon. B. Panday: I am reading the *Hansard*. It is a private motion for a Private Bill which was brought. That was the sum total of his contribution. I am giving him credit for it. I am sure they thanked him for it, as I thank him for it today.

But, when you come to the contributions made and all the propaganda and attempts to whip up racism again, and who is guilty and who is not guilty, I can do no better in responding than to refer to an article published on March 23, 1999 in the *Guardian* of that day, headlined “Cries of the Orisa”. Mr. Speaker it reads as follows:

“PRIME MINISTER Basdeo Panday promised last Sunday to change those laws that discriminate against Orisa followers. His pledge came at the Family Day celebrations of the Orisa Council of Elders when leaders called for ‘pride of place’ for their religion.

Prior to the event, JOANNE BRIGGS found Iyalorisha Molly Ahye and Orisa servant, Pearl Eintou Springer...”

—to whom reference is made—

“...eager for legislation of their religious practices.

It was reported in that article that Pearl Eintou Springer said and I shall quote:

“‘It is a chicken and egg situation. We were not at a point to have the cultural confidence, to ask for our rights. Because every step you take you are fighting 500 years of prejudice and negative nuances. And the State would not act unless it gets the social pressure,’ she diplomatically explained.

Now, it seems, the council is ready. ‘We have been waiting for years. In order for there to be an erosion of the fears, distrust and negativities of the Orisa faith, the State must begin to give validification,’ Springer emphasised.

Chief Iyalorisha of Opa Orisha Shango, Molly Ahye agreed. ‘People are not sure if it is good or bad. It is a kind of wavering. The Orisa people have had patience. It will come as it has to come,’ she stated.

Yet the Iya strongly admits it was overdue. As far as she recalls, the fight for awareness by government began earlier than 1986. Since 1979 when the first world congress was held in New York, I was trying but our own people did not believe in us. It is basically fear and the perception of what Orisa is.’

Ahye remembers a discussion she had with Dr. Eric Williams. ‘I pleaded with Dr. Williams to establish an institute for Afro-Asian Studies. I had just returned from Bahia where I was doing research...and thought it would have been a good idea to do something like that here. And that was how this statement was born—‘There is no Mother India and no Mother Africa, only Mother Trinidad.’

Pleas to get recognition fell on deaf ears. ‘The commission set (to investigate the request) by last government did not see it fit. There was no explanation. We formed a delegation and spoke with the last prime minister (Patrick Manning) and the last attorney general (Keith Sobion) on the Marriage Act, but to no avail.’”

They come to this House and say they did not know. So, Mr. Speaker, I do not have to answer what they have said. It is answered for me from their own tongues.

When this Bill is passed—as I saw Bahia there—I am reminded that it will be the only Act of its kind in the entire world. [*Desk thumping*] There is no such Act even in Brazil, where I believe there are some 10 million people of the Orisa faith. So, Mr. Speaker, there is the answer. They did not know.

However, this is not the end. There is much more to be done and I am not going to get into any kind of *mauvais langue* that has tarnished this debate in this

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House today. We will set about to do the work for which we were elected and for which we shall be elected again and that work has to do—

Mr. Manning: You come back with that?

Hon. B. Panday:—again, with the history.

I want to remind this House that in the 19th Century covert attempts to suppress this religion were made by enacting sections 59, 60, 64, 65 and 69 of what is now the Summary Offences Act of 1921, Chap. 31:17; but I suppose they did not know about that Act. These sections made it an offence to beat drums or to take part in any procession or assemblage or dance. In addition, a constable could, without warrant, enter any house or yard where he suspected persons praying, singing or dancing and seize any instruments he found there. It was, indeed, a recipe for covert suppression and repression of a particular religious group.

Other discriminatory offences that are repugnant to the faith of the Orisas remain on the Summary Offences Act, particularly references to “obeah” and, also, to the Offences Against the Person in Summary Courts Act, but I suppose my colleagues on the other side did not know about that. They changed their mind only now that they have found out about it.

Those offences remain on the statute books until this day, but I assure this House that they would not be for long. [*Desk thumping*] Not only is this Government committed to delivering on its promise to give the Orisas their own Marriage Act, but we are committed to putting them on an equal footing with other citizens. [*Desk thumping*]

In addition, in order to be consistent to try to erase the statute-based discrimination which exists, we will shortly be bringing the Miscellaneous Laws Bill, 1999 before this Parliament. [*Desk thumping*]

Mr. Speaker, I beg to move. [*Desk thumping*]

11.40 a.m.

Question put and agreed to.

Bill accordingly read a second time.

Bill committed to a committee of the whole House.

House in committee.

Mr. Chairman: There is a list of amendments proposed and filed by the Minister of Legal Affairs, I take it that everybody has them.

Clauses 1 to 4 ordered to stand part of the Bill.

Clause 5.

Question proposed, That clause 5 stand part of the Bill.

Mrs. Persad-Bissessar: Mr. Chairman, I beg to move that clause 5 be amended as follows:

"5(1) Delete the words 'or such authorised person as the President' and substitute the words 'as the President or such authorised person'."

Clause 5, as amended, ordered to stand part of the Bill.

Clause 6.

Question proposed, That clause 6 stand part of the Bill.

Mrs. Persad-Bissessar: Mr. Chairman, I beg to move that clause 6 be amended as follows:

"Insert the following as subclause (3):

'(3) An Orisa organisation shall be designated as a Recognised Orisa Organisation by the Minister in accordance with prescribed criteria,' and renumber the original subclause (3) as subclause (4)."

Dr. Rowley: Mr. Chairman, with respect to clause 6, I did have some concerns about the question of recognition of a particular group. The amendment states:

"An Orisa organisation shall be designated as a Recognised Orisa Organisation by the Minister in accordance with prescribed criteria."

I wonder if someone can direct me as to what is classified as "prescribed criteria"?

Mrs. Persad-Bissessar: Mr. Chairman, for the normal practice for administrative matters to be put into regulations, the procedure will be set up and placed into regulations, similar to what is done in the other pieces of legislation, so that is not here before you—

Dr. Rowley: That is why I have a little difficulty.

Mrs. Persad-Bissessar: Clause 39 gives the power to make regulations under this statute.

Dr. Rowley: When are we likely to see these regulations? This is the only area of the Bill where we have a little concern because, for a start, if the criteria are not prepared and made available—

Mrs. Persad-Bissessar: We can undertake to have those regulations laid in the Parliament, but you would appreciate that with other statutes there are similar requirements for the various religious groupings. The procedure would not be one that is unusual or abnormal.

Dr. Rowley: But you do understand my concern. While I accept your point that this is the way we normally go, in this situation, why I am raising this is because it has the potential to create some friction in the organization.

Mrs. Persad-Bissessar: Mr. Chairman, can I give the undertaking to Parliament that the criteria would be prescribed by the Minister in consultation with the existing Orisa groups. All the interested parties will be consulted so they can be represented properly. So that they will not be abnormal or unusual, but in keeping with such criteria set by the Orisa.

Question put and agreed to.

Clause 6, as amended, ordered to stand part of the Bill.

Clause 7 ordered to stand part of the Bill.

Clause 8.

Question proposed, That clause 8 stand part of the Bill.

Mrs. Persad-Bissessar: Mr. Chairman, I beg to move that clause 8(c) be amended as follows:

"Delete the words 'the Orisa customary law relating to marriage' and substitute the words 'Form B of the Schedule'."

Dr. Rowley: Mr. Chairman, I just want to ask my colleague for information on subclause (a) where it says:

"at least one of the parties shall belong to and profess the Orisa faith or religion;"

I know in other religions people who are not practising or may not profess the faith but want to get married, can approach and be married in the Methodist or Anglican Church; it is given. When you say that a person must have that requirement, is it that if someone wants to be married by an Orisa marriage officer, that marriage cannot be carried out in the valid way unless, of course, one of the persons is practising or professing the faith? Is that a normal concern for marriage in the country?

Mrs. Persad-Bissessar: I am advised that this is a requirement of all the other marriage statutes in the Marriage Act. Of course, it is in keeping with the wishes of the Orisa.

Dr. Rowley: Having said that, are we now saying that those persons who are married without being practising members in the particular faith, their marriage is not valid?

Mrs. Persad-Bissessar: No, we are not saying that at all. It says that "at least one of the parties shall belong to and profess the Orisa faith", I do not understand your question.

Dr. Rowley: There are situations where people are not professing the faith and are not members, but they have been married by people in a particular religious group. Does it mean that those marriages are not valid?

Mr. Manning: I will give you an example: the Catholic Church does not recognize divorce. Catholics who are divorced cannot be married in the Roman Catholic Church, they normally would go to another church. Are you saying that practice is not now valid?

Mrs. Persad-Bissessar: If this law is valid, it cannot now be valid. What you are saying is that you know the person is not professing or practising the faith, but when they go to their religious leader and say that they belong to the faith he agrees to carry out the marriage. You are saying that they have then lied to their religious leader.

Dr. Rowley: We are not saying that, there may be no opportunity to lie. In fact there are instances where it is made quite public that divorced people move to a religion which is not theirs, so as to be married, but when they go there is no opportunity to lie because people are now able to write their own marriage vows. When that happens, having been married in religion "B", having left religion "A" because of your circumstance, you go to religion "B" and be married. You just told me that this clause applies in all the situations, the question I am asking is that, if that is so, then in those situations where people are moving from one religion to another just to be married on the day, those marriages apparently are not valid?

Mr. Persad-Bissessar: There are two issues: you are saying that they move from religion "A" to "B"?

Dr. Rowley: No, just for the day, so as to be married.

Mrs. Persad-Bissessar: Yes, but then there are two parties to a marriage. The law says that at least one must profess the faith, so the other party may well be the one. The one who has moved from a different—

Dr. Rowley: If both parties are known not to be—

Mrs. Persad-Bissessar: I find it very unusual. Why would both parties just go to be married in a particular religion? [*Crosstalk*]

Mr. Panday: The clarification is, if it is in breach of the law, then it is invalid.

Dr. Rowley: I am simply asking for clarification. [*Crosstalk*] But quite a number of married people—

Mr. Panday: That may be so, but that is for the courts to decide. I usually do not intervene in those matters, I allow the courts to decide. If somebody raises that as an issue, the courts would decide. [*Interruption*]

Question put and agreed to.

Clause 8, as amended, ordered to stand part of the Bill.

Clause 9.

Question proposed, That clause 9 stand part of the Bill.

Mrs. Persad-Bissessar: Mr. Chairman, I beg to to move that clause 9 be amended as follows:

"9(4) Delete the words 'father of the under age party, and if the father is' and substitute the words 'mother or father of the minor and if the mother and father are'."

9(5) Delete the words 'then the mother of the minor may consent, and if the mother is dead'."

Question put and agreed to.

Clause 9, as amended, ordered to stand part of the Bill.

Clauses 10 and 11 ordered to stand part of the Bill.

11.55 a.m.

Clause 12.

Question proposed, That clause 12 stand part of the Bill.

Mrs. Persad-Bissessar: Mr. Chairman, I beg to move that clause 12 be amended in terms of the circulated amendment as follows:

“12(3) Delete subclause (3) and substitute the following:

‘(3) The fee for the issue of the certificate under this section shall be prescribed.’.”

Question put and agreed to.

Clause 12, as amended, ordered to stand part of the Bill.

Clauses 13 to 15.

Question proposed, That clauses 13 to 15 stand part of the Bill.

Mrs. Persad-Bissessar: Mr. Chairman, I beg to move, That clauses 13 to 15 be deleted.

Question put and agreed to.

Clauses 13 to 15 accordingly deleted.

Clauses 16 to 24 ordered to stand part of the Bill.

Clause 25.

Question proposed, That clause 25 stand part of the Bill.

Mrs. Persad-Bissessar: Mr. Chairman, I beg to move that clause 25 be amended in terms of the circulated draft as follows:

“Delete from the words ‘and such a duplicate certificate’ to the end of the sentence and substitute the words ‘which shall be transmitted to the Registrar for filing after a copy is retained for the records of the District Registrar.’.”

Question put and agreed to.

Clause 25, as amended, ordered to stand part of the Bill.

Clause 26.

Question proposed, That clause 26 stand part of the Bill.

Mrs. Persad-Bissessar: Mr. Chairman, I beg to move that clause 26 be amended in terms of the circulated amendments as follows:

“26 Delete the words ‘District Registrar’ wherever they appear and substitute the word ‘Registrar.’

26(3) Insert after the word ‘fee’ the words ‘by the Marriage Officer.’.”

26(4) Delete subclause (4).”

Question put and agreed to.

Clause 26, as amended, ordered to stand part of the Bill.

Clause 27 ordered to stand part of the Bill.

Clause 28.

Question proposed, That clause 28 stand part of the Bill.

Mrs. Persad-Bissessar: Mr. Chairman, I beg to move that clause 28 be amended as per the amendment circulated as follows:

“Delete the words ‘District Registrar’ and substitute the word ‘Registrar’.”

Question put and agreed to.

Clause 28, as amended, ordered to stand part of the Bill.

Clauses 29 to 40 ordered to stand part of the Bill.

New clause 41.

Mrs. Persad-Bissessar: Mr. Chairman, I propose a new clause 41 which reads as follows:

‘Amendment of
Schedule

41(1). The forms set out in the Schedule shall be used in respect of the matters there specified.

(2) The Ministry may be Order amend the Schedule.’.”

New clause 41 read the first time.

Question proposed, That the new clause be read a second time.

Question put and agreed to.

Question proposed, That the new clause be added to the Bill.

Question put and agreed to.

New clause 41 added to the Bill.

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

House resumed.

Bill reported, with amendment, read the third time and passed. [Desk thumping]

Mr. Speaker: Hon. Members, the sitting is suspended until two o'clock.

12.03 p.m.: *Sitting suspended.*

2.00 p.m.: *Sitting resumed.*

LAND ACQUISITION

The Minister of Housing and Settlements (Hon. John Humphrey): Mr. Speaker, I wish to move a Motion standing in my name:

Be It Resolved that this House approve the decision of the President to acquire the lands described in the Appendix to the Order Paper for the public purposes specified.

Mr. Speaker, there are six acquisitions before the honourable House today. These are for the following purposes: A public car park; an access road; Development of the San Fernando Hill; a police post; a police station and a recreation ground. Permit me to quote the Schedule from the Appendix of the Order Paper.

A parcel of land comprising 528.5 square metres more or less, situate at Granville Beach, Cedros, in the ward of Cedros in the county of St. Patrick and said to belong now or formerly to Francis Chimming. This parcel is more particularly shown coloured raw sienna on a Survey Plan filed in Book 1140, Folio 184, in the vault of the Lands and Surveys Department. It used to be Red House, Port of Spain, but I am not sure if it is still there. Based on a survey signed by the Director of Surveys dated August 28, 1994 filed in his office is required for a public purpose which is a public car park. That acquisition was at the request—I am not sure which Ministry—but it was in November 03, 1960.

A parcel of land comprising 7501 square feet was compulsorily acquired by the state for the construction of the Granville Beach Car Park. During construction the state occupied the greater portion that was acquired thereby encroaching upon private lands comprising 528.5 square metres. That is in connection with that parcel.

The second parcel was acquired for an access road. This was requested by the Minister of Education for giving access to the Claxton Bay Junior Secondary School. It is approximately 18.1 square metres more or less situate off Ramdhanie Village Street, Claxton Bay in the ward of Pointe-a-Pierre in the county of Victoria and said to belong now or formerly to Mahadeo Sarjoo.

This parcel is more particularly shown coloured raw sienna on a Survey Plan filed in Book 1140, Folio 42, in the vault of the Lands and Surveys Department,

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Red House, Port of Spain. The Survey was signed by the Director of Surveys dated June 06, 1998 and is filed in his office as is required.

The third parcel is for the development of the San Fernando Hill. That acquisition was at the request of the Minister of Agriculture, Land and Marine Resources and is for purposes of developing the San Fernando Hill. Proceedings for the acquisition of the said parcel were initiated on August 18, 1997 when a notice of intended acquisition under section 3 in the Land Acquisition Act No. 28 of 1994 was published in the Trinidad and Tobago *Gazette*. An authority to commence work under section 4 was issued on August 22, 1997.

A parcel of land said to belong to Mr. Hasmatali situate approximately 100 metres off Circular Road in the City of San Fernando. It is located on the western side at the end of a private road which ends at the foot of the San Fernando Hill. This parcel forms part of the entire area of 2.3876 hectares earmarked and already utilized for the development of the San Fernando Hill. The parcel of land was never formerly acquired by the state. It is therefore now incumbent on the state to finally acquire that parcel of land and compensate the owner. More particularly, in the Schedule, the parcel of land comprising 0.0731 of a hectare more or less, situate off Circular Road, San Fernando, in the City of San Fernando, in the county of Victoria and said to belong now or formerly to Hasmatali.

This parcel is particularly shown coloured raw sienna on a survey plan filed in Book 1140 Folio 87, in the vault of the Lands and Surveys Department, Red House, Port of Spain. The survey is signed by the Director of Surveys dated April 01, 1998 and filed in his office.

The fourth parcel was acquired for a police post. The acquisition is at the request of the Minister of National Security which was made to the Lands and Surveys Division on May 02, 1995 and is for the purpose of establishing a police post in St. Barb's Road, Laventille.

In consideration of the safety of citizens of Trinidad and Tobago, the then Government took steps to establish police stations and this Government has continued, and we have established 16 police posts in areas identified as high-crime areas.

2.10 p.m.

So urgent was the need for a police post in St. Barb's Road, Laventille, which was identified as a high-crime area in a study undertaken by the Ministry of National Security, that the normal procedures required under the Land Acquisition Act were overlooked. The land was entered upon and the police post

constructed and handed over on March 17, 1997, but the citizens of that area have, in fact, benefited tremendously from the presence of that police post.

The particulars in the schedule are a parcel of land comprising 738.9 square metres more or less, situated at Barb's Road, Laventille in the ward of St. Ann's in the county of St. George and said to belong now or formerly to Sooknanan and Rosie Sooknanan. The parcel is more particularly shown coloured raw sienna on a survey plan filed in Book 1140 as Folio 213 in the Lands and Surveys Department, Red House, Port of Spain.

The fifth acquisition, Mr. Speaker, is for a police station which is being built on a parcel of land comprising 7,000 square metres more or less, situated at the junction of the Priority Bus Route and the Eastern Main Road, Arouca in the ward of Tacarigua in the county of St. George and said to belong now or formerly to Home Construction Limited. The parcel is more particularly shown coloured raw sienna on a survey plan filed in Book 1140 as Folio 201 in the vault of the Lands and Surveys Department, Red House, Port of Spain.

The sixth parcel, Mr. Speaker, required for a recreation ground is the land shown coloured raw sienna on a survey plan filed in Book 1140 Folio 206 in the vault of the Lands and Surveys Department in the Red House, Port of Spain. The survey plan is signed by the Director of Surveys, dated October 23, 1996, executed under Survey Order 6194 and filed in the Lands and Surveys Division. That is required for the Mon Desir Silver Stream Recreation Ground.

Mr. Speaker, one will see from what I have said that some of these acquisitions have taken an inordinate amount of time, and I think everybody in this House recognizes that when Government acquires private lands, because of the slow pace of compensating the owners, we put hardship on our citizens. However, this is an endemic problem with which Ministers with responsibility for acquisition have little power in dealing.

Unless an adequate allocation is made in the budget for compensating people whose lands are acquired, our hands are tied. There is no way we can source the funding, in fact, to satisfy the private owners of lands. So, it is my duty on this occasion to ask the Parliament to support the President's acquiring of those six parcels of land for public purposes.

I thank you, Mr. Speaker.

Question proposed.

Mr. Jarrette Narine (Arouca North): Mr. Speaker, from time to time we are asked in this Parliament to approve the acquisition of lands, and almost on every

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occasion, we come up with the same problems that we have had in the past, and as alluded to by the Member of Parliament for St. Augustine, in order to acquire lands from private owners, we need to have the funding available. As a matter of fact, between 1991 and 1995, we placed legislation in Parliament that when one comes to Parliament and debates the acquisition, the persons must be paid within a specific time.

The Minister, in moving this Motion, spoke about the allocation of funds for persons whose lands have been acquired and the payments that are delayed. I remember on the last occasion, I made the point when debating the acquisition of lands at the Solomon Hochoy Highway to give access to a road coming out of a private contractor's business. Also, the Member of Parliament for Tobago West spoke at length of persons in Tobago, when the Claude Noel Highway was built, who had moneys outstanding from the Government. In some cases, there was no surety whether those persons had title deeds and so forth.

On that very occasion, there was a parcel of land in Arouca which was acquired for drainage done about three or four years before—in 1994, actually—to alleviate flooding and, at that time, the Minister said that there was over \$40 million owed to people in this country. In some cases, they were underprivileged people who were waiting to have moneys paid to them, and that was a difficult situation.

I would ask the Minister, in replying, to probably bring us up-to-date on these acquisitions and if we are acquiring lands today which were signed by the Director of Surveys last year to have a public car park, an access road for a school and the development of San Fernando Hill, which was dated April 1, 1998—and most of the lands here are recent acquisitions—I am really concerned about those persons who have lost their lands to the state for development before these periods and they have not been paid to date. We would continue to raise concerns.

Mr. Speaker, the backlog is known. The Minister has said that there is a backlog, a long delay to get these things done, but I would like to pay particular attention to the police station in Arouca, which I was trying to get started since 1992. When I became a Member of Parliament at the end of 1991, I realized that one of the problems we had in Arouca was that there was a police station on the Eastern Main Road, and for years, the Police Service had been clamouring to get this station rebuilt.

In 1992 I wrote the Minister of National Security, and in 1993, when I heard that it would take some time to acquire land, I decided at that time to have the old

station refurbished so that it would serve the Police Service for the few years that it would have taken the Government to come to Parliament, acquire land, and build a new police station. We went ahead and refurbished the station, and the policemen at that time were saying that if we did refurbishment, they would not get a new station, but it was in that thinking that it takes that long to get to Parliament that we had that refurbishing done.

Secondly, Mr. Speaker, you are quite aware of that area where the police station is located in Arouca. It was the site of Count de Lopinot's home, and because of the historical significance, the Historical Society asked that the building should not be demolished and it should be kept as a historical site. Baron Constantine also grew up on those very premises where the police station is housed today.

Because of the historical significance, the option was to find new land and we looked at three different sites, by 1994, in Arouca. We also looked at the site off the Priority Bus Route and Second Crossing in Arouca, which is the extension to Bon Air Gardens, and we felt at that time the police would have had easy access to the Priority Bus Route, and since the prisons and the maximum security prison belong to that area, it was an ideal location. We also looked at that area which is the Five Rivers Junction, and it is also located on the Priority Bus Route, so that the police, in getting out of that station, will not be in the position they are in today of traffic along the Eastern Main Road. They will have easy access to the Bus Route so that they can move quickly in the event of urgency.

By 1995, the Cabinet of Trinidad and Tobago, in the PSIP, voted \$1 million to start that police station, and in 1996, it was removed from the PSIP and preference was given to the Cunupia Police Station. I remember coming here in the budget debate and appealing to the Minister of National Security to have that station built, and I would like to read into the record two documents. One is a reply to a letter written by the Member of Parliament for Tunapuna, Mr. Edward Hart, to the Ministry of National Security, and this letter is dated March 14, 1996:

“Mr. Edward Hart
Member of Parliament for Tunapuna
11, Eastern Main Road
Tacarigua

Dear Mr. Hart,

Reference is made to your letter dated May 1, 1995 concerning a request for Police presence in the Tacarigua area.

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Please be advised that the Arouca Police Station is to be resited in close proximity to the recommended site for the proposed Police Post.

The new location is Five Rivers Junction at the Priority Bus Route and Eastern Main Road intersection. This site will afford the police easier access to the housing developments and will provide the community with a more centrally located facility.

This station was scheduled for rebuilding in 1995, however the acquisition of the new site delayed the project. There is now much progress in this direction.

The construction of the Police Post in the Tacarigua area is no longer necessary.

I trust that this information is satisfactory.

Yours sincerely,

Permanent Secretary
Ministry of National Security.”

2.25 p.m.

Subsequent to that, on January 15, 1997, a question was placed here by me which read:

“**14. Mr. Jarrette Narine** (*Arouca North*) asked the Minister of National Security:

Would the Minister state whether a new Arouca Police Station is to be built and, if so, when will construction begin?”

The reply was given by the Minister of Public Utilities, Hon. Ganga Singh:

“Mr. Speaker, this honourable House is advised that a new Arouca Police Station is to be constructed on a parcel of land situated at the intersection of the Priority Bus Route and the Eastern Main Road, Five Rivers, Arouca. A fundamental sum of \$1.5 million has been provided for the construction of the station, which is to commence later this year.”

That was in 1997.

Mr. Speaker, I am pleased to note here today, that the Arouca Police Station did not start in 1997 but in 1998 and its completion is near, probably, by the end of this month. *[Interruption]* Every time someone speaks here, it is as if we are carrying on an attack against somebody on the other side. I am just putting into the record of Parliament—

Miss Nicholson: They are paying you for that.

Mr. J. Narine: —the history of this police station, which will be opened in the near future and for which the Government is today seeking to acquire lands. It is a process which we started to look at since 1993. The point is that, I know that the style of the Government is that the station will be opened, the Member of Parliament will not be invited, so he cannot say anything. The people of Arouca know fully well that Jarrette Narine has represented them in this Parliament since 1991, asking for a police station, which will be opened this year but which started years ago—

Mr. Hart: That is right.

Mr. J. Narine:—and the Member for St. Augustine would understand this. If I did not do my work at that time, I could not say anything today. *[Desk thumping]* I was not chastising the Member of Parliament for Caroni East, for coming here and giving us a little white lie, that the police station was going to start in 1997, and it started at the end of 1998. It does not worry me.

What I am saying is that it is habitual, I have no problem with that. The area there has developed to the extent that there are 200 houses built in Casstelon, Cazabon and Paradise; 900 in Bon Air West and 450 on Lopinot Road where the NUGFW is constructing homes, and there is an upsurge in the residential areas in and around Arouca. I said it years ago, that the Arouca area is now going to have a building boom, since we are coming up the East West Corridor and the next stop is Arouca.

As a matter of fact, some persons took it and bought lands and opened businesses. The Kantac Plaza in Arouca is doing quite well and we are having a number of other things happening.

Apart from the police post, I would also like to see, a fire station located in Arouca. Very soon I may be making representation on behalf of the people of Arouca because the Piarco International Airport is now being upgraded and there would be the need to upgrade the fire emergency unit there, because Arima is where the next fire station is located and then Tunapuna. So that when you are looking at that area between Tunapuna, Arima and Piarco, even a fire tender in

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Arouca will be able, in case of an emergency, to give relief to the people at the Airport in case there is an emergency there or to help the other areas, so I would soon be coming for that.

Mr. Speaker, may I say that I am pleased that we have reached this stage where the police station is almost completed. It is pleasing to me that it will be open before the end of the year and that the acquisition of lands has come. I am saying that there is a backlog with acquisition of lands. Since the last time the Minister spoke he said that there was over \$40 million owed to private owners who had to give up their lands to the state for various reasons, for example, acquisition of roadways, recreation grounds and other public purposes. I would really like to hear about that.

I am pleased to support this Motion for the acquisition of lands for the Arouca Police Station and the other areas where lands have been made available for access of roads and so on. I support this motion, and I look forward to the opening of the Arouca Police Station. Mr. Speaker, thank you very much.

The Minister of Housing and Settlements (Hon. John Humphrey): Mr. Speaker, I thank the hon. Member of Arouca North for supporting this Motion—

Mr. Sudama: For saying nothing.

Hon. J. Humphrey:—and to pledge that I will do my best to ensure that he is invited to the opening of the police station, which he really did have a hand in delivering to the constituents of Arouca North. I beg to move.

Question put and agreed to.

Resolved:

That this House approve the decision of the President to acquire the lands described in the Appendix for the public purposes specified.

Description of Lands	Public Purposes For Which To Be Acquired
1. The parcel of land containing 528.5 square metres more or less, situate at Granville Beach, Cedros, in the ward of Cedros in the county of St. Patrick described in the Schedule and coloured raw sienna on a plan of survey signed by the Director of Surveys and dated 28 th August, 1994 and filed in his office is required for a public purpose:	

Description of Lands	Public Purposes For Which To Be Acquired
<p style="text-align: center;"><u>SCHEDULE</u></p> <p>The parcel of land comprising 528.5 square metres more or less situate at Granville Beach, Cedros, in the ward of Cedros in the county of St. Patrick and said to belong now or formerly to Francis Chimming.</p> <p>This parcel is more particularly shown coloured raw sienna on a Survey Plan filed in Book 1140, Folio 184, in the vault of the Lands and Surveys Department, Red House, Port of Spain.</p> <p>2. The parcel of land containing 18.1 square metres more or less, situate off Ramdhane Village Street, Claxton Bay in the ward of Pointe-a-Pierre in the county of Victoria and described in the Schedule and coloured raw sienna on a plan of survey signed by the Director of Surveys and dated 6th June, 1998 and filed in his office is required for a public purpose: An access road.</p> <p style="text-align: center;"><u>SCHEDULE</u></p> <p>The parcel of land approximately 18.1 square metres more or less situate off Ramdhane Village Street, Claxton Bay in the ward of Pointe-a-Pierre in the county of Victoria and said to belong now or formerly to Mahadeo Sarjoo.</p> <p>This parcel is more particularly shown coloured raw sienna on a Survey Plan filed in Book 1140, Folio 42, in the vault of the Lands and Surveys Department, Red House, Port of Spain.</p> <p>3. The parcel of land containing 0.0731 of a hectare more or less, situate off Circular Road, San Fernando, in the City of San Fernando in the county of Victoria and described in the Schedule and coloured raw sienna on a plan of survey signed by the Director of Surveys and dated 1st April, 1998 and filed in his office, is required for a public purpose: Development of the San Fernando Hill</p>	<p style="text-align: center;">Development of the San Fernando Hill</p>

Description of Lands	Public Purposes For Which To Be Acquired
<p style="text-align: center;"><u>SCHEDULE</u></p> <p>The parcel of land comprising 0.0731 of a hectare more or less, situate off Circular Road, San Fernando, in the City of San Fernando, in the County of Victoria and said to belong now or formerly to Hasmatali.</p> <p>This parcel is more particularly shown coloured raw sienna on a Survey Plan filed in Book 1140, Folio 87, in the vault of the Lands and Surveys Department, Red House, Port of Spain.</p> <p>4. The parcel of land containing 738.9 square metres more or less, situated at St. Barb's Road, Laventille in the ward of St. Ann's in the county of St. George and described in the Schedule and coloured raw sienna on a plan of survey signed by the Director of Surveys and dated 18th August, 1997 and filed in his office is required for a public purpose: A police post.</p> <p style="text-align: center;"><u>SCHEDULE</u></p> <p>A parcel of land comprising 738.9 square metres more or less situate at St. Barb's Road, Laventille in the ward of St. Ann's in the county of St. George and said to belong now or formerly to Sooknanan and Rosie Sooknanan.</p> <p>This parcel is more particularly shown coloured raw sienna on a Survey Plan filed in Book 1140 as Folio 213 in the vault of the Lands and Surveys Department, Red House, Port of Spain.</p> <p>5. The parcel of land containing 7,000 square metres more or less, situate at the junction of the Priority Bus Route and the Eastern Main Road, Arouca in the ward of Tacarigua in the county of St. George described in the Schedule and coloured raw sienna on a plan of survey signed by the Director of Surveys and dated 28th January, 1996 and filed in his office, is required for a public purpose: Construction of the Arouca Police Station.</p>	<p>A police post</p> <p>A police station</p>

Description Of Land	Public Purposes For Which To Be Acquired
<p style="text-align: center;"><u>SCHEDULE</u></p> <p>The parcel of land comprising 7,000 square metres more or less, situate at the junction of the Priority Bus Route and the Eastern Main Road, Arouca in the ward of Tacarigua in the county of St. George and said to belong now or formerly to Home Construction Limited.</p> <p>This parcel is more particularly shown coloured raw sienna on a Survey Plan filed in Book 1140 as Folio 201 in the vault of the Lands and Surveys Department, Red House, Port of Spain.</p> <p>6. The parcel of land containing 1.8294 hectares more or less, situate at South Western Junction of National Mining Trace and Mon Desir Road in the ward of La Brea in the county of Siparia described in the Schedule and coloured raw sienna on a plan of survey signed by the Director of Surveys and dated 23rd October, 1996 executed under Survey Order No. 61/94 and filed in the Lands and Surveys Division is required for a public purpose: Mon Desir Silver Stream Recreation Ground.</p> <p style="text-align: center;"><u>SCHEDULE</u></p> <p>The land is more particularly shown coloured raw sienna on a Survey Plan filed in book 1140 Folio 206 in the vault of the Lands and Surveys Department, Red House, Port of Spain.</p>	<p>A recreation ground</p>

MOTOR VEHICLES AND ROAD TRAFFIC (AMDT.) REGULATIONS

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

“Whereas it is provided by section 100 of the Motor Vehicles and Road Traffic Act that the President may make Regulations in respect of, *inter alia*, the better carrying out, generally, of the provisions of the Act and in particular for the safety, control and regulation of traffic and the use of vehicles or any class of vehicles on any road and the conditions under which they may be used;

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And whereas it is also provided by section 100 of the Act that Regulations made under that section shall be subject to affirmative Resolution of Parliament;

And whereas the President has on the 9th day of September, 1998 made the Motor Vehicles and Road Traffic (Amendment) Regulations, 1998 (hereinafter referred to as “the Regulations”);

And whereas the Regulations were laid in the House of Representatives on Tuesday 13th October, 1998 and in the Senate on Thursday, 22nd October, 1998;

And whereas the Regulations were approved by the Parliament subject to amendments;

And whereas the amendments recommended by Parliament have been incorporated into the Motor Vehicles and Road Traffic Regulations, 1999 which were laid in the House of Representatives on Thursday 29th July, 1999;”

Mr. Speaker, on September 9, 1998, the President caused to be made, the Motor Vehicles and Road Traffic (Amdt.) Regulations as provided under section 100 of the Motor Vehicles and Road Traffic Act, Chapter 48:50.

The Regulations were laid in the House of Representatives on October 13, 1998, and hence, the Senate on Thursday, October 22, 1998. It was debated in the Senate over two sessions and was duly passed subject to certain amendments. The Regulations were then first debated in this House on March 19, 1999, and two further sessions were devoted to the Motion. At debate’s end, further amendments were suggested by the Opposition and factored into the regulations.

Mr. Speaker, in order to fulfil the proper procedural requirements by which a Motion such as this must be approved by way of affirmative resolution, this Motion consolidating all the previous amendments as made in both the Senate and the House of Representatives are now submitted for formal approval.

Mr. Speaker, I beg to move. [*Desk thumping*].

Questioned proposed.

2.35 p.m.

Mr. Colm Imbert (*Diego Martin East*): Mr. Speaker, today is July 30, 1999 and this Minister of Works and Transport has had almost four years to bring a measure before this Parliament, which I left on a platter for him in 1995. This

system of inspection of vehicles in authorized garages should have been implemented in Trinidad and Tobago no later than 1996 and it is typical of the monumental incompetence of that particular Minister and the UNC administration that something as simple as this has taken almost four years.

One of the reasons there has been such a significant delay is the fact that one year ago the Minister, in his blissful ignorance, had published all over that he was about to register and license garages for the inspection of private vehicles, not being aware, which is mindboggling, that amendments to the law were required. I was astonished when I saw the advertisements in the newspapers over one year ago advising the public that very shortly private garages would inspect private vehicles and I had seen no amendment to the legislation. There was no wonder that months afterwards the Minister sheepishly came with his tail between his legs to lay the necessary amendments to the regulations, and he still did it wrong! It took him another six months to get it right.

Then, having bungled this matter for four years, he came here on the last occasion, we told him what to do, he made the appropriate amendments and he bungled it again.

Here we are again, having to go through what is essentially a procedural matter, because the Minister was not aware that having made amendments in the Senate, he could not come and make a hodgepodge of amendments in the Lower House, he had to bring a complete set of regulations. Monumental incompetence, Mr. Speaker.

The reason is, the Government and that particular Minister is public relations mad. *[Laughter]* After he lost the Local Government election—he was the campaign manager, he was responsible for that severe beating the UNC got—he is trying to get some points. In the newspapers I saw him cutting ribbons for some bridge in Manzanilla, a bridge under the IDB Access Roads or the National Highways Programmes; programmes which were negotiated, organized, formulated and designed by the PNM. That Manzanilla bridge should have been built in 1996; that is when construction of that bridge was scheduled.

Now we are almost in the year 2000, he is cutting ribbons. I believe they have deliberately delayed PNM's programmes so people would forget that these were PNM programmes, and they come back three years later to pretend it is a UNC programme. That is what they are doing. We christened a man “scissorhands” in 1991. We have to christen Minister Baksh as Sadiq “Scissorhands” Baksh, from that film *Edward Scissorhands*. That is all he could do, cut ribbon. He better cut

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plenty ribbons because he does not have much time again. *[Interruption]* They cannot cut the ribbon on the Solomon Hochoy Highway, unless he intends to be Minister in the year 2003, because that is how long he will take to do that project.

But coming to the matter at hand, I would refer the Minister's attention—and get it right this time, please, if you intend to make a change—to clause 27(C)(2) which states:

“The Licensing Authority may give notice to a proprietor...”

I feel that there should be some time-frame because one is dealing with a situation where one is going to tell a proprietor that one of his examiners is no longer authorized to carry out examinations. The way this is written, one could give the man five minutes' notice. I would ask if it is possible to put in the word “reasonable” or some sort of time-frame into that clause. It is the same issue which we brought up the last time.

If one goes to clause 27(D)(7)(b) where they want to cancel the licence of a proprietor, and they are talking about early effect. Again, I believe if one is going to cancel the licence of a garage owner in less than 21 days, one must have reasonable cause. One cannot just do it willy-nilly. Because the Authority is getting absolute authority here, and I know the Attorney General will talk about judicial review and all that tra-la-la, but one has already cancelled the man's licence. The judicial review process could take years and he may not be able to afford it, it could cost millions, because these days when the state appeals a matter the legal costs could run into millions of dollars. So I had asked the Minister to consult with his legal advisors who, I am aware, have some measure of competence, to see whether he could not add in words that lead to reasonable cause.

Going on to page 13, I told the Minister on the last occasion that if the Trinidad Transport Board is going to deal with appeals, then he needs to restructure and reform that board. That is a very bureaucratic and slow-moving entity; it does not meet every week, it meets once a month, as far as I can recall, and if they are now going to have to deal with appeals, there needs to be machinery set up within that Transport Board to make sure that appeals are dealt with expeditiously. We are talking about a situation where someone may have invested over \$1 million in a garage, the Licensing Authority arbitrarily cancels their notice—out of spite, victimization or whatever—and the person is there waiting for months for his appeal to be heard by the Transport Board. I would like the Minister to tell me: what machinery is he putting in place to ensure that the Transport Board is more effective and reacts more swiftly in dealing with these new responsibilities that it would now have for the first time?

I would also like the Minister to look at page 20, clause 27(2), the last few lines of the paragraph, where the word “may” is used. It says:

“...where it is not practicable for a notice of the refusal of a test certificate and inspection check list to be issued on the same date as that on which the examination of the vehicle is completed, the said notice and list may be issued within one day following that date.”

I feel that should be “shall”. Why are you saying “may”? Why are you giving discretion to the garage? Those are essentially my comments.

I have one more comment on page 24, clause 27(L), again this deals with treating people with decency. This is in a situation where a person has been refused a test certificate, has appealed to the Licensing Authority and in clause 27(L)(2) it says:

“Within twenty-one days...the Licensing Authority...

- (1) shall send to the applicant...
- (2) a notice stating—
 - (a) the place...and
 - (b) the time at which that expectation will start.”

But there is no time-frame. So the licensing authority can tell the person, “Your appeal will be dealt with six months from now”. Really, we need to tighten this up, we need to put a time-frame in there. I would suggest that such examination should not take place more than 30 days after the notice.

Basically, those are my comments. I ask the Minister: please do not take another four years to get this very simple measure in place. There are many old jalopies on the road, many derelict vehicles.

This is something that I have a personal interest in, having pushed for it when I was Minister. I am very happy to see that eventually—never mind the Minister’s incompetence—it has come before this House and I ask: please do not take another four years to actually get the system commissioned and working. I ask the Government not to be arrogant, flippant and consider the recommendations that I have made. If procedurally he can make some minor amendments and simply go back to the Senate just to get them confirmed without coming back here and get this matter dealt with in the current session, I would ask the Minister to do that.

Motor Vehicles (Amdt.) Regulations
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Essentially, Mr. Speaker, we support this measure and we hope the Government will move swiftly to get it going.

I thank you, Mr. Speaker. [*Desk thumping*]

The Minister of Works and Transport (Sen. The Hon. Sadiq Baksh): Mr. Speaker, I must agree with the Member for Diego Martin East that it did take some time to come to this honourable House. In fact, we had a number of legal matters to attend to, but I would like to refresh his memory and, Mr. Speaker, it will jog your memory as well.

It is my understanding in the Ministry that when the hon. Speaker sat, not in this Chamber, but as a Minister of Works, that, in fact, this particular measure started off, including the introduction of the breathalyzer tests. I know that he did not continue as a minister, but since then, all Ministers in that particular Ministry continued the fine work that he started to ensure that we bring this measure here today. I am pleased to be able to continue the work started by his good self and the Member for Diego Martin East. I know it did take some time, but we on this side are committed to doing the things that would benefit the commuters and all the people of Trinidad and Tobago.

As such, we also took into consideration some very important proposals on the last occasion, made by the Member for Diego Martin East, and it is because we took those considerations into account that we are now here. I am sure he will understand that the other suggestions which he made today will not be accommodated because of the procedure. But as such, we are committed at the Ministry, with the improved efficiency there, to ensure that we do have a system in place so as to facilitate the transport—

Mr. Imbert: I thank the Minister for giving way. Could I ask the Minister, if procedurally he cannot accommodate them, could I ask that he looks at them and perhaps in the near future, he brings an amendment to these regulations?

2.50 p.m.

Sen. The Hon. S. Baksh: It is very possible, Mr. Speaker, but what we are committed to do is to deal with it in the most efficient manner as possible. I assure this honourable House and the national community that the Trinidad Transport Board has the machinery in place to deal with these matters expeditiously and so too, all other agencies. This is a new measure, it is private-sector driven, we are the facilitators of this very important move, and in the ministry we would continue to try our best to ensure that we provide the type of service the people expect.

Mr. Speaker, I beg to move.

Question proposed.

Question put and agreed to.

Resolved that the Motor Vehicles and Road Traffic (Amendment) Regulations, 1999 be now approved.

ADJOURNMENT

The Attorney General (Hon. Ramesh Lawrence Maharaj): Mr. Speaker, I beg to move that the House now stand adjourn to a date to be fixed.

Based on discussions we had with the Opposition, we indicated the schedule which we were going to do this week and Members of Parliament would be taking some time off in the month of August and resume on a date to be fixed. Most likely the Parliament would be resumed not later than the first week in September.

Mr. Valley: What about the budget?

Mr. Speaker: Hon. Members, before we move the adjournment there were matters I gave leave to hon. Members to raise on the Motion on the Adjournment. One is by the Member for Toco/Manzanilla which was adjourned from yesterday, but he is not here.

Hon. Member: He is ill.

Mr. Speaker: There is one by the Member for Tunapuna, the effect and consequences of the non-payment of moneys properly owed to Pan Trinbago for Carnival 1999.

Pan Trinbago Non-Payment Of Moneys Re: Carnival 1999

Mr. Edward Hart (Tunapuna): Mr. Speaker, I rise to raise a Motion on the Adjournment which reads: the effects and consequences due to moneys owed to Pan Trinbago for carnival 1999.

Mr. Speaker, Pan Trinbago, recognizing that its status needed to be regularized in the context of being a beneficiary of a Government subvention, availed itself of the instruments available and sought to become incorporated by an Act of Parliament. This became a reality by Act No. 5 of 1986 and this, on a motion by the then Hon. Hugh Francis. Pan Trinbago has been the body responsible for the organizing and running of Panorama ever since its birth in 1972.

Mr. Speaker, it is important to note that Pan Trinbago gave continuance to an event which was started by the National Association of the Trinidad and Tobago

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Steelbandmen in 1963. Historically, the appropriate carnival body either co-sponsored the event with the pan organization, or give subsidial support where the organization decided to go into a loan as was the case in 1976, 1977, and 1978.

Successive carnival committees gave recognition to the major role played by the only truly indigenous musical instrument whose competition saw several thousands of people involved on a commercial basis. The steelband and carnival, not only saw, but even today, sees great commercial activity surrounding the event, but seeing very little going the way of the major players. For example, the performers and their unit bands.

In 1999, Pan Trinbago organized and ran the Panorama event in the face of great odds. Panorama 1998 had gone, but Pan Trinbago still had Panorama bills to pay in October, 1998. One must remember that Panorama happens either in January or February of each year, so when Government gives the sum of \$2 million in November, December, or January, the steelband organization has to utilize this insufficient amount of money to do two things: one, pay off the residual bills of the previous year, and use the residue to plan for the current event.

Mr. Speaker, permit me to refer to a press release coming out of the Ministry of Culture and Gender Affairs which I quote from the *Newsday* of July 10, 1999, page 7:

“‘Ministry explains why no money for pan’

1. A total amount of \$6 million was provided for the three main interest groups involved in Carnival, via the Estimates of Revenue and Expenditure. This sum was to allow the interest groups to meet expenses for the 1999 Carnival.”

Mr. Speaker, please permit me to read from a document labelled C.D.C. 1/1/29 , dated July 25, 1986 under item Review of 1986 Budget:

- “4. The original 1986 Budget of the Carnival Development Committee made provision for a total expenditure of \$7,151,432.00 made up as follows:”

Mr. Speaker, please note that these figures which I am quoting refer to 1986, 13 years ago. Please note further, that costs have been increased by over 100 per cent. A tenor pan which in 1986 cost between \$800 and \$1,000 now costs between \$2500 and \$2700.

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“C.D.C.	-	\$4,424,332.00
Panorama	-	\$2,428,000.00
Printing of tickets, etc.	-	<u>\$ 299,100.00</u>
Total		<u>\$7,151,432.00”</u>

That was 13 years ago.

Mr. Speaker, the Minister of Culture and Gender Affairs has to be very insensitive to the reality of pan and its course. In 1986, \$2,428,000.00 was budgeted for Panorama. It is patently ridiculous for the Government to budget only \$6 million for carnival 1999, and to further suggest that in 1999 \$2 million should be sufficient to organize and run a competition that has grown in every respect and one that makes a major input into the coffers of the state either directly or indirectly. There is a tendency to treat disbursements to pan as if a handout is being proffered.

Mr. Speaker, we are dealing with one of the greatest potential revenue earners in this country. Why serious attempts to vilify the steelband organization are being made by the Minister concerned completely baffles me.

Before I go to item 4 of the press release, may I point out to this august House some worrying details? As a consequence of Pan Trinbago being made to wait for an unreasonable period of time for disbursement to be made in respect of Panorama 1999, it has had to use up all of its scarce but available resources in order to meet its day-to-day expense, seek to satisfy some of its impatient and irate creditors, and continually seek to pacify an anxious and impatient membership. I remind the Minister that panmen have families to see about, they have to go to the market and the grocery like everybody else, and they have to buy school books.

Further, Pan Trinbago has suffered the misfortune of a fire which completely destroyed the premises which it occupied. Whilst this incident may not be related to a lack of finance, one has to appreciate that the incident of the fire has aggravated a sore and serious situation. Pan Trinbago is using all of its possible skills and resources to keep its doors open. There are still creditors to satisfy.

[MR. DEPUTY SPEAKER *in the Chair*]

Mr. Deputy Speaker, why is this Government putting the financial squeeze on one of this country's most important entities? It is almost as if some sadistic

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pleasure is being had whenever the Minister causes Pan Trinbago some measure of great discomfort.

I am speaking as a pannist now. We had to march around the Red House—although the Member for Couva North said marching with a placard is not a skill, while the Deputy Prime Minister said you must march to get what you want. We in Pan Trinbago cannot burn tyres and block roads, but at the same time we have been quiet, we have been pleading, we have been attending meetings and up to now the moneys have not been forthcoming.

Mr. Deputy Speaker, now to item 4 of the Minister of Culture and Gender Affairs' press release. My information is that contrary to that item, Pan Trinbago has not been approached for access to the carnival 1999 accounts. This is a very unfortunate statement which is designed to vilify Pan Trinbago and discredit the organization.

I am a steelbandsman and a member of a very prominent and successful steelband, therefore, I am in a very good position to know what I am talking about. To date, Pan Trinbago has received neither notice nor request from auditors of the Ministry of Culture and Gender Affairs with respect to the intended audit of the Panorama/carnival account for 1999. My contribution today seeks to put into focus the very serious predicament that has befallen Pan Trinbago simply because someone in Government has blundered in two instances. One, in budgeting the paltry sum of \$6 million for carnival 1999 and secondly, failing to address the real needs of Pan Trinbago in the critical aftermath of erroneous budgeting.

Mr. Deputy Speaker, I plead with you and the Government of the day to ease the unnecessary pain being inflicted on an organization that does not deserve such cavalier and apparently callous treatment. The panmen out there are hurting, they need the money. This Government could find money for many other things; probably they do not see the panmen or the organization as that important. So once again I am pleading with the Minister to use her good office to see if she could make the funds available to Pan Trinbago and ease the frustration of the pan fraternity.

I take this opportunity to compliment the Minister on her nice outfit, and listening to her on Monday in the House I realized she is one of us but apparently she is not in a position to do what she would like to do sitting on the other side. I make this plea to the hon. Minister to see what she can do so the panmen can get their money now.

Thank you.

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The Minister of Culture and Gender Affairs (Sen. Dr. The Hon. Daphne Phillips): Mr. Deputy Speaker, let me give a bit of background on this matter.

Following carnival 1998, there was a great deal of disagreement among the carnival interest groups; that is the National Carnival Bandleaders Association, the Trinidad Unified Calypso Organization, and particularly Pan Trinidad and the Minister of Culture and Gender Affairs as to the procedures to be adopted in accounting for, and spending moneys appropriated by the state for carnival celebrations as well as moneys obtained through gate receipts.

3.05 p.m.

Because 1998 represented the first experience of the carnival groups in administering their own aspects of the carnival, the Ministry assumed that the disagreements were based on their inexperience and/or lack of knowledge of the financial rules and procedures in administering public funds.

The internal audit department of my ministry identified several deficiencies in the accounting practices of these three groups which pointed to the need for assistance to enable them to effectively perform their financial management responsibilities. The Ministry, therefore, prepared internal control guidelines which were welcomed and agreed to by the groups and delivered to each, in writing, dated November 20, 1998.

In relation to some of the points raised by the Member for Tunapuna—in relation to the arrears for 1998—it is not true to say that those arrears came out of the 1999 budget. I have a Cabinet Note here which identifies provision for covering those arrears. The arrears to Pan Trinidad for 1998 totalled \$1,400, 966 which were covered by a particular loan of \$5 million—including sums for NCBA and TUCO—which was paid in December 1998.

Mr. Deputy Speaker, in December 1998 it was agreed that for carnival 1999 a sum of \$6 million would be provided in the 1998/1999 estimates of revenue and expenditure for the carnival bodies not for carnival. In addition to this \$6 million, there was an additional \$6 million also provided for NCC because NCC provides the support: the lighting, stage, security and other supports for the three groups. That was a total of \$12 million in the estimates for carnival, not \$6 million as stated by the Member for Tunapuna. The sum of \$6 million was for the three groups. Out of this, equal portions of \$2 million each were distributed to the three groups. This sum was designated to allow the organizations—this was in December 1998—to meet their expenses for carnival 1999. In December 1998 these organizations received two sums of money: (1) to clear off their arrears, for

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Pan Trinbago it was \$1.4 million or so and (2) \$2 million to start work on the 1999 carnival preparation.

It was agreed that following carnival 1999, the Ministries of Finance and Culture and Gender Affairs would address the matter of the remainder of the moneys owed to the organizations. Having regard to the budgets they submitted—Pan Trinbago submitted a budget in which, at their calculation, the money they required to run carnival 1999 was \$3,921,500. It was agreed between the Ministries of Culture and Gender Affairs and Finance that following carnival 1999, the payment of the difference between the two million advanced and the \$3.9 million required would be made. This of course, is following an audit of what happened to the \$2 million allocation.

Mr. Deputy Speaker, Pan Trinbago has refused to subject itself to an internal audit of the Ministry of Culture and Gender Affairs, as required in the internal control guidelines, which they agreed to and which is in their possession. It is my information that the internal audit department of the Ministry has made repeated requests of Pan Trinbago personnel to have their books and records examined for the period October 01, 1998 to March 31, 1999—this is the period which we are looking at for carnival—but so far to no avail. I am quoting here from the audit statement which I copied into my statement. I quote:

“In May 1999 when the internal auditors enquired...”

this is of Pan Trinbago

“...they were told that the books would be ready in one week’s time. Repeated requests in May, June and July have also proved futile. Approximately four weeks ago Mr. Patrick Arnold, President of Pan Trinbago was approached on one day when he was in the Ministry and he was asked: ‘when will you be ready for us?’ and Mr. Arnold replied: ‘all yuh still with that nonsense?’

I understand that the last attempt to contact Pan Trinbago on this matter—this is the matter of looking at their books to do an internal audit—was made on July 22, 1999 when on the enquiry of the acting CEO of NCC, the ministry was informed that the CEO had not been able to establish contact with Mr. Arnold on this matter.

Mr. Deputy Speaker, the Ministry is of the firm position that no further funds will be released to Pan Trinbago unless the organization submits its books to an internal audit scrutiny. This also holds for the other interest groups. Only NCBA has so far been audited by the ministry.

There is no question of the commitment of the ministry to provide the difference between the advance and the sum spent according to their own budget.

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There is no question of the commitment of the ministry to do that, but we must have an internal audit to see what has happened with those funds, *et cetera*. The ministry has, however, requested that the outstanding sums due to the three carnival interest groups, in respect of their initial budgets submitted for carnival 1999, be provided in the 1999/2000 estimates of expenditure. These sums would become available in October 1999.

I thank you.

Tobago Sea Transport

Miss Pamela Nicholson (*Tobago West*): Thanks, Mr. Deputy Speaker. I am very pleased to rise here today to address a very serious problem on behalf of the people of Tobago in general, and particularly the business people of Tobago, the vendors of Tobago, on a very serious problem that confronts Tobago. That problem has to do with the sea transportation service between Trinidad and Tobago.

Since September 1998 the *mv Tobago* was directed by Lloyds of London to be taken off the route between Trinidad and Tobago, so we were left with one boat on the route. That one boat is the *Panorama*. To date, we have the *Panorama* struggling to serve Tobago as far as our food, hardware and passenger services are concerned. What you have in Tobago right now is a situation where there is need for an immediate boat to be hired, leased, rented, chartered, whatever you may call it, as far as the service between Trinidad and Tobago is concerned.

3.15 p.m.

There is that need because there is a struggling boat—the *mf Panorama* is the name, I cannot even remember—but some days it comes very late; it leaves very late and the amount of service that is needed for Tobago cannot be brought to Tobago. For example, the *mf Panorama* is responsible for all our foodstuff—our flour, rice, sugar, milk, whatever it is. Flatbed trucks, any cars, anything—the *mf Panorama* transportation; the vendors who come to Trinidad every day to purchase our foodstuff and vegetables. What our agriculturists in Tobago used to grow before, it is now coming from Trinidad.

So, we have a crisis situation and a number of business people wrote a letter—the same one that they wrote to the Prime Minister—to the Chief Secretary, Tobago House of Assembly; the Minister of Works and Transport and the Minister for Tobago Affairs. They invited me to inform me about what was taking place and called upon me to raise the question in the House. I was supposed to do

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this about two weeks ago but I fell ill, and that is why it is only today that this matter is brought to the House.

The situation deteriorated so much that four business people got themselves together and chartered a barge to transport hardware to Tobago, and if I could give you the cost—to charter the barge, US \$22,000 plus TT \$60,000 in port charges; and overtime also has to be paid to the Port. So the result of which is the transfer of costs to the people of Tobago, 20 to 30 per cent more than what we will pay for blocks and cement; we have to buy sand and everything in Tobago from Trinidad. The Tobagonian has to take care of that. This Government is seated there because of the people of Tobago and no action is being taken. [*Desk thumping*]

We have a situation in Tobago with even something like fork-lifts. About two Sundays ago, a fork-lift moving a container collapsed. If anybody was in the space, we could have heard that somebody died on the Port in Tobago. So, there is a real crisis situation, because if the *mf Panorama* collapses today, the essential service route of Tobago, the lifeline for the people of Tobago collapses—no food, no hardware, no passenger service between Trinidad and Tobago. It means nothing to Trinidad, but it means something to Tobago.

It is an essential route; it is really a crisis situation and we ask the question: Where is the Minister of Tobago Affairs? Why do we ask that question? Recently, the Chaguaramas Development Authority, I think the Minister said they got \$60 million to address the Miss Universe Pageant; the CDA asked for \$12 million to refurbish the Convention Centre Hotel in time for the Miss Universe show. That was for three hours and the Cabinet, the Prime Minister and Minister of Finance gave approval to the CDA. They guaranteed the CDA to borrow the \$12 million from a local bank in order to do that.

This is a situation where 50,000 people are dependent on funding to charter or lease a boat, whether it is for a year, because something has to be done in the short term. Even though there might be a long-term situation where a new boat has to be purchased for the Tobago/Trinidad service, there is urgent need for the short term.

There is also another situation with Caroni (1975) Limited. If they call for \$50 million every month, the Prime Minister has instructed that it be given to Caroni (1975) Limited. There was a situation where, recently, between April or May, the management of Caroni (1975) Limited asked for \$18 million to pay the workers their wages and, also, to pay cane farmers whatever were their needs. The Prime

Minister instructed the Minister of Finance that it had to be addressed. So, 9,000 workers, again, are more important than 50,000 people who form the other part of the state called Trinidad and Tobago. A very atrocious and pathetic situation.

What the people of Tobago are saying, what the business people are saying, what the vendors are saying, is that there must always be two boats functional between Trinidad and Tobago. This is not a new problem. This is something that we know about from time to time.

I could remember when we had a situation like this over two decades ago and the government had to immediately rent two boats, the *Gelting* and *Teistin*, to be functioning between Trinidad and Tobago—one coming up; one going down. It is the same role that the *mf Panorama* and the *mv Tobago* were doing but, because of the state of the *mv Tobago*, they were instructed that it would be illegally improper for such a boat in such a state to be functioning on the route and it had to be taken off the route.

Obviously, the Government should have seen the urgency of that problem that since they had to take that boat off the route, another boat should have been rented or leased.

They might want to argue that the Tobago House of Assembly is in charge but they have not handed over anything to the Tobago House of Assembly. It is true that the Act says that the infrastructure, including air and sea transportation, wharves, airport and public utilities should be handed over to them, but that will take some time to be done. So, the burden is on the Central Government, the Cabinet of Trinidad and Tobago.

So, just as there is a situation that when the workers of Caroni (1975) Limited want their pay and when the cane farmers want their money, the Prime Minister has to say, “You give them that”, we are saying that we must get money to lease, rent or charter another boat immediately.

Mr. Sudama: Ask Hochoy Charles.

Miss P. Nicholson: What we are saying is that there is need for an interim position. The long-term situation must be addressed and everybody will appreciate the long-term situation because you will have to do research and you will have to find out the cost of boats, what that will do, but in the interim—because the problem is with the *mf Panorama*—if the *mf Panorama* collapses, as for example last year, I am sure Members would remember last year when the *mf Panorama* went to dry docks. If it went for one month, it took like three or four

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months before the *mf Panorama* returned and a struggling *mv Tobago* had to carry out the work during that time.

The situation is a crisis situation. Our food prices are extremely high. Our hardware prices are extremely high. The people of Trinidad do not know the burdens that we carry, and because of the role that Tobago has been carrying in this country, we the people of the Tobago, the business people, the vendors and all Tobagonians call on the Government to act immediately to lease, charter or rent a boat immediately to give Tobago the interim service until the long-term position can be addressed. Because even though you are hearing people talking about privatization and so forth—you heard the prices I gave about the cost of the barge; the same barge is up the islands right now and the impact of those costs is passed on to the people. One must look at the situation very seriously and I wish to appeal on behalf of the people of Tobago to the Central Government for urgent action.

Thank you very much. [*Desk thumping*]

The Minister of Works and Transport (Sen. The Hon. Sadiq Baksh): Mr. Deputy Speaker, the sea transportation system—

Hon. Member: What happened to the Member for Tobago East?

Sen. The Hon. S. Baksh:—between Trinidad and Tobago continues to be of paramount importance to our Government. We are very cognizant of our role in maintaining an efficient and reliable sea transportation link for the movement of passengers and cargo. [*Crosstalk*]

Currently, we are faced with what I must agree with the Member for Tobago West, as an untenable situation whereby there is only one ferry on the inter-island route, which is normally serviced by two ferries. She is quite correct, again, in that one of the ferries, that is the *mv Tobago*, has been out of commission since November 1998, since it had exhausted its useful life and has been deemed unsafe, particularly for the transportation of passengers. [*Crosstalk*]

The Ministry of Works and Transport, in conjunction with the Port Authority of Tobago, has been ensuring that the only ferry, that is the *mf Panorama*, continues to provide, contrary to what she said, a reliable service by maximum utilization without compromising the maintenance schedule.

Mr. Deputy Speaker: Members, the Minister of Works and Transport is giving his contribution. The Member for Tobago West has given hers and the

House listened in silence. Could you kindly give him the same? Minister of Works and Transport.

Sen. The Hon. S. Baksh: Mr. Deputy Speaker, in fact, the *mf Panorama* after coming back from dry docking in Curacao in January of 1998 has been performing in an excellent way, in that in addition to increasing the reliability of this vessel, the Port Authority has rebuilt two ferry landing ramps in Port of Spain and Scarborough.

The Port Authority has almost completed the necessary civil and information technology works and will introduce computerized bookings and ticketing systems on the ferry service within the next two months. Despite cost increases in all areas of operations, the tariff remained unchanged for this ferry service over the last 12 years.

The population of Trinidad and Tobago, and Tobago in particular, has benefited significantly from a tariff which, by any standard, can only be described as uneconomical. For example, it costs less to transport cargo from Port of Spain to Scarborough using this service than it costs to move the same cargo from Port of Spain to some areas right in Port of Spain.

In fact, to transport a passenger car from Trinidad to Tobago of under 1,364 kgs now costs \$50. For over 1,364 kgs to 1,818 kgs, \$60. For vans and light T vehicles up to 3,636 kgs, \$100. Trucks, from under 6,000 kgs, \$160; over 6,000 to 7,500 kgs, \$220. Trucks and heavy equipment up to 16,500 kgs, \$620 and in terms of containers and flatbeds eight foot, \$75; 20 foot, \$150 and 40 foot containers \$300.

3.30 p.m.

Mr. Deputy Speaker, the Port Authority, in order to provide some measure of relief to shippers at the ports of Port of Spain and Scarborough, chartered a tug and barge to supplement the service of the *mf Panorama*. This was estimated at the cost of TT \$163,012 per fortnight. My understanding is that some of the transportation cost was also met by the Tobago House of Assembly and some of the business people. This has assisted in alleviating the existing situation over the last few months by minimizing the build-up of cargo at the ports of Port of Spain and Scarborough.

The barge transports, especially, hardware materials, inclusive of bricks, cement and blocks. Recently, some members of the business community have opted to meet the cost, with the Port Authority, of operating such a service, and arrangements in this area are being finalized. This is quite commendable, but I

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assure these businessmen that is an interim measure until a more long-term and viable solution is arrived at.

Mr. Deputy Speaker, a viable solution to the existing woes of the inter-island service is being addressed. The main objective is to arrive at the optimal vessel configuration to meet the increasing demand of passengers and cargo space. In 1994 the number of passengers transported on the ferry amounted to 238,683. In 1998 there was an increase by 23.7 per cent to 295,234. With respect to cargo, in 1994, 39,207 units were transported, this represented vehicles, containers and flatbeds. This figure increased by 15.7 per cent to 45,368 in 1998.

Over the last year, in addition to the work of several committees that have been appointed by Cabinet and the Ministry, the Ministry has received a number of proposals and met with a number of interested parties both local and foreign who have expressed a desire to provide a service between the two islands. All submissions require careful scrutiny and review before a final decision is made.

I am sure that my colleague, the Member for Tobago West, does not desire a return to the situation where we introduce just simply a passenger fast ferry to transport passengers and then leave the cargo unattended. The expectations of such an operation is what we expect to introduce in terms of the introduction of a better cargo service. I will like to add, that the Government is interested in assuming the role of facilitator of sea transport which will allow for greater private sector participation, notwithstanding this, the service provider must meet the highest standards in terms of passenger comfort and safety, and technical reliability of the vessel.

[MR. SPEAKER *in the Chair*]

Mr. Speaker, in addition to that, recently the technical committee appointed to report on mechanisms for the transfer of responsibility for sea transport to the Tobago House of Assembly, handed in its report on June 4. That report is now before Cabinet and we are in the process of handing over the shipping operations between Trinidad and Tobago, to the Tobago House of Assembly so that a more long-term arrangement will be put in place. [*Interruption*]

Miss Nicholson: Mr. Speaker, I will like to ask the hon. Minister to answer the very potent and important question: if the *Mf Panorama* was to fall down tonight, what happens on the route? That is the question?

Sen. The Hon. S. Baksh: Mr. Speaker, I am very pleased to answer that question. The Government of Trinidad and Tobago will ensure that we provide a reliable shipping service between Trinidad and Tobago, that is our commitment.

The technical team report is now before the Cabinet and we expect, very shortly, to hand over the operations of the shipping service and de-couple the arrangements of the Government shipping service from the Port Authority of Trinidad and Tobago, to the Tobago House of Assembly. We have accepted the position of the establishment of a sea transport authority to ensure that we regulate the industry in such a way as to allow a more efficient sea transportation system to be established between Trinidad and Tobago.

I must agree that over the last few decades we have had tremendous problems with the shipping between Trinidad and Tobago, but more recently, we have realized that the economic development and the growth in the construction sector in Tobago, in fact, made it necessary to improve this transportation link so as to allow the continued boom in construction to take place, and to ensure that the tourism thrust that this Government started continues to benefit all the people of Trinidad and Tobago.

Mr. Speaker, I thank you.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 3.35 p.m.