

Mr. Donald Casimir Granado (Death)

Monday, September 06, 1999

HOUSE OF REPRESENTATIVES

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The House met at 11.05 a.m.

PRAYERS

[MR. SPEAKER *in the Chair*]

**MR. DONALD CASIMIR GRANADO
(DEATH)**

Mr. Speaker: Hon. Members, I wish to advise this honourable House that I have read with sadness of the passing of a former Member of Parliament of Trinidad and Tobago, a former Cabinet Minister, a former Minister of Labour, Co-operatives, Social Services, Minister of Health and Housing, Donald Casimir Granado. I ask the House to take note of this and I invite representatives from both sides to express condolences.

Mr. Kenneth Valley (*Diego Martin Central*): Mr. Speaker, it is with some sadness that I rise here to pay condolence to a stalwart and founding member of the People's National Movement. It is with sadness, not only because of his death because, as you know, from time to time in this House we do pay condolence to former Members who have passed away. This holds special significance for me because the first political meeting I attended as a kid, I think I was no more than about 10, was in my home town of Mc Bean—[*Interruption*]—Mc Bean in the Couva South constituency where one day I would return to fight.

However, as I was saying, it was to listen to Donald Granado in his fiery manner arguing the case, as he was, about education in Trinidad and Tobago. He was making the point that those on the other side were claiming the PNM was attempting to fool the people and he said, "How could they charge us with that when the first thing we attempted to do in Trinidad and Tobago was to educate the masses?" And, Mr. Speaker, that stuck in my mind, not only his fiery manner but also the point that he made.

Another similarity, Mr. Speaker, is that my beloved queen, that is as you would know, my mom, was born in that year, 1915—and thank God she is still alive today—and of course when one notes that persons of our age are passing on one is slightly fearful of losing one's queen. Then there is also the fact that Mr. Granado is from our nearby town, Gran Couva, and as a kid again that was my backyard. More significantly, as a founding member of the PNM, he has been there to create what we, today, the members of the PNM, can carry forward.

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Mr. Granado is one of those who has been able to leave an institution, that is the PNM, and a way of doing things in Trinidad and Tobago that really, although from time to time the population may go away from the PNM, they come back—because the PNM seems to have that magnet—to the caring hands of the PNM.

As we mourn the passing of this stalwart, Mr. Speaker, it is good that we remember other founding members. At present there are only two, I think, who are still alive, Mr. Gerard Montano and Mr. Kamaluddin Mohammed, persons who have toiled in the interest of Trinidad and Tobago and in the interest of the People's National Movement.

Mr. Granado served not only as a Member of Parliament, as a Cabinet member, but also as High Commissioner, first to Venezuela and then to London. We mourn his loss and we thank him for the work that he has done on behalf of the People's National Movement and for Trinidad and Tobago. Thank you, Mr. Speaker. [*Desk thumping*]

The Minister of Housing and Settlements (Hon. John Humphrey): Mr. Speaker, I have been asked to speak on behalf of the Government in memory of the late Donald Granado. He died on Saturday, September 4 of cancer at the Living Waters Hospice and, Mr. Speaker, it is only with his death that his name has been mentioned publicly for the longest while, for as long as I can remember, in fact. He was almost a forgotten man. However, we do not go into public life to be remembered; that is, most of us.

Donald Granado was, indeed, a founding member of the People's National Movement but he started his public career long before the People's National Movement came into being. In fact, at the young age of 25 he was very active in the trade union movement and he remained active in public life until, in fact, he got together with a group who were the founders of the People's National Movement; at the time, I have always maintained, a genuine national movement of the people of Trinidad and Tobago of committed people who were not concerned with how they looked. In fact, the members at the time all looked different. It is a movement that came into being at a time when this country, in fact, needed to break out of colonialism. One has to give credit to those who had the vision and foresight to actually give their lives, their abilities and their time to fight for that independence that so many of the former British colonies at that time were fighting for.

Now, Mr. Speaker, I think it is tragic that someone who had given so much service to Trinidad and Tobago should die in poverty in a hospice. I think it speaks of the conditions under which those who offer their lives in service to this

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country live and die, so many, as forgotten people, and he is not the first to have gone in that way. All of us who were in the politics for a long time like myself, like my colleague from Oropouche, like my colleague from Couva North and so forth, would have known Mr. Granado. I certainly knew him because I have been involved in politics since 1961 and that is the time when he, in fact, enjoyed his glory days, when he was a Minister and then went on to public service through representing Trinidad and Tobago as a diplomat.

He was a very decent human being, Mr. Speaker, a very delightful human being and I think everybody who knew the late Donald Granado will say that of him. I want, on behalf of the Government of Trinidad and Tobago—and it is a great pity that we were not aware at that time until his death that he was, in fact, in the situation in which he found himself. Certainly if I was aware I would have made an effort to do something about it—to express to his bereaved family, who I think live abroad, our condolences.

Now that he is gone perhaps some effort will be made to see the value of the kind of service that he had given to this country so that he would be remembered in future generations not as a person who had died in the circumstances under which he died, but as a person who had served, for most of his life, the people of Trinidad and Tobago. I thank you for this opportunity, Mr. Speaker. [*Desk thumping*]

Mr. Speaker: Hon. Members, I wish to join both sides of the House in paying tribute to the memory of the late Donald Granado. He had served in this House for several years. He had been Minister in this country and he went on to become Ambassador to Venezuela in the early 1960s, High Commissioner to Canada in 1964 and High Commissioner to Great Britain in 1968. Looking at his achievements, there was much that he achieved during his lifetime in terms of assisting this country in one way or another. As has been pointed out, apart from a political existence, he had a history of being a trade unionist before getting involved in the politics, and I think that we all ought to be grateful for the useful life that he led.

I would ask the Clerk, on behalf of the Members of this House, to send a suitable note of condolence to his immediate family. I would ask hon. Members to stand for a minute's silence in his memory.

The House stood.

11.20 a.m.

PAPER LAID

Report of the Auditor General of the Republic of Trinidad and Tobago on the audit of transactions relating to the United Nations Development Programme

Paper Laid

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(UNDP) Project No. TR1/95/003 – Technical Support for the Maintenance of the Automated System for Customs Data (ASYCUDA) – for the year ended December 31, 1998 [*The Attorney General (Hon. R. L. Maharaj)*]

To be referred to the Public Accounts Committee.

**JOINT SELECT COMMITTEE REPORTS
PRESENTATION**

**Human Reproductive and Genetic Technologies Bill
and Human Tissue Transplant Bill**

The Minister of Health (Hon. Hamza Rafeeq): Mr. Speaker, I wish to lay on the table the Joint Select Committee's report of the Human Reproductive and Genetic Technologies Bill and the Human Tissue Transplant Bill and for matters connected therewith.

Planning and Development of Land (No. 2) Bill

The Minister of Legal Affairs (Hon. Kamla Persad-Bissessar): Mr. Speaker, I present the report of the Joint Select Committee on the Planning and Development of Land (No. 2) Bill, 1998.

Parliament Management Structure—Reform

The Attorney General (Hon. Ramesh Lawrence Maharaj): Mr. Speaker, I wish to present the report of the Joint Select Committee on the Working Paper on the Reform of the Management Structure of the Parliament of the Republic or Trinidad and Tobago.

ORAL ANSWERS TO QUESTIONS

The Attorney General (Hon. Ramesh Lawrence Maharaj): Mr. Speaker, the Government is unable to answer question No. 79 today, and I wonder whether we can defer it for the next session.

Mr. Valley: Defer both of them.

Hon. R. L. Maharaj: We will defer questions No. 78 and 79 until the next sitting of the House of Representatives.

The following questions stood on the Order Paper in the name of Mr. Martin Joseph (St. Ann's East):

Piarco Airport Development Project

78. Could the Minister of Works and Transport identify:

- (a) The separate contracts that have been awarded to the firm Northern Construction Limited, in respect of the Piarco Airport Development Project, providing a brief description of the scope of works in each case?
- (b) In respect of each of the separate contracts identified at (a) above, would the Minister provide:
 - (i) the number of firms that pre-qualified;
 - (ii) the number that tendered;
 - (iii) the dates of the awards;
 - (iv) the contract sums involved?
- (c) Would the Minister also provide, in respect of each of the contracts identified above, the cost estimate given for undertaking the project by the consultants for the Airport Development, Birk Hillman?

National Insurance Property Development Company

79. Could the hon. Minister of Finance:

- (a) Detail fully the procedure used by NIPDEC in pre-qualifying contractors and in awarding contracts for the Piarco Airport Development Project?
- (b) Would the Minister name the Directors of the Board of NIPDEC who participated in its deliberations when the Board,
 - (i) acting as a tender committee, awarded the contracts referred to at (a)?

Questions, by leave, deferred.

CONSTITUTION (AMDT.) (NO. 3) BILL

Senate Amendments

The Attorney General (Hon. Ramesh Lawrence Maharaj): Mr. Speaker, I beg to move,

That the Senate amendments to the Constitution (Amdt.) (No. 3) Bill listed in the Appendix be now considered.

Question proposed.

Question put and agreed to.

Clause 3

Senate amendments read as follows:

- (A) In proposed section 66A(1)(a) delete the words “so soon thereafter” and substitute the words “such time” and insert after the word “resolve” the words “not being later than three months thereafter”.
- (B) (1) In proposed section 66A(1)(a) delete the following:
 “(B) The Tobago House of Assembly” and renumber “(C), (D), (E) and (F)” as “(B), (C), (D) and (E)” respectively.
- (2) In renumbered sub-paragraph “(D)” of proposed section 66A(1) (a), after the word “State” add the words, “or which received funding from the state of more than two thirds of its total income in any one year”.
- (C) In proposed section 66A renumber subsections (2) and (3) as (3) and (4) respectively and, insert after subsection (1) the following new subsection:
 “(2) A Joint Select Committee in exercising its powers under subsection (1) shall not enquire into the validity of the exercise of the functions of a body referred to in subsection (1)(a) nor modify, alter, rescind or in any way interfere with the decisions of any such body”.
- (C) In proposed section 66(B):
- (a) delete the words “the Prime Minister” wherever they appear and substitute the words “the President”;
- (b) substitute for the words “as soon as possible” the words “within sixty days”.
- (D) Insert after proposed section 66B the following new sections:
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| <p>“Applicability of the Judicial and Legal Service Commission</p> | <p>66C(1) Sections 66A and 66B shall not apply to the Judicial and Legal Service Commission</p> <p>(2) The Judicial and Legal Service Commission shall submit to the President before October 01 in each year, commencing in the year 2000, a</p> |
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report on the exercise of its functions and powers in the previous year, describing the procedures followed and any criteria adopted by it in connection therewith, and the President shall cause the report to be laid within sixty days thereafter in each House.”

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Government
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66D A Body listed (A) to (D) in 66A(1)(a) shall submit to the President before July 01st in each year a report on the exercise of its functions and powers in the previous year, describing the procedures followed and any criteria adopted by it in connection therewith and the President shall cause the report to be laid within sixty days thereafter in each House”.

New 4

Insert after clause 3 a new clause 4 as follows:

“Commencement 4. This Act shall come into force when Standing Orders are made to give effect to section 66A”.

Hon. R. L. Maharaj: Mr. Speaker, as hon. Members would have determined from the amendments in the Senate that in respect of amendment 3(A), what has happened is that instead of leaving it open as to how long after these committees can be appointed when Parliament commences, there is a time-frame of it not being later than three months.

In respect of 3(B)(1), it was felt that having regard to the fact that Government and the Tobago House of Assembly were discussing the Tobago House of Assembly (Amdt.) Bill, it would not be appropriate at this time to include the Tobago House of Assembly and the Government accepted that, bearing in mind that the Government intends, early in the new session, to bring the amendments to the Tobago House of Assembly Act before the Parliament.

In respect of 3(B)(2), there was included for scrutiny a body which receives funding from the state of more than two-thirds of its total income in any one year. It was felt by some members of the Senate that if there is going to be expending

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of public funds, and these bodies get that support, then the Parliament should have scrutiny over these bodies, but it should be more than two-thirds of its total income.

With regard to clause 3(C), this clause was inserted to make it abundantly clear what the Government was saying as the intention of the Bill, not to modify, rescind or interfere with the decisions of any body and purely to have scrutiny.

“A Joint Select Committee in exercising its powers under subsection (1) shall not enquire into the validity of the exercise of the functions of a body referred to in subsection (1)(a) nor modify, alter, rescind or in any way interfere with the decisions of any such body.”

Mr. Speaker, you, and Members, would recall that under another section of the Constitution, especially in respect of the service commissions, there is an express clause to that effect and it was felt that it should be expressly stated. It was also felt that since the President, in any event, acts on the advice of Cabinet, it would not undermine the Bill in any way for the reports to go to the President, but for there to be a time-frame that the President must cause it to be laid and to put it within 60 days.

In clause 3(E), this clause has been inserted because the Judicial and Legal Service Commission will not be answerable to the Parliament by having its members come to the Parliament; it will be answerable in the form of a report which would be submitted to the President and which would be laid in the Parliament and the Parliament can debate that report.

Clause 66D, on report of Government ministries in respect of all bodies, these bodies would have to submit a report like the service commissions and these reports would be laid in each House within 60 days.

Mr. Speaker, these are the effects of the amendments. The most important one, if I may say so, is the one dealing with the Judicial and Legal Service Commission because this is the one which caused some concern and the Government accepted an amendment in the other place.

I beg to move, That the House doth agree with the Senate in the said amendment.

Question proposed.

Mr. Kenneth Valley (*Diego Martin Central*): Mr. Speaker, first of all, I want to congratulate the Independent Members of the Senate for doing yeoman work, I think, on this Bill. One should also note that five of the nine Independent Senators

voted against this legislation, even in the amended form, which, of course, is a vast improvement to the Bill which left the Lower House.

When we look at the amendments, however, really, we are like Alice in Wonderland; it becomes curiouser and curiouser. Let us look at what has happened. Most significantly we have taken into consideration the concept of the separation of powers and we have excluded the Judicial and Legal Services from the Bill, which is good.

But having done that, let us see what is left. The Bill now covers government ministries, municipal corporations, statutory authorities, enterprises owned or controlled by the state, and service commissions. Mr. Speaker, you are aware that the Constitution provides for both the Public Accounts Committee and the Public Accounts (Enterprises) Committee. All government ministries are responsible to the Public Accounts Committee. Municipal corporations are responsible to the Public Accounts Committee. Statutory Authorities are responsible to the Public Accounts Committee. Enterprises owned or controlled by the state are accountable to the Public Accounts (Enterprises) Committee.

I am making the simple point that other than the service commissions, all of the agencies and ministries now covered by this are already responsible to Parliament, either by the Public Accounts or the Public Accounts (Enterprises) Committee. For the life of me, I do not know why we simply cannot expand the powers of the Public Accounts Committee or the Public Accounts (Enterprises) Committee.

11.35 a.m

Mr. Speaker, first of all we have to remember that the Public Accounts Committee is a protected institution as is the Public Accounts (Enterprises) Committee. Any change to the Public Accounts Committee or the Public Accounts (Enterprises) Committee requires a special majority.

We have the sleight-of-hand in this Bill, where we are attempting to avoid the special majority required—because I still contend that this requires a special majority—but the Government by using section 66 rather than sections 120 to 129, which talks about the powers of these service commissions and so on, is attempting to avoid the special majority requirement. [*Desk thumping*].

Mr. Speaker, I am asking, if there is conflict between this committee and the existing Public Accounts Committee or Public Accounts (Enterprises) Committee what happens? Understand what this Bill asked these committees. It says: that they must report “on the administration and manner of exercise of powers and

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methods of functioning of and any criteria adopted” by them in the exercise of their powers and functions.

Mr. Speaker, obviously, there would be overlap between this Joint Select Committee and the Public Accounts Committee, which is already a Joint Select Committee or the Public Accounts (Enterprises) Committee, which is another Joint Select Committee. What are we really doing? We are creating a constitutional crisis and setting the stage for conflict and then nothing is going to happen [*Desk thumping*].

Mr. Speaker, I think that we have had a vast improvement but I am submitting that really, our best interest would be served if we simply amend the Public Accounts (Enterprises) Committee and the Public Accounts Committee, in other words, section 119 of the Constitution, to expand the powers of these two committees to include these functions envisaged here to ensure that there is no overlap.

Mr. Speaker, in section 119, the Public Accounts Committee, it is stated quite clearly, must be chaired by an Opposition Member in the Lower House. Public Accounts (Enterprises) Committee must be chaired by an Opposition Senator. First of all, there is no mention about the Chairmanship. I understand from the newspaper reports and discussions from the Attorney General, that is dependent on discussions via the Standing Orders *et cetera*, sometime later on. Who is going to chair this?

Mr. Speaker, let us examine it. Could we ask a Government Member or Minister to chair such a committee? Does it make sense? This is why we see that the persons who dealt with our Constitution gave these matters serious thought and we ought not at this time, to try to rewrite what has gone before. There are existing committees to deal with these matters and, therefore, we ought simply to expand their functions if so required.

Mr. Speaker, another issue, the Bill talks about these committees being established within a three-month time period—quite clear. It shall be within one calendar month or such time as the Parliament may resolve, not being later than three months thereafter. So within three months, these committees ought to be established. Before these committees can be established an amendment at New clause 4 says:

“This Act shall come into force when Standing Orders are made to give effect to section 66A”.

Mr. Speaker, we know how long it takes to amend Standing Orders. We have a Constitution that was passed in 1976, requiring some amendments to Standing Orders. That has not happened as yet. Again—perhaps, this is merely grandstanding—I am confirmed in that view, when we see an attempt is being made to cause confusion with our Constitution, rather than its efficient functioning. If there were any serious attempt to have this Bill work, we really would have gone the way of simply expanding the functions of the Public Accounts Committee and the Public Accounts (Enterprises) Committee.

First of all, I do not know what additional function is included in this Bill that the Public Accounts Committee now does not do. I am sure the Attorney General would want to tell us. If there are additional functions, they can be accommodated within the Public Accounts Committee.

Mr. Speaker, there is another serious issue because as you know I am the Chairman of the Public Accounts Committee and from time to time, I have real difficulty arranging a meeting, for the simple reason, we cannot get a quorum.

Mr. Speaker, you are aware that in the mother of our parliamentary system, the United Kingdom, there are all types of select committees and, I am sure that you are aware that those committees were established primarily to manage Backbenchers. I am sure you are aware of that. In a Parliament of 600 Members, where only about 20 or 30 would get into the Cabinet, you have to find work for these Backbenchers, otherwise they would make any Government's life very miserable [*Desk thumping*] so they put them on all of these Committees and send them to Australia to look at Tom, Dick and Harry—they send them to India and CPA Conferences and things. Mr. Speaker, “ent!” [*Desk thumping*]. Oh God, Mr. Speaker, we know it. We must not hide the fact, okay. It is a fact—especially politicians [*Interruption*—Me, I did not go on any trip, you notice? You ever see me going on any CPA trip? Mr. Speaker, unless there is a system to manage these Backbenchers they would make trouble.

In our Parliament in Trinidad and Tobago where we have 36 Members, I do not know where the Government expects to find Members to sit on this committee as a practical matter. Ask any Chairman of any committee the problems he has trying to arrange a meeting. Where are you going to find them? One cannot put Cabinet Ministers on a committee like this—you understand! Could you imagine putting the Minister of Finance on a committee like this when we want to look at finance or the Minister of Health with all the problems that they are having in health?

The 21 Ministers of Cabinet are excluded—you understand! I am reminded that “you cannot put cat to guard milk”. So that is a practical matter. It is not

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going to work. We have been trying to tell the Attorney General that for some time, but he has this bee in his bonnet that in India and Australia they have all of these select committees. They are simply finding work for the Backbenchers. We do not have Backbenchers. How many Backbenchers do you have on your side?

11.45 a.m.

They are my good friends the Deputy Speaker, the Member for Fyzabad, and the Member for Ortoire/Mayaro who is becoming more and more the Minister of Works and Transport because the Minister of Works and Transport, poor fella, I do not know why they do not get rid of him, honestly. It is most ineffectual when one looks at the flooding and at the highway going to San Fernando. I do not know how he could really ever qualify to be in the Cabinet. I am sorry, but I have to say it. Cutting bush for five years as if bush does not grow back. That is another story.

The Member for Fyzabad, who as I said, is acting more as the Minister of Works and Transport, the Member for Ortoire/Mayaro, a very decent individual, but he is coming from far and I hope he does not mind my saying it, but he has had to miss quite a number of meetings from the Public Accounts Committee due to illness and that is the reality. Where are you going to get the Members to serve on this committee? Why do you not just expand the functions of PAC and PA(E)C and get something going.

Mr. Speaker, this is another example of “vaps” we see coming from the Government. It will not work.

Thank you.

The Attorney General (Hon. Ramesh Lawrence Maharaj): Mr. Speaker, I am very sorry that the Opposition looked at this in this way. We all know that his first point is that the Public Accounts Committee should be expanded and in effect these parliamentary committees would not perform any effective role, they are not necessary.

Mr. Speaker, may I say that in all the countries which have gone this route there are the Public Accounts Committees and also these committees, and it is not limited to the countries he had mentioned. For example, most recently in South Africa it has been found that these committees, in addition to the Public Accounts Committees really protect the public’s interest.

Mr. Valley: How many members are there?

Hon. R. L. Maharaj: The important thing is not the number of members, the important thing is the concept. Under the Constitution of Trinidad and Tobago,

the Public Accounts Committee is given specific responsibilities to consider the appropriation of accounts and the report of the Auditor General.

So one sees that the Public Accounts Committee, as an entrenched clause in the Constitution, was given the power to monitor and scrutinize accounts and there are reasons for that because of financial implications, and taxpayers' moneys. But these committees have been chaired by the Opposition and therefore, the pace of these committees would depend upon the pace of the Opposition and it has been found that the Public Accounts Committee has not been meeting and considering these accounts and I am not only talking about Trinidad and Tobago, I am talking generally, so the concept is that in order to redress the imbalance which exists now in the set up to give to the Parliament that right of scrutiny to monitor, this concept has been devised.

Mr. Speaker, one merely has to look at the powers of these select committees to see what their powers would be. It is not going to be limited to accounts. As a matter of fact, they are not going to be dealing with examining accounts, they are going to be dealing with the administration of the body. They are going to be able to scrutinize the administration of the body and the manner of the exercise of their powers. For example, if the Opposition says there is corruption at National Petroleum, that committee could send for the persons, get the papers and documents and be able to answer and say, yes, there is or there is not.

In effect, the same thing they are talking about flooding, if the committee is not satisfied with the Ministry of Works and Transport, the committee would be able to get the information and the Parliament would have the true information. Government would not operate under the culture of allegations which cannot be supported. There will be a new culture in governance, and in the Parliament, they would be able to get the information. That is what this is about and it has nothing to do with respect to the Public Accounts Committee.

Mr. Speaker, what it would then do is that Members of Parliament would know if they have to make allegations, they would have to have their facts because if they do not, it would be embarrassing for them when the information comes out that they made it without proper inquiry.

Mr. Speaker, the other point the hon. Member made about the three months and the Standing Orders. May I say that there is a history that Standing Orders can take a long time to be done, but the Bill about which he has talked in which the Standing Orders have not been made—

Mr. Valley: It is not a Bill, it is an Act.

Hon. R. L. Maharaj: It is not an Act which this Government enacted. It is the Crossing of the Floor Act which the PNM administration enacted and the pace was within the power of the PNM in order to have those Standing Orders enacted. This is a measure which this administration is going to enact and it is in the forefront of this Government's policy because it is saying there must be avenues opened up for there to be scrutiny and accountability so that the people would be empowered and that allegations would not only be made, but there would be the process of investigation in order to help the Parliament to see whether these allegations are correct or not. This measure is going to be enacted and implemented. I wish to give that assurance.

Mr. Speaker, it has always been argued even when the Opposition was in Government, that because the Parliament is a small one, we should not have this kind of committee system. This merely has to be stated to be rejected because here it is that the concept is what is important and I am sure if parliamentarians are committed to doing the people's business in a matter like this, they would ensure they make the sacrifice to attend meetings and the whole system would change because the committees would be functioning more often than the House because that is how it works.

Mr. Speaker, when one looks at the television and sees how the committee system operates—quite recently at the CPA Conference a year ago I was in New Zealand—and how government is made to account, how the people participate in what is happening, one must feel that we should really reform our system and it is very unfortunate that the Opposition is looking at it in this way.

Mr. Hinds: Thank you very kindly for giving way. Would the hon. Attorney General indicate whether it is not the case that the PAC or the PA(E)C could, upon referral—for example, the situation with the airport or at National Flour Mills—and if there is now the need for a referral to these committees, is it not possible that the powers could be expanded so that they could look into it without the need for a referral?

And secondly, specifically what if there is a conflict between the view, for example, that the PAC or the PA(E)C was taking as opposed to the select committee, as the Member for Diego Martin Central asked—because you spoke about the fact that these two committees looked at accounts as opposed to the Joint Select Committees—which would look at the administration and other matters like corruption, but corruption has to do with accounts. I take the point which the Member for Diego Martin Central is making and I would like you to specifically address those two questions if you heard them.

Hon. R. L. Maharaj: Mr. Speaker, the Public Accounts Committee and the Public Accounts (Enterprises) Committee's powers at the present time are limited to see whether the accounting, that is to say, whether the moneys are being appropriated in the way Parliament appropriated the money and whether the appropriation or expenditure follows procedures, that is part of its function.

Mr. Valley: Can those powers be expanded?

Hon. R. L. Maharaj: At the present time, the Public Accounts Committee cannot examine whether contracts were awarded, whether there were breaches of tendering procedures, whether people were discriminated against, whether there was favouritism: they cannot do that, they do not have those powers. These committees are going to be given that kind of scrutiny and those kind of powers but right now, for example, where it is felt that there were irregularities, bias or whatever, the allegations at the Airport Authority, this committee would be able to call the people to look at it and produce the information to Parliament. That is what it is about, so if you amend this to extend the powers, you will be giving one committee all these things to do and right now the Public Accounts Committee cannot do what it is supposed to do. And, therefore, you would be creating a bureaucracy in which it would become meaningless.

Mr. Valley: Mr. Speaker, as Chairman of the Public Accounts Committee I have to take objection to that statement. It is the Public Accounts Committee that brought in the Maritime report if you would recall, and the Public Accounts Committee meets regularly. *[Interruption]* It is the pace at which we get them. Whenever the Public Accounts Committee meets, we always look at the up-to-date situation and the Prime Minister would know at least we saved the Government some \$52 million on the Maritime/Winsure matter.

Hon. R. L. Maharaj: That is an answer which demonstrates support for what we are saying. The hon. Member has admitted the committee is getting the report late, the accounts are coming in late and even with respect to the Maritime/Winsure report their jurisdiction was very limited having to deal with the accounting procedures.

Mr. Speaker, it does not take any Einstein to see what happens in Trinidad and Tobago now. Anybody could make any allegation and there is no machinery for the Parliament to be able to scrutinize and, therefore, this is giving to the people through the Members of Parliament, this opportunity and this is empowering people to find that information.

This would certainly be able to tell everybody in Trinidad and Tobago whether it is this Government, the last government, or another government; that

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these allegations of corruption are spurious, and they would have an opportunity of looking at it.

Mr. Hinds: Thank you very kindly for your generosity in giving way again. How do you deal with the specific question raised in terms of who will sit on that committee as a matter of practicality? Small Parliament, small-sized government, the bulk of Cabinet Ministers? How would you deal with that question in the context of Trinidad and Tobago specifically?

Hon. R. L. Maharaj: Mr. Speaker, this is a matter which has come up and which, obviously, we would have to look at, but there is a situation in Trinidad and Tobago where you can have a Minister sitting on a committee in which he is not involved and you have that in other countries. When we bring the Standing Orders the people would have an ample opportunity to discuss that, that is why we have put in the Bill that it would not become effective until the Standing Orders come before the House and are approved and we would have a chance of discussing it. Mr. Speaker, may I mention that in all the countries in which there are these select committees, they are chaired by the Government. But here is a situation in which service commissions are to be accountable and maybe the government would look at these in a certain light, but I think we would have to wait until that time. I wish to give the assurance that the Government would look at that and the House would get every opportunity to discuss that matter.

12.00 noon

Mr. Speaker, if I may pass on to the other point that has been made. Yes, the Opposition mentioned the Judicial and Legal Service Commission, but I want to make it quite clear, the fact that the commission has to give a report in itself shows that the commission has to account to the people. The only difference is, from the commission to the other commission would mean that its members would not have to come here. Therefore, what we decided to do was see how this works and we would be able, later on obviously, to improve on it or not.

But, Mr. Speaker, the amendments make the other Service Commissions accountable to Parliament and this is the first time in the Caribbean you are going to have this. You have it in other parts of the world. But, in effect, what it does is, the Government has been successful in getting the other place to agree that independent Service Commissions should be accountable to the people through the Parliament. In principle, that has been agreed. That is why we have been able to come back to the House with this matter.

Mr. Speaker, I beg to move.

Question put.

The House divided: Ayes 19 Noes 8

AYES

Maharaj, Hon. R. L.

Panday, Hon. B.

Persad-Bissessar, Hon. K

Lasse, Dr. The Hon. V.

Griffith, Dr. The Hon. R.

Humphrey, Hon. J.

Rafeeq, Dr. The Hon. H.

Khan, Dr. F.

Assam, Hon. M.

Job, Dr. The Hon. M.

Nanan, Dr. The Hon. A.

Partap, Hon. H.

Mohammed Dr. The Hon. R.

Singh, Hon. G.

Ramsaran, Hon. M.

Singh, Hon. D.

Sharma, C.

Ali, R.

Maraj, Hon. R.

NOES

Valley, K.

Narine, J.

Hart, E.

James, Mrs. E.

Imbert, C.

Joseph, M.

Hinds, F.

Williams, E.

Question negatived.

ARRANGEMENT OF BUSINESS

The Attorney General (Hon. Ramesh Lawrence Maharaj): Mr. Speaker, since the hon. Member for St. Ann's East is here and the Minister is here, I do not know whether we would want to go back to the question. It is question No. 78 on the Airports Authority. Mr. Speaker, can we go back?

Mr. Speaker: Hon. Members, notwithstanding that we had deferred these questions, seeing that both parties are here and with the agreement of both sides, we will recall question No.—

Mr. Valley: Mr. Speaker, do you think that there is agreement on both sides?

Mr. Speaker: I got the impression that there was. I overheard the conversation between yourself and—

Mr. Valley: I have not consulted with the Member.

Mr. Speaker: No. Consult with him and advise.

Mr. Valley: Mr. Speaker, it is deferred.

Mr. Speaker: What is that?

Mr. Valley: It is deferred.

Mr. Speaker: He does not want to ask his question today?

Mr. Valley: Mr. Speaker, the questions were deferred before.

Mr. Speaker: No. Hon. Members, this is really a serious place; it is supposed to be. We have two questions on the Order Paper. Let us just go over it for the sake of the record.

We had two questions on the Order Paper. The Leader of the House gets up to indicate that the Government is not in a position to answer one and is about to ask that the matter be deferred for one week and, of course, if there were not agreement, I would have put it to the House. At the same time, it is indicated and I overheard that the Member for St. Ann's East was not in the House and, therefore, the question cannot be asked, and could that one also be deferred. There is

agreement and one goes on it. Both parties are now here. Is there any earthly reason why we should not deal with the matter today really?

Mr. Valley: Mr. Speaker, the question was deferred.

Mr. Speaker: Yes, but I could ask the House to revisit it if this is how one wants it.

Mr. Valley: It is not your House, Mr. Speaker.

Mr. Speaker: No it is not; not my House. So, there is no agreement from the other side with respect to the question being asked today. Is this the position?

Mr. Valley: Mr. Speaker, all I am saying, the position on our side is that the matter was dealt with. They were deferred and we do not want to revisit at this time.

Mr. Speaker: Hon. Members, earlier in the proceedings, under "Questions for Oral Answer", in the absence of the Member for St. Ann's East, question No. 78 was deferred. The Minister of Works and Transport is here for purposes of dealing with it. An application is now made by the Leader of the House that now that both parties are here, that question No. 78 be recalled and I am putting to the House whether this question No. 78, on the advice of the House, should be recalled. The question therefore is: Does the House agree or not agree to question No. 78 being posed and answered today?

Question put and agreed to.

Mr. Speaker: Question No. 78, the Member for St. Ann's East. If he does not want to ask it, no problem. [*Mr. M. Joseph continues sitting*] The Member for St. Ann's East.

Mr. Joseph: Mr. Speaker, I have no question to ask at this time.

Mr. Speaker: Is the Member saying that this question is withdrawn, or is he questioning the Speaker's ruling?

Mr. Joseph: Mr. Speaker, under no circumstances would I ever question your ruling. In the circumstances, I am withdrawing the question.

Mr. Speaker: Very well. The Attorney General.

The Attorney General (Hon. Ramesh Lawrence Maharaj): Mr. Speaker, when the House was adjourned, we did say we were going to do "Private Business", "Bills Second Reading", a Bill for the incorporation of the National Safety Council Trinidad and Tobago and for matters incidental thereto.

**NATIONAL SAFETY COUNCIL
TRINIDAD AND TOBAGO (INC'N) BILL**

Mr. Chandresh Sharma (Parliamentary Secretary in the Ministry of Works and Transport): Mr. Speaker, I beg to move,

That a Bill to provide for the Incorporation of the National Safety Council Trinidad and Tobago and for matters incidental thereto be now read a second time.

The National Safety Council Trinidad and Tobago is largely involved and committed to the question of safety, including safety on the roads, safety at the work place and safety in health. This is an NGO that is involved in doing community work as well and they spread their message through educational seminars throughout Trinidad and Tobago and continues to be involved in promoting safety with children at school and others.

In addition to their present mode of operations, they are seeking to be involved with organizations outside of Trinidad and Tobago, in this way to bring in whatever expertise may be available, all on a voluntary basis.

Mr. Speaker, I beg to move.

Seconded by Mrs. Eulalie James.

Question proposed.

Mr. Chandresh Sharma (Parliamentary Secretary in the Ministry of Works and Transport): Mr. Speaker, may I thank the Member for Laventille West. It appears as if all Members are acquainted with the good work of the National Safety Council.

I beg to move.

Question put and agreed to.

Bill accordingly read a second time.

Bill committed to a committee of the whole House.

House in committee.

Clauses 1 to 9 ordered to stand part of the Bill.

Preamble ordered to stand part of the Bill.

House resumed.

Bill reported, without amendment, read the third time and passed.

12.15 p.m.

ARRANGEMENT OF BUSINESS

The Attorney General (Hon. Ramesh Lawrence Maharaj): Mr. Speaker, can we proceed with Motions No. 2, 3 and 4 on the reports of the Joint Select Committee that had been appointed in order to save the work?

Agreed to.

JOINT SELECT COMMITTEE REPORTS

ADOPTION

**Human Tissue Transplant Bill and Human Reproductive
and Genetic Technologies Bill**

The Minister of Health (Dr. The Hon. Hamza Rafeeq): Mr. Speaker, I beg to move the following Motion standing in my name:

Be it resolved that this House adopt the Report of the Joint Select Committee of Parliament appointed to consider and report on the following Bills entitled “An Act Respecting Human Reproductive Technologies and Commercial Transactions relating to Human Reproduction” and “An Act to make Provision for the Removal of Human Tissue for Transplantation and Blood for Transfusion and for matters connected therewith.

Mr. Speaker, the committee met and completed deliberations on one of these Bills: that is the Human Tissue Transplant Bill. The committee took the liberty of redrafting this Bill, taking into account the views of several organizations which responded to our invitation for public comment and the views of the members of the committee itself. The committee is recommending that the redrafted Bill should be introduced in the Parliament in the next session. Mr. Speaker, as far as the second Bill is concerned: the Human Reproductive and Genetic Technologies Bill, the committee began its deliberations and published the Bill for public comment. The work on this Bill has not been completed. The committee is recommending that, in view of the work that has already been done, this Bill should be reintroduced in the new session and referred to a committee which should be authorized to consider as part of its records, all the work that had been done by the previous committee on this Bill.

Mr. Speaker, I beg to move.

Question proposed.

Question put and agreed to.

Report adopted.

Planning and Development of Land (No. 2) Bill

The Minister of Legal Affairs (Hon. Kamla Persad-Bissessar): Mr. Speaker, I beg to move the following Motion standing in my name:

Be it resolved that this House adopt the Report of the Joint Select Committee on the Planning and Development of Land (No.2) Bill 1998.

Mr. Speaker, I beg to move.

Question proposed.

Question put and agreed to.

Report adopted.

Parliament Management Structure—Reform

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

Be it resolved that this House adopt the Report of the Joint Select Committee on the Working Paper on the Reform of the Management Structure of the Parliament of the Republic of Trinidad and Tobago.

Mr. Speaker, from the report, it would be seen that this committee had meetings. They had two meetings on Saturdays. We got, in this committee, a wealth of information. It would have taken us some more time to complete this work. This report is to indicate to the House that we have got that information. Having regard to the position in which the Parliament has reached, we would want the work, which this committee has done, to be considered by the next committee.

Mr. Speaker, I beg to move.

Question proposed.

Question put and agreed to.

Report adopted.

ADJOURNMENT

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

Mr. Speaker, may I mention that we had also agreed that there is a Motion on the adjournment, if the Opposition wants us to do that we would be able to do it.

Adjournment

Monday, September 06, 1999

Mr. Speaker: Hon. Members, leave had been given to the Member for Laventille West to raise a matter on the Motion for the adjournment.

Maryland Hill (Deplorable Condition of)

Mrs. Eulalie James (*Member for Laventille West*): Mr. Speaker, it pains me to come here after just a little over three months to report, again, that the Maryland Hill has been disrupted again. Mr. Speaker, it appears as though this road was done so quickly, with material that was not good, and done in a shoddy way.

The Minister knew full well that road needed special attention. He also knew that it needed a proper foundation in order that that road would not develop potholes. Apparently he did not go to the extreme to get the expert advice before he fixed that road. Even though we know that parents and others protested, he was probably anxious to get it done. That was no excuse to do the job improperly so that he would not have wasted government funds.

Mr. Speaker, as it stands today, he sent back the contractors to fill some holes over the weekend. That again is wasting money because it is not going to stand up.

12.25 p.m.

What I ask the Minister to do is cut some appropriate road through the area where Field's has their manufacturing building to make it passable for children to reach to the school, and then undertake to do the road properly. Mr. Speaker, if he does not do that and just paves the road again without putting a proper foundation, it would be of no use. Apparently, water is seeping through that road from some place. I am asking the Minister to ensure that what is needed is undertaken. He should find out exactly what is wrong below that road before he attempts to do anything there again.

Mr. Speaker, that road is very important and we would like to see it fixed properly. That road is used by many motorists coming off the Lady Young Road, but more importantly, it is the only access road to the Maryland Hill School. We are appealing to him to do whatever he can to ensure that the road is built constructively and done in a manner that it would not be disrupted again.

I hope he would do whatever is in his power, this time, to ensure that the work is carried out properly and not hurriedly. We know it would take quite some time and that is why we are asking if he could put some other access road to the school, and take his time to ensure that the road is built properly. I hope he would give us some answer that will please our ears this morning in relation to this road.

Thank you.

The Minister of Local Government (Hon. Dhanraj Singh): Mr. Speaker, the Maryland Hill Road falls within the jurisdiction of the San Juan/Laventille Regional Corporation. The topographical configuration of this area is such that the Maryland Hill Road first slopes off the Lady Young Road and descends into Belmont Valley Road. Moreover, the land area is well known for its subterranean springs, which have historically been responsible for shifting soil with the minimum rainfall.

The Local Government history will reveal that the Maryland Hill Road has been the source of tremendous attention, and significant recurrent resources have been ploughed into this road, dating back to the county council days, when this road fell under the St. George West County Council.

The fact of the matter is that the San Juan/Laventille Corporation had not included this project as a priority on its development programme for many years, and the road condition became exacerbated, with both the road surface and the drains becoming in a most deplorable condition. This honourable House would recall that the situation relating to this road became very tenuous earlier this year and residents, the travelling public and schoolchildren were badly affected with the road having to be closed. In fact, the Member of Parliament for the area had raised a Motion in the House on this matter because the state of the road had deteriorated to such an extent.

Mr. Speaker, this House would recall that in April 1999 the Ministry of Local Government had decided, that in order to provide some relief and make up for the wanton neglect by the San Juan/Laventille Corporation over the years to the citizens, to undertake the rehabilitation of the Maryland Hill Road, under the Road Improvement Fund. As the records would show, this project was completed in May 1999, much to the satisfaction of the residents, pedestrians, drivers, school teachers and children using this area. We used the opportunity to also pave the entire schoolyard.

The situation is, that with the advent of the present rainy season there has been much torrential rain, and many landslips of varying sizes have been developing on the Lady Young Road and its environs. One such landslip has affected the recently completed Maryland Hill Road project. The land slip commences from the top of the St. Francois Valley Road and stretches across Beecham Coco Road as far as the Fields' Furniture Woodworking Shop, a distance of 50 metres. The present situation is that vehicles can only use one section of the road to facilitate travelling to and from the Lady Young Road into Belmont. In fact, the landslip does not only affect the Maryland Hill Road but also a much wider area.

Maryland Hill

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My technical officers have visited the site and have informed me that what is now required is a geotechnical survey to ascertain the reasons for the persistent and serious soil slippage in the area, and to determine the type and nature of the remedial work required to address this problem. As an interim measure, the Ministry has requested that the road be repaired to facilitate access to motorists and pedestrians to and from the area.

The Ministry will undertake the following as part of the repair works: seal all cracks and fissures on Maryland Hill Road; create berms at southern end of the Maryland Hill Road and Beecham Coco Road to direct surface water into the roadside drains; excavate new drains and restore existing drain on the southern side of the Beecham Coco road; build up roadway along Beecham Coco Road to allow traffic flow; protect slope to roadway at outfall of culvert on Beecham Coco Road using mass concrete; regrade area at the entrance to Maryland School by removing heave material creating gentle, safe, easy, rideable grades. [*Crosstalk*] It is to be noted that work has already commenced and it is expected that it will be completed by the opening of the new school term on Monday 6, September 1999. From my information, these temporary remedial works have been completed.

Mr. Speaker, the Ministry would be attempting to get a reputable firm to carry out the required geotechnical survey, as soon as possible, and would be working with the San Juan/Laventille Corporation to have remedial works carried out on the Maryland Hill project. [*Crosstalk*]

Thank you.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 12.34 p.m.