

*Leave of Absence**Friday, February 11, 2000***HOUSE OF REPRESENTATIVES***Friday, February 11, 2000*

The House met at 1.30 p.m.

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

Mr. Speaker: Hon. Members, I wish to advise that I have received communication from four Members of this honourable House who have asked to be excused from today's sitting. They are: the Member for Siparia; the Member for Port of Spain North/St. Ann's West; the Member for Diego Martin East and the Member for St. Ann's East. The leave of absence which they seek is granted.

Hon. Members, I am advised that we have also received communication from the Member for Tobago West who is ill and who has asked to be excused. The leave of absence which she seeks is also granted.

**PAUL HARRISON (MR.)
(DEATH OF)**

Mr. Speaker: Hon. Members, I wish to draw to your notice that recently a former Member of this honourable House, the Member for Caroni East in the 1976—1981 Parliament, died. Members of this House may care to express words of condolence.

The Minister of Public Utilities (Hon. Ganga Singh): Mr. Speaker, to many Paul Harrison was a legend. He was a true patriot of the working class. Paul Harrison was born to parents Alfred and Lillian Harrison on September 22, 1941 at Chin Chin Road, Cunupia. Paul was educated at Las Lomas Government School and Presentation College, Chaguanas.

In May, 1964, Paul joined British West Indian Airways (BWIA) where he was employed as an aircraft mechanic until his passing on Friday last, eight months before his 59th birthday. He served BWIA for over twenty-five years. Mr. Speaker, in 1969 all the heavy maintenance on BWIA's jet aircraft was done in the U.S.A.. Paul Harrison and many others shared a common goal to bring the overhaul work to Piarco.

In 1971, not being satisfied with the then union, Paul led a team that swept the elections in the union branch that represented the maintenance workers. Paul was

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elected Chairman. It was to be his baptism into the arena of politics. Soon after this, this movement also identified with the struggles of other workers in the country, particularly those taking place in oil and sugar.

In 1975, the Piarco branch of CAWU became a member of the United Labour Front, together with other progressive trade unions. The ULF was transformed into a full political party and Paul contested the general elections of 1976 and was elected as a parliamentary representative for Caroni East.

He served along erstwhile colleagues such as Basdeo Panday our Prime Minister; Raffique Shah, a journalist; and Errol McLeod. During that period he also interacted with men of the stature of Dr. Eric Williams, George Chambers, A.N.R. Robinson, Tubal Uriah “Buzz” Butler, CLR James and others.

After serving his five-year term in Parliament, Paul realized that his real mission in life was in the service of the working class, particularly those at BWIA. In 1982, the Aviation Communication and Allied Workers Union was born. Paul served as a first President General, a post he held until his passing.

Mr. Speaker, Paul served his union and the trade union movement with distinction and dedication. He struggled hard to improve their terms and conditions of employment; he was a fearless fighter. The union became an integral part of his life. His opinions were not always popular, as is the case with most leaders. In 1995, he teamed up with other BWIA union leaders and successfully negotiated with the Government for the rights of the BWIA employees to be protected by law during the privatization of BWIA. At the end of it all, the employees received 15.5 per cent of the shares in the new BWIA and have two seats on the board. Until his passing, Paul served as an employee/shareholder/director on the Board of Directors, having served previously for six years on the board of the old BWIA.

Until his passing, he was a member of the Board of Directors of the Cipriani Labour College. He was a former member of the National Planning Commission under the chairmanship of the Prime Minister, and the Minimum Wages Board.

Mr. Speaker, most of Trinidad and Tobago did not only know Paul because of his politics. Paul was also well known for his work with his communities. He was a friend to many, always willing to lend a helping hand. He was a first class batsman for his cricket team Chin Chin “Invincible” and those lightning strokes earned him the nickname “toma”, short for tomahawk. He was a footballer, a good boxer, undefeated in all his fights. He was an avid hunter and reared many hunting dogs. He was a tenor pan player with San Juan All Stars Steel Orchestra

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and a parang singer. Paul sang from classical Indian songs to old time calypsos. He actually won first prize in an old time calypso singing competition. He was a key member of the San Juan Jabloteh football team, working with Jerry Hospedales.

Paul Harrison shall also be remembered for his cheerfulness, that deafening and thundering laughter that signalled his presence.

Mr. Speaker, on behalf of the Government, we wish to extend sincerest condolences to his wife, Indra, his 14 children, his sisters and his mother Lillian, and we shall pray to the Almighty to give them strength in this time of loss.

Mr. Patrick Manning (*San Fernando East*): Mr. Speaker, I would like to join with Members on the Government side in expressing our condolences to the bereaved relatives and to record, too, our own appreciation for the life of Paul Harrison.

He first came to my attention in 1976 when he entered this Parliament as the Member of Parliament for Caroni East. You will recall, Mr. Speaker, because you were a Member of that Parliament also, that it was a first attempt at coalition politics, even though the team was in Opposition, but Paul Harrison, who represented one of the labour unions at that time associated with BWIA, became a member of the team that faced the polls in 1976 under the banner of the United Labour Front and became a Member of Parliament for Caroni East as a consequence.

Mr. Speaker, I have a recollection of Mr. Harrison arguing his case very passionately here in the Parliament—whatever the case was—and convinced of the rectitude of his cause at all times, even if at times there were those of us in the government who felt that he and his colleagues may have been misguided; that is not the point. The point was, whatever he believed in he argued and argued very passionately, of which we would like to take note.

When I had the pleasure of leading a government between 1991 and 1995, and the question of the divestment of BWIA came up, I think the country ought to know that it was co-operation from Paul Harrison and his union that assisted our deliberations very significantly and resulted in what I believe is one of the better divestment arrangements that has been entered into in Trinidad and Tobago. It resulted in the workers being given a 15 per cent stake in BWIA.

By 1981 he had left the field of politics to commit more time to trade union activity and to activities in his community in sport and in other aspects of

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community life. I am quite certain that by his passing he will be missed a lot by those whom he had served in his trade union and also the large number of persons who had been beneficiaries of his benevolence as a community worker.

We would like to express the wish that his soul rest in peace.

Mr. Speaker: Hon. Members, I wish to be associated with the expressions from the Government and the Opposition Benches in respect of the passing of Paul Harrison. As the Leader of the Opposition has correctly pointed out, Paul Harrison was an occupant of one of the Benches in this House for part of the period when I, too, occupied those Benches.

It is being pointed out to me by the Leader of the Opposition that I had the dubious distinction of occupying both sides in the 1976—1981 period when Paul Harrison served. So, in a sense, I was against him at one time and I associated with many of the things that he said for the latter part of the 1976—1981 term.

I would join in saying that whether one agreed with him or not, he always came over as a very fearful, fearless and tenacious representative. Indeed, it may be argued that it was to be expected of one who was so involved in trade unionism.

Undoubtedly, he has lived a most useful life. One just has to listen to what the Member for Caroni East said. I thought I heard him wrong when he said 14 children; if indeed he had 14 children, it is quite obvious that his life was a full and complete one and one that was useful.

I would, in the circumstances, ask the Clerk of the House to dispatch a suitable letter of condolence with the expressions of the House to his next of kin on his passing, and I would ask the House to stand for one minute of silence in his honour.

The House stood.

Mr. Speaker: I thank you.

**JOINT SELECT COMMITTEE
(APPOINTMENT OF)**

Mr. Speaker: Hon. Members, I wish to advise that I have received communication from the hon. President of the Senate, dated February 9, 2000, which reads as follows:

“Dear Mr. Speaker,

Appointment of Joint Select Committee

At the sitting held on Tuesday, February 8, 2000, the Senate agreed to the following resolution:

Joint Select Committee (Appointment of)

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BE IT RESOLVED that a joint select committee be appointed to consider and report within three months on the Bills entitled: an Act to establish a Children's Authority of Trinidad and Tobago, to act as the guardian of the children of Trinidad and Tobago; an Act to make provision for the monitoring, licensing and regulating of community residences, foster homes and nurseries in Trinidad; an Act to amend certain laws affecting children; an Act to make provision for the regulation of procedures governing the adoption of children and to give effect to the International Convention on the Right of the Child in 1990; and an Act to amend the Children's Act, Chap. 46:01.

The resolution being agreed to, the Senate appointed the following six Members to serve with the six Members appointed by the House of Representatives on the joint select committee:

Mrs. Daphne Phillips

Mrs. Vimala Tota-Maharaj

Rev. Barbara Gray-Burke

Mrs. Joan Yuille-Williams

Mrs. Diana Mahabir-Wyatt

Dr. Eric St. Cyr.

Yours sincerely,

Ganace Ramdial

President of the Senate.”

**ALDWYN ROBERTS (MR.) (LORD KITCHENER)
(DEATH OF)**

Mr. Patrick Manning (*San Fernando East*): Mr. Speaker, I do not know if it has as yet come to your attention, but the Lord Kitchener has passed away. I do not know if the House considers it appropriate to express some sentiments because he has been such a distinguished citizen.

1.45 p.m.

Mr. Speaker: Hon. Members, the information just given me by the Leader of the Opposition is indeed news to me, but I accept it, having come from him, in this House. Notwithstanding that Mr. Roberts was not a Member of this House or of the Parliament of Trinidad and Tobago, I am sure that many would expect that

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this House would recognize the passing of one who, obviously, made tremendous contributions on behalf of the people and country of Trinidad and Tobago and whose name was a household name in many parts of the world; including many parts of Africa where he was honoured and where his song and music was extremely well recognized.

Undoubtedly, it is the passing of a man of talent, and I ask the House to take note of his passing. I am sure that Members on both sides may care to express views on this.

The Minister of Training and Distance Learning (Dr. The Hon. Rupert Griffith): Mr. Speaker, at 10 o'clock today, we have learnt, on this side, that Mr. Aldwyn Roberts, more affectionately known as Lord Kitchener, passed away. Some 77 years ago, Lord Kitchener was born in Arima, the constituency which I am proud to represent. Lord Kitchener has been a great son of the soil, as you have said, Mr. Speaker. He has not only contributed significantly to culture and, more particularly, calypso as an art form but he has made Trinidad and Tobago proud in his sojourn around the world through music and taking forward our culture; that being calypso.

Mr. Speaker, Lord Kitchener, or Aldwyn Roberts, will always be remembered in Trinidad and Tobago. His body died today but his spirit and his music will live on for time immemorial. His contribution was so wide and so deep that even today one can just listen to the lyrics of calypso and one would recognize the footprint of Mr. Aldwyn Roberts. He has been one who always, fiercely, defended calypso as an art form—the times in our history when, due to contemporary songs in calypso, Lord Kitchener stood up very strongly and spoke in a very forceful way of maintaining the lyrics in the traditional calypso art form in Trinidad and Tobago.

Mr. Speaker, he has made us in Arima very proud. He will always be missed by Arimians. Earlier today I extended condolences on behalf of the constituents of Arima to the family of Mr. Aldwyn Roberts when I learnt of his passing. I want to take this opportunity, on behalf of the Members on this side and, indeed, on behalf of my own family, to extend the sincerest condolences to the family of Lord Kitchener. He will always live on in our hearts and he will always live on in spirit, in Trinidad and Tobago.

I thank you. [*Desk thumping*]

Mr. Kenneth Valley (Diego Martin Central): Mr. Speaker, we on this side join with the national community in mourning the loss of Mr. Aldwyn Roberts,

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Lord Kitchener. As a fact, he was born in Arima but you are aware that Rainorama Palace is in Diego Martin. I think we can see in Aldwyn Roberts, an example, a genius, an ambassador in culture, specifically in calypso and the steelband movement. My colleague, Mr. Hart, would tell us that the steelband movement depended on the Lord Kitchener year after year for their tune of choice on the road on carnival day.

What struck me about Lord Kitchener is the fact that he stood for something. I think whenever we saw Lord Kitchener we saw a personality. He was always well dressed with his hat, even if he was singing in the tent.

We look at the type of calypsoes; they are always with a message—especially if we consider those of this year—and of course, they are an important legacy to the people of Trinidad and Tobago.

I remember, as a youth, listening to Lord Kitchener when he returned in 1963 with *“The Road Make to Walk on Carnival Day”*; after that, my love for Kitchener just grew. I have been a beneficiary of his love for the People’s National Movement. I think it is well known that he identified with the PNM, mainly because of the principles for which the PNM stands.

In 1991—[*Interruption*] I am speaking as a fact—as well as 1995, in Diego Martin Central, the Lord Kitchener was there with me as I campaigned in the constituency. Earlier today, my Chairman asked me to seek the approval of the relevant authorities and the concurrence of the people of Diego Martin Central and Diego Martin West to have the Diego Martin Highway named after Lord Kitchener. Mr. Speaker, of course, I would be doing so, I would seek the concurrence of relevant persons and authorities to have our Diego Martin Highway, henceforth, known as the “Kitchener Highway.”

We mourn his loss, Mr. Speaker, but we would cherish his legacy. We would cherish his music, especially in a period when, for those of us at an earlier time, the calypsoes of today, the younger caplysonians seem to be somewhat below the standard of the “Kitcheners” and the “Sparrows.” We would hope that some of our younger calypsonians would take an example from the Lord Kitchener.

We mourn his loss, Mr. Speaker. [*Desk thumping*]

ORAL ANSWERS TO QUESTIONS

The Attorney General and Minister of Legal Affairs (Hon. Ramesh Lawrence Maharaj): Mr. Speaker the Government would be able to answer all the questions but in respect of Questions Nos. 11 and 15, we would like if you can

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stand them down because the hon. Minister does not have those answers in his possession as they are on the way to him.

Mr. Speaker: Are you saying Questions Nos. 11 and 15?

Hon. R. L. Maharaj: Yes.

1.55 p.m.

The following question stood on the Order Paper in the name of Ms. Pamela Nicholson:

Ringbang Millennium Concert

- 15. (a)** Could the Honourable Minister of Finance, Planning and Development inform this honourable House under what financial regulations the Tobago House of Assembly functions?
- (b)** If the Tobago House of Assembly is guided by financial regulations, could the Minister state whether there was a parliamentary appropriation of approximately \$40.9 million for a project called the 'Ringbang Millennium Concert' which was scheduled to be held at Shaw Park, Tobago on December 31, 1999?
- (c)** If there was not any parliamentary appropriation for the 'Ringbang Millennium Concert', could the Minister state whether he approved a special release of approximately \$40.9 million to the Tobago House of Assembly for this project? [*Miss Pamela Nicholson*]

Mr. Valley: Mr. Speaker, Question No. 15 is in the name of the Member for Tobago West and, as you know, she would be absent from today's session, therefore, on her behalf, I am asking that this question be deferred for one week.

Mr. Speaker: I take it that hon. Members have no problem in deferring that matter for a week.

Question, by leave, deferred.

Legal Aid and Advisory (Amdt.) Act (Proclamation)

- 16. Mr. Fitzgerald Hinds** asked the Honourable Attorney General and Minister of Legal Affairs:
- (a)** Would the Attorney General indicate whether the Legal Aid and Advice (Amendment) Act, 1999 has been proclaimed?

- (b) If the answer is in the affirmative, when did the proposed increases in payment to attorneys take effect?
- (c) If the answer to (a) is in the negative, could the Attorney General indicate what is the reason for the delay?

The Attorney General and Minister of Legal Affairs (Hon. Ramesh Lawrence Maharaj): Mr. Speaker, the Attorney General and Minister of Legal Affairs wishes to advise this honourable House that the Legal Aid and Advisory (Amdt.) Act, 1999 has not been proclaimed? When the Act is proclaimed then all of its provisions would come into effect, including the provisions for increase in legal fees for Attorneys who are appointed under the Act.

The main reason for the delay has been the non-allocation in the budget of sufficient funds for the implementation of the Act. Mr. Speaker, a provision of \$3.5 million was made. However, an additional \$4.5 million is required for the implementation of the Act, in particular, the increased cost to the state to retain lawyers under the Act.

Since assuming responsibility for the Legal Aid and Advisory Authority in October 1999, the Attorney General and Minister of Legal Affairs has taken steps to secure an assurance from the Ministry of Finance that the additional funds would be provided by the end of March, 2000. Based on this assurance the Attorney General and Minister of Legal Affairs intends to seek the approval of Cabinet to have the Act proclaimed with effect from March 31, 2000. In the meantime the Authority has been putting systems in place to deal with the increased workload anticipated by the amendments. During the month of December 1999 advertisements appeared in the daily newspapers, requesting applications from Attorneys-at-Law for the position of Legal Officer with the Legal Aid and Advisory Authority. Applications closed on January 31, 2000. It is anticipated that by the middle of February 2000 interviews for the post would begin.

Thank you very much, Mr. Speaker.

Mr. F. Hinds: A supplemental question. Mr. Speaker, in light of the importance that the Government had attached to this legislation at the time of the debate, and with the possibility of virement of funds, would the Attorney General suggest why this could not have been arranged by way of virement of funds?

Hon. R. L. Maharaj: Mr. Speaker, the question of the allocation of financial resources is a matter for the Minister of Finance. From my information from the

Minister of Finance, all efforts were made in order to make this possible, but it will not be possible until the end of March, 2000.

**Independence of the Judiciary
(Allegations of Interference)**

17. Mr. Fitzgerald Hinds asked the Honourable Attorney General and Minister of Legal Affairs:

- (a) Would the Attorney General say whether he or his Ministry sought and obtained legal advice or counsel from any source regarding the allegations of interference by the Executive with the independence of the Judiciary, made by the Chief Justice of Trinidad and Tobago?
- (b) If the answer is in the affirmative, could he name the source or sources and state the cost of such advice to the State?
- (c) Would the Attorney General lay on the Table of the House any opinion so obtained for the benefit of members?

The Attorney General and Minister of Legal Affairs (Hon. Ramesh Lawrence Maharaj): Mr. Speaker, in response to the first part of the question, the Attorney General and Minister of Legal Affairs states that the allegations made by the Chief Justice and some of the material circumstances surrounding the making of the allegations must be first examined to see whether the need arose for the Attorney General to seek legal advice in respect of the allegations.

Mr. Speaker, on the 16th day of September, 1999 at the opening of the 1999/2000 Law Term, the Chief Justice alleged that the Attorney General was involved in a conspiracy with the President of the Law Association to drive the Chief Justice from office. The Chief Justice appeared to have based his case against the Attorney General on the fact that the Attorney General supported the President and Members of the Law Association in their effort to persuade the Chief Justice that the proposed Rules of the Supreme Court were not in the public interest and that they should not, therefore, become effective.

Mr. Speaker, the Chief Justice in further support of his case of conspiracy against the Attorney General, seemed to have relied heavily on the fact that the Attorney General had earlier supported these rules. The Attorney General admitted that he gave support for the rules but up to the time he gave such support he was guided by information from the Rules Committee, chaired by the Chief Justice, that these rules had the support of the legal profession and that the Law Association was properly consulted in respect of the rules. The Attorney General,

therefore, took the position that he was under a duty to support the President and Members of the Law Association, when he discovered that the proposed rules would not have been in the public interest and would result in unequal treatment of litigants and would also deny access to justice to poor persons. The rules the Attorney General said would favour the wealthy sections of our society and would eliminate sole legal practitioners and small legal firms.

The Chief Justice made these serious charges against the Attorney General whilst he was attending the Commonwealth Law Conference in Malaysia, and when Commonwealth Lawmakers were attending a Parliament Associations' Conference in Trinidad and Tobago.

The statements made by the Chief Justice amounted to a serious indictment against the Government. He accused the Government of contravening the Constitution of the Republic and undermining the rule of law. It was essential for the Attorney General, as the Minister accountable to Parliament for law and the administration of justice, to seek independent legal advice on the merits of the charges made by the Chief Justice. This requirement was made more compelling by the statement made by the Chief Justice that, and I quote, "he would descend into the arena", and by this call upon the members of the public and the legal profession, to support him in his charges against the Attorney General.

The Leader of the Opposition immediately made a public statement supporting the Chief Justice and announced 24 political meetings of his party throughout Trinidad and Tobago, in support of the Chief Justice. Mr. Speaker, the Leader of the Opposition also joined cause with the Chief Justice, in his confrontation with the President of the Law Association, with the Attorney General and by extension with the Government of the Republic of Trinidad and Tobago.

Mr. Speaker, the Chief Justice's statements were likely to undermine the Government's Legal Reform Programme, were likely to cause the very conduct of justice to fall into public dispute and were likely to undermine the pillars and fabric of the Constitution. The principles of good governance require the Attorney General to seek and obtain independent and competent legal advice in respect of the Chief Justice's accusations and for the Attorney General to make a reasoned and comprehensive response in answer to the charges if the advice to him was that the Attorney General and by extension, the Government, did not interfere with the independence of the judiciary as alleged by the Chief Justice. The Chief Justice's statement received widespread coverage nationally, regionally and internationally. With one exception, the members of the Judiciary of the Supreme Court

participated in the publication of a paid advertisement ostensibly in support of the Chief Justice, even before the Attorney General had given his response.

2.05 p.m.

The Law Association called for an enquiry into the allegation. Members of the legal profession and the public engaged in sustained public debate on the Chief Justice's allegations. Members of the public, the legal profession, the media and the Law Association called upon the Attorney General to make a public response to the Chief Justice's allegations.

Mr. Speaker, the Attorney General could not properly, in the circumstances, advise himself or request his ministry to advise him. The Attorney General certainly could not have been a judge in his own cause; had he done so he would have been failing in his duty to the Cabinet and the public of Trinidad and Tobago. As legal advisor to the Parliament, I would have been failing in my duty to the highest law-making forum of the Republic.

Mr. Speaker, the Attorney General, therefore, sought and obtained legal advice in respect of these serious charges made against him by the Chief Justice, that would not only be independent but would seem to be independent. Since the Chief Justice's charges implicated the Law Association's President and made reference to the Chief Justice's new rules, the country's entire body of legal practitioners were, in fact, made party to the issue.

Mr. Speaker, in response to part (a) of the question, this honourable House is advised that the Attorney General on his way back to Trinidad and Tobago from the Commonwealth Law Conference in Malaysia had a number of conferences in London with English Queen's Counsel, Sir Godfray LeQuesne and his junior Mr. James Dingemans in respect of the allegations made against the Attorney General by the Chief Justice. This was to obtain counsel's opinion as to whether the matters about which the Chief Justice complained contravened the Constitution of the Republic of Trinidad and Tobago insofar as its provisions related to the independence of the Judiciary.

The Attorney General also retained another English lawyer, Miss Phillipa Kauffmann, to advise whether the allegations made against the Attorney General by the Chief Justice amounted to a contravention of any principles of the independence of the Judiciary as enunciated by the United Nations, other international institutions and other Commonwealth countries and even non-Commonwealth countries, including the United States of America. As would be expected, the matters necessitated extensive legal research.

Upon my return to Trinidad, I arranged to meet with Dr. Fenton Ramsahoye, S.C. and the Permanent Secretary of the Ministry who is charged with the responsibility for the administration of the ministry. The purpose of this meeting was for Dr. Ramsahoye to examine the financial and administrative rules, procedures and practices about which the Chief Justice had complained and which he claimed constituted contravention of the principles of the independence of the Judiciary and the rule of law.

Mr. Speaker, Dr. Ramsahoye held several conferences with the Attorney General and the Permanent Secretary in examining the relevant record since Independence and being briefed on the rules and procedures which existed from Independence to the time the Chief Justice made his statements. Following this examination, he was asked to assist the ministry's team in the preparation of the statement which the Attorney General made on October 29, 1999, in Parliament, in preparing a response to each of the allegations made by the Chief Justice.

These responses were contained in detail in the publication entitled "*The Doctrine of the Separation of Powers, the Independence of the Judiciary, The Obligation of Accountability – The Facts of the Matters Raised by the Chief Justice on September 16, 1999*": which was laid in Parliament and ordered to be printed as a House Paper.

There was no evidence nor any suggestion in the Chief Justice's address that there had been any attempt to infringe judicial independence by any attempt of the Executive to exercise any influence in decisions of judges. The Chief Justice, however, rejected the notion that the Judiciary had an obligation to account to the Parliament and the people for the expenditure by the Judiciary in respect of its administrative functions.

Both the statement made by the Attorney General in Parliament and the responses contained in the booklet laid in Parliament reflected the legal opinions of Sir Godfray LeQuesne Q.C., his junior Mr. James Dingemans, Dr. Fenton Ramsahoye S.C., and Miss Phillipa Kauffman.

Based upon the opinions I received it was crystal clear that:

- (1) there was no contravention of the Constitution of the Republic of Trinidad and Tobago insofar as the provisions relate to the independence of the Judiciary, the separation of powers and the rule of law.
- (2) the adherence to the existing financial and administrative rules and procedures which the Judiciary had to comply with were not

fundamentally different to those which existed since independence of the Judiciary; and

- (3) the matters which the Chief Justice complained about did not contravene the United Nations basic principles on the independence of the Judiciary or other international norms relating to the independence of the Judiciary or any of the principles of the independence of the Judiciary as declared by the Commonwealth of nations or principles as enunciated by the United States of America.

Mr. Speaker, in the context of all that I have said, the Government announced the appointment of a commission of enquiry into the administration of justice in Trinidad and Tobago. One of the earliest reactions was that a petition of 81 lawyers, most of them employed with three top law firms in Port of Spain, was sent to His Excellency the President requesting His Excellency not to appoint the commission; a power of refusal which the Constitution does not bestow upon His Excellency. These actions underlined how correct it was for the Attorney General to seek independent and informed counsel.

This honourable House is advised that the total cost for these opinions and the professional services given is: the English lawyers, £22,600 (Pound Sterling) which is equivalent to \$233,881.07; the cost for Dr. Ramsahoye's services was US \$8,000, the equivalent of TT \$50,399.20, totalling \$284,280.27. This sum is inconsequential in relation to the enormity of the damage that could possibly have resulted if the country remained under the cloud which the Chief Justice had brought upon the independence of the Judiciary and if that cloud had not been properly dispelled.

In the same context, Mr. Speaker, the Commission of Enquiry into matters arising from and related to the Chief Justice's charges of September 1999 should be welcomed by the principals in the matters at issue by the public and by this honourable House.

In response to part (b) of the question, written opinions were not given. It was not necessary to seek written opinions. The opinions which were given are contained in the statement made in Parliament by the Attorney General and the responses which were made are contained in the publication laid in Parliament.

Thank you.

Mr. Hinds: Mr. Speaker, supplemental questions. Firstly, in respect of the fees paid to Dr. Fenton Ramsahoye, is the Attorney General telling us that it is usual to pay US dollars for services obtained in Trinidad and Tobago?

Hon. R. L. Maharaj: Mr. Speaker, from the records at the ministry it is not unusual for lawyers to requisition either in US dollars or Sterling, but the payment is in TT dollars.

Mr. Hinds: Mr. Speaker, a supplemental question yet again. I would like to know of the Attorney General whether he felt or is aware that the Prime Minister or any Member of the Government was, as a result of the allegations, as he put it, made by the Chief Justice, under threat of prosecution, civilly or criminally, to have warranted that kind of legal advice for what, in my view, was essentially a political question?

Mr. Speaker: There are two things about that, one is, that the Standing Orders are very clear on the length of a question and I have had difficulty in following that. It is a very long question and on that ground alone it is, perhaps, the type of question that could be asked in writing. Question time ends at 2.15 p.m. and that is another ground on which it would be virtually impossible to deal with it. If you want that question, which I deem as particularly lengthy, answered, I would suggest that it be put in writing.

Mr. Valley: One quick supplemental please, Mr. Speaker. I just want to know whether the Attorney General is, in fact, telling this House that he paid more than \$284,000 for an opinion from lawyers?

Hon. R. L. Maharaj: Mr. Speaker, obviously the hon. Member was not following. These matters had several conferences and opinions were given as the matters came. If it is that the Attorney General wants a written opinion, it can be gotten; there would be notes on the file, but there would be more cost. For the oral opinion there were records taken and there were things on the file.

Mr. Valley: So, you are, in fact, saying that you paid \$284,000 for oral opinions?

Hon. R. L. Maharaj: For conferences, research work, statements made, draft statements vetted, oral opinions and other matters related to the professional services. [*Interruption*] There are documents.

Continuous Assessment Programme

18. Mr. Fitzgerald Hinds asked the honourable Attorney General and Minister of Legal Affairs:

- (a) Would the Minister inform this House of the status of the Continuous Assessment Programme in relation to the 53 schools selected for the pilot project?

- (b) Would the Minister state whether a proper system of record keeping has been effected in the said schools?

Mr. Speaker: Hon. Members, I will now direct that the answer to question No. 18 be circulated.

Vide end of sitting for written answer.

STATEMENT BY MINISTERS

Mr. Speaker: Hon members, I have been advised by the Prime Minister that he wishes to make a statement which is not quite ready. In the circumstances, this item on the Order Paper would be deferred for a little later in the proceedings. [Interruption]

If you want it to be put to the vote, you are free to do it. I use discretion at times in this House, but if you want it put to the vote—

Question put and agreed to. [Crosstalk]

TOURISM DEVELOPMENT (No. 2) BILL

Order for second reading read.

The Minister of Tourism (Dr. The Hon. Adesh Nanan): Mr. Speaker, I beg to move,

That a Bill to facilitate the development of the Tourism Industry by providing to investors incentives and concessions and to make provision for matters incidental thereto be now read a second time.

Mr. Speaker, I am pleased to introduce this historical piece of legislation into the House today. This Bill in its passage through the upper House was facilitated by a committee made up of Senators and public officers chaired by the Minister of Tourism. This committee was set up to address concerns, comments and to make recommendations. When enacted, this legislation would be a landmark for the development of tourism in Trinidad and Tobago.

2.20 p.m.

Mr. Speaker, Trinidad and Tobago possesses tremendous assets and there is great potential with respect to the contribution of tourism to the economy. Trinidad and Tobago could be transformed into a unique or premier tourist destination. The tourism industry has the greatest potential for diversification of the economy. The Government sees tourism as the projection in terms of a vibrant and dominant sector in the economy.

Mr. Speaker, Government has initiated several strategies in its efforts to diversify the economy in the area of tourism. In fact, the Government's philosophy is the enhancement of the quality of life of the citizens of Trinidad and Tobago and all the initiatives are under this umbrella—the enhancement of the quality of life of the citizens to provide employment opportunities, income and improved services. It is the view that this legislation will be a catalyst in the development of the tourism industry.

Mr. Speaker, the Hotel Development Act of 1963 made reference only to hotels and this particular piece of legislation is revamping the Hotel Development Act. In fact, it is moving, not only to deal with hotels, but all the ancillary facilities to support the tourism thrust. We must recognize that the tourism industry is a very competitive one and we must put systems and measures in place to always have the competitive edge. As I mentioned earlier we are a virtual newcomer in the arena of tourism, and we can learn from the successes and failures of others, especially our Caribbean neighbours.

Mr. Speaker, the Tourism Development Bill is just one component of a comprehensive plan being undertaken by Government to ensure that the development of the tourism sector is done in a sustainable manner. Other initiatives being undertaken are the formulation of a national tourism policy; a five-year strategic plan; and revision of legislation with respect to standards in the industry.

In the other place, I explained that this Bill is not a development plan. As the Bill says, it is “an Act to facilitate the development of the Tourism Industry by providing to investors incentives and concessions and to make provisions for matters incidental thereto.” The proposed Bill incorporates radical changes to the Hotel Development Act. This Bill proposes to extend incentives now available to hotels only to a large number of tourism projects including, transportation services; dive operations; film-making; and cultural centres. It is hoped that through these measures the stock of tourist facilities would be expanded, so we could have an array of tourist attractions in terms of our marketing approach. Trinidad and Tobago is in a fortunate position. Not only do we have sun, sea and sand, we also have expanded opportunities and cultural activities. There is also diversification in terms of species of flora and fauna; in terms of sporting activities; rain forests; and niche markets such as dive.

Mr. Speaker, one of the new provisions of the Bill is the concept of an integrated resort development. This includes a hotel of at least 200 rooms and

major amenities, such as a golf course or marina. This type of project is intended to increase our room stock and also make us competitive. It will be seen that the project includes a number of villas to be approved by the Minister of Tourism. The thinking here is that the developer, on selling these Villas, will be able to use the revenue from the sale to deal with the infrastructural requirements, for example, in terms of a sewerage treatment plant for the resort.

Mr. Speaker, another major feature of the legislation is the introduction of incentives for businesses, which engage in expansion or refurbishment in terms of upgrade of the existing stock. This is very important if we are to stay on the cutting edge in competition, or to be competitive with other destinations.

An area which I would like to highlight with respect to the concessions is the exemption of taxes on interest for the construction of a tourism project, dealing with what has been stated in this Bill as an approved loan, and that loan would include bridging finance. Over the years, entrepreneurs have made repeated representation for some relief with respect to bridging finance and this has been included here in terms of the Bill.

Mr. Speaker, the tourism industry thrives on a legislative framework that is accommodating. We have seen it in terms of the niche market of honeymoons and weddings in Tobago. With the enactment of legislation to facilitate the wedding and honeymoon markets there has been phenomenal growth, particularly in Tobago. Some of the figures quoted here—and there are foreign marriages registered in Tobago—1996—72 marriages; 1997—147 marriages; 1998—196 marriages; and 1999—206 marriages.

Mr. Speaker, another area of extreme importance is marketing and the marketing of tourism falls under the Tourism and Industrial Development Company. In terms of destination awareness in traditional tourist generated markets, such as North America and Europe, the Tourism and Industrial Development Company has contracted several representatives in these areas to fulfil its mission as being a catalyst for the development of Trinidad and Tobago, as a globally competitive tourism destination. Further, Trinidad and Tobago has adopted niche marketing of its tourism products. There is a focus strategy resulting in the immediate growth of arrivals in these markets.

2.30 p.m.

Niche markets include dive, wedding and honeymoons, eco-tourism, golf, yachting, game fishing and meetings, Mr. Speaker. One example of an

achievement of this strategy is the 198 per cent increase in the number of divers in Tobago over the period 1995—1998. Another support category of the Government's tourism marketing efforts relates to increasing product knowledge. The Tourism and Industrial Development Company has facilitated countless press and familiarization trips over the last five years in order to ensure accurate and sustained knowledge of the tourism products.

Facilitation of these trips has resulted in free press coverage—I want to repeat that, in free press coverage—of a destination in several publications and these include *Condé Nast Traveler*, the *National Geographic Traveler*, *Caribbean Travell and Life*, *Travel Holiday Magazine* and many more. Trinidad and Tobago has received at least US \$10 million worth of coverage in the USA, Canada and Europe over the last five years, Mr. Speaker. As a result of this and the overall marketing strategy, visitor arrivals grew by 22 per cent in 1997 over 1996 and by 7.2 per cent in 1998 over 1997. Additionally, during this three-year period visitor expenditure doubled. Further, the creation and development of sufficient airlift is very important to support the accommodation plans if the industry is to grow.

The Tourism and Industrial Development Company, through its overseas representatives, has been instrumental in the introduction of new scheduled services to Trinidad and Tobago. In 1996 there was the introduction of *Condor* and the return of British Airways to Tobago. Mr. Speaker, one also needs destination information services when using niche-marketing strategies. This information places the scene of the product in the view of potential travellers. When I speak of destination information services I am referring here to utilizing the latest technology and, in fact, Trinidad and Tobago was the first Caribbean destination to launch a tourism web site. The site currently hosts at least 47,000 unique visits per day. As I go into the Bill—[*Interruption*]

Mr. Manning: Mr. Speaker, I thank the hon. Minister for giving way. Did I hear him say that the site has 47,000 hits per day?

Dr. The Hon. A. Nanan: That is correct. Mr. Speaker, as the hon. Member for San Fernando East is aware, there was a recent launch of the carnival web site. The information that is being put forward on this web site is triggering almost a million hits when you total it. However, 47,000 hits per day are unique visits by people who are looking for carnival in terms of—so that has been recently launched as another niche marketing strategy.

As I go into this Bill I want to highlight some of the areas that would be of concern to hon. Members. In the definition for owner, owner is defined in this Bill to include one who owns and develops. I want to read from the definition:

“‘owner’ means an individual, partnership or a company that owns or owns and develops an approved tourism project but that is not an operator in respect of that tourism project and includes their respective successors in title;”

Part I of this Bill makes reference to development incentives. This Bill before the House today is revolutionary in terms of incentives to entrepreneurs. There is an up to seven-year tax holiday in this particular Bill, and in Part I, apart from the tax exemption of up to seven years, there is also a provision for the integrated resort development that I spoke of earlier. The integrated resort development is a peculiar situation where villas are contributing to this resort and the Minister of Tourism must approve the sale of these villas. However, the sale of these villas will play an important part in assisting with infrastructural works by the developer and I mention that because I am making reference now to the tourism transfer tax.

In development incentives, Part I of the Bill, there is a tax exemption not exceeding seven years in respect of gains or profits and there is also a tax exemption in respect of gains or profits derived from the initial sale of the villas. That is what I want to explain this afternoon, Mr. Speaker, because we are putting a tourism transfer tax penalty on the vendor and not the purchaser. In an integrated resort development there is going to be a hotel and an accompanying set of villas. The tourism transfer tax will not apply for the first sale of these villas.

Outside of an integrated resort development, say, for example, if somebody wants to set up a marina and the boat that is coming in was purchased abroad and, as such, is exempted from customs duties. What we say is that, within the tax holiday period, if that boat is sold there will be a tourism transfer tax applied to the seller. The purchaser will not be—well, what I wanted to deal with was land because we are dealing with the stamp duty, so let us go back to a villa or a property.

The property or the hotel would have been exempt from a certain amount of customs duty with respect to the amenities in the hotel, but if the person sells the hotel within that tax holiday period the vendor pays tourism transfer tax. There is a schedule attached which will exempt a person, from one to seven years in terms of how much tourism transfer tax, but the purchaser of the property will not pay stamp duty. The tourism transfer tax is higher than stamp duty so we are putting

the penalty on the vendor. I wanted that to be quite clear here this afternoon in terms of the tourism transfer tax and the application of the tourism transfer tax.

I spoke about bridging finance. This Bill includes bridging finance and an approved loan is a loan that includes bridging finance. We are also dealing with the importation of vehicles because we recognize—as the tourism sector rose we wanted to have standards set and we are improving the transportation services. So clause 4 of the Bill makes reference to vehicles. On the importation of vehicles, a person would pay 10 per cent customs duty and value added tax. Mr. Speaker, if you look at the Schedule this would include helicopters, light aircraft, limousines, buses and taxis.

Clause 7 of the Bill deals with benefits and in order to access benefits under this Act we have stated certain requirements and these include:

- “(a) must be registered with the Corporation or the Assembly;
- (b) are subject to annual inspection by the Corporation in respect of matters concerning Trinidad, and the Assembly in matters concerning Tobago;
- (c) must provide relevant statistics/economic data at intervals as required by the Corporation or the Assembly;
- (d) must as far as possible, engage the human resources of Trinidad and Tobago;”

and of course, very important:

- “(e) must show linkages to the agricultural, construction and furniture industries and other manufactured goods and services of Trinidad and Tobago.”

Mr. Speaker, clause 7A states:

“No tax benefits under this Act shall be conferred on

- (a) the purchaser or lessee of a villa or condominium or the site for a villa or condominium unit in an IRD which is an approved project;”

This means that if somebody is purchasing a villa in an integrated resort development there is tax on the interest. So there is no relief for a person who is purchasing a villa.

In this Act we are also dealing with facilities reserved for nationals and at clause 9 these are listed as:

- “(a) accommodation facilities under twenty-one rooms;

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- (b) transportation services;
- (c) ground tour operations or destination management companies.”

We are also dealing—for example, just to go back, clause 8 deals with minimal capital expenditure and if you look at Schedule 9 you would see the minimum capital expenditure that is required in terms of national and foreign investors. In this particular Act the benefits are for guest houses with eight rooms and upwards.

I come now to the procedure in terms of an application for a tourism project. Based on Schedule 9, in terms of minimal capital expenditure, if an investor wants to get involved in the projects as outlined, whether it be a marina, a boat yard, an eco-lodge or camp site as the case may be, the process is as follows. The person would make an application to the corporation. The corporation would do the analysis and send that to the Ministry of Tourism. The application would include, as I said, the benefits of the project to Trinidad and Tobago in terms of employment opportunities, income generation and the linkages to the local industry, whether it be agricultural, construction and so forth.

2.45 p.m.

Mr. Speaker when the applicant submits the application to the corporation—in this case the corporation would be the Tourism Industrial Development Company—they would also ask for additional information to complete the application. But that is for projects in Trinidad. For projects in Tobago, the applicant would make the application to the Tourism Industrial Development Company and the Tourism Industrial Development Company would send the application to the Tobago House of Assembly for comments.

The Assembly would be free to ask for additional information for the particular project. In fact, they may require satisfactory evidence to see the viability of this particular project, and the applications, with recommendations, would come to the Minister of Tourism. What we have done here is—that is not in the Hotel Development Act of 1963—there was no facility with respect to the Assembly becoming involved in projects in Tobago. We are saying that with respect to the projects in Tobago, the application would be submitted to the Assembly for recommendations and the necessary recommendations would be made to the Minister of Tourism. For the projects in Trinidad, the application would be made to the Tourism Industrial Development Company and it would be forwarded to the Ministry of Tourism.

Once the application has fulfilled the requirements, the Minister of Tourism will grant an interim approval to the project. The applicant, having gotten the

interim approval, could go ahead and begin the project. The Minister of Tourism will also require, subsequent to the interim approval, plans and specifications—or it could be at the same time—and the estimated capital expenditure for the project.

I want to go to clause 15(2) and speak about capital expenditure. Capital expenditure includes:

- “(a) the construction of a new tourism project or building to be made into a tourism project;
- (b) the expansion or addition to an approved tourism project;”

In my contribution, earlier, I talked about standards and the requirement for upgrade of the existing plant that is now being covered.

- “(c) the furnishing and equipping of the tourism project..”

Mr. Speaker, there is also a “(d)”. I quote:

- “(d) ...the advertising and promotion of the tourism project to which the approved tourism project relates, if the expenditure is made before the interim approval is revoked...”

Clause 15(3) gives an allowance, I quote:

- “So much of an expenditure for advertising or promotion of any project that exceeds ten per cent of the aggregate...shall not be approved as capital expenditure.”

Anything under 10 per cent of the aggregate will be approved as capital expenditure. The Minister of Tourism—based on the submission from the applicant with respect to estimated capital expenditure—can amend the interim approval and include the capital expenditure if it is not included in the initial submission from the applicant.

Mr. Speaker, once the project is completed and the necessary documents are supplied to the Minister of Tourism, the Minister of Tourism will grant an approved tourism project order. That is at clause 16. This approved tourism project order will specify the tax benefits granted to the owner or operator. It may also include certain conditions for the project to be completed, if it is not completed at the time it is submitted for final approval.

With respect to clause 18, I want to clarify what is happening at this clause. With respect to the order that is granted by the Minister of Tourism, there is also a

facility here that the applicant can go and begin negotiations with the bank. Because once the applicant submits, to the Minister of Tourism, the capital expenditure on the project it has to be certified by a chartered accountant or a licensed surveyor. I want to get that right. It is an accredited valuator, accountant, engineer or quantity surveyor. Of course, they must be accompanied with a completion certificate from the relevant local health department, regional department or municipal corporation.

Mr. Speaker, the Minister would issue a certificate of approval of the capital expenditures actually and *bona fide* made in respect of the project. That certificate is what the applicant can use and go to the bank to begin negotiations. A copy of the certificate would also be lodged with the Board of Inland Revenue. There is the possibility for an additional interim approval, if the Minister evaluates the project and sees that there is need for an interim approval.

I also spoke about customs and excise duty exemptions. That is also a facility in the Bill. This is in Part 3 of the Bill.

I want to go to the area of this particular Bill dealing with gains or profits for tax benefits. I now go to Part 4. During the tax holiday period the gains or profits—for example, if a person is given a seven-year tax holiday, and for three years that person makes profits and the last year has a loss, there is a facility here that the loss can be transferred outside of the tax holiday period and offset by the profits later on. That is a facility that is available here with respect to gains or profits in a tax holiday period. That is what we call “the carry over of losses.” That which I made reference to is clause 36(4) which is called “carry forward of losses”.

There is one area here that I want to deal with. I would go back. That is at clause 3(5). It deals with dividends. I want to explain that particular clause. I quote:

“The owner or operator of an approved tourism project who receives a tax exemption under subsection (3) shall place on a separate account all gains or profits that are exempt and if the owner or operator is a company and pays a dividend to a non-resident shareholder out of the aforementioned gains or profits...”

This is an important part:

“the dividend so paid shall be exempt from tax, if the recipient is not liable to tax in respect of that dividend in the country in which he is a resident.”

2.55 p.m.

Mr. Speaker, we are saying that if that resident is being taxed in his country we might as well tax him here first, and if there is a double taxation treaty then that would be taken care of in his home country. I just went back to clarify that.

Mr. Speaker, as I come to the end of the Bill there are two important areas that I must clarify, and it dates back to the Tourism Master Plan of August 1995. It is what we have termed, at clause 41, “the retrospective effect.” This means that on or after August 03, 1995 any person who had an application before the Tourism and Industrial Development Company will enjoy tax benefits under this Act. Mr. Speaker, we are only giving the tax on the interest of a loan on or after August 03, 1995; the tax holiday would begin when the Act is proclaimed.

Mr. Manning: Mr. Speaker, the Minister is not clear. In fact, I wonder if the Minister could be kind enough to clarify the need for the retroactivity, is it that commitments were made in anticipation of legislation coming out of it? What was it? What would have caused that?

Dr. The Hon. A. Nanan: Mr. Speaker, I made reference to the Member for San Fernando East plan. With respect to the Tourism Master Plan in 1995 there were many discussions taking place. I am sure the hon. Member is aware and because of the gestation period of this particular Act and the tardiness—I do not want to get into that area but if the hon. Member brings me into that area—because we know the history of this particular Bill, and people got into projects and they had made financial commitments if that was the case, and this Government is giving the relief. Mr. Speaker, it all started with the Tourism Master Plan, so I hope that clarifies the hon. Member with respect to these important clauses.

This Bill includes a number of Schedules that are self-explanatory. This afternoon, what I have tried to demonstrate here to this honourable House is that we are putting the tourism sector on an upward spiral, we are putting the foundation for the growth of the industry; we are giving incentives outside of hotels; we are giving incentives to facilities that can stand alone like marinas, boatyards and so forth. In fact, some of these ancillary facilities were included under the Hotel Development Act, but it had to be included with the order. So the hotel would apply for, let us say marina and golfing facilities as the case may be, but it will be part of the hotel itself. Now we are saying that the golf course cannot stand alone; the marina cannot stand alone; the boatyard, the camp site and the eco-lodge cannot stand alone.

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Mr. Speaker, I also explained, in terms of the window that we are opening later on. That window was opened before and there were a number of hotels that had tax holidays and they also had tax off the interest on the loan. So what we are saying now is that if you want to refurbish your hotel we are giving the opportunity here in this Bill to do so and, based on your representation to the Minister of Tourism, you can be granted a new tax holiday. A new window is being opened up now for you for up to seven years. *[Interruption]* Mr. Speaker, the Member for San Fernando East looked a bit confused.

Mr. Manning: Go ahead.

Dr. The Hon. A. Nanan: Mr. Speaker, there are a number of hotels that were refurbished and they can now apply to get this benefit. That is what we are putting in place. We are providing greater tourists attraction in terms of the marketing approach. We are giving the opportunity where people were fearful to venture, and we are saying, these are the incentives—invest. As we do so, the economy would be diversified and there would be greater employment opportunities and improved services.

Before I close, there are just two areas I want to deal with; one is the area of the Ministry of Tourism. We are strengthening the Ministry of Tourism with respect to this particular Bill, and we would need more resources in terms of manpower. Cabinet has already agreed to the strengthening of the Ministry of Tourism, in terms of research planning, policy and project management, information technology, investment facilitation and monitoring, legal services and human resource management.

In terms of marketing, Cabinet has recently agreed that the hotel accommodation tax would be 10 per cent; the revenue estimate for 1998 was \$21 million. Cabinet has also agreed to give 30 per cent of the \$21 million to the Ministry of Tourism for promotion, marketing and training. Mr. Speaker, this is historic legislation before this honourable House today.

I beg to move.

Question proposed

3.05 p.m.

Dr. Keith Rowley (Diego Martin West): Mr. Speaker, I want to begin by making it quite clear that we support any reasonable initiative which could or would result in support of an expansion of the tourism plant in Trinidad and Tobago. While there are those who might express a variety of views as to what

tourism can or cannot do for the country and what it should and should not do, at the end of the day, I think that there is a general consensus in the country that if we improve our tourism plant we can earn more from tourism and it can contribute significantly.

When we come to the Parliament and the Minister presents a bill, as he has presented this evening, in the context that we are dealing with historic legislation, I wonder if there is anything that this Government treats with where one can take the opportunity or take the risk of taking the Government at its word. What is historic about what the Minister fumbled through this afternoon?

I want to take you to the existing law of Trinidad and Tobago, to the Acts and Legal Notices of 1994, page 55 where arising out of the Finance Bill, there is an amendment to the tax laws of Trinidad and Tobago. I read for you, Mr. Speaker:

“13A. (1) Subject to subsection (2), where in a year of income a person makes an investment in the equity capital of an approved hotel or tourism development project, there shall be allowed as a deduction in ascertaining the chargeable income of that person for that year of income, such investment up to the maximum of twenty-five per cent of the investment.”

This entire section of the law arose out of the initiative in 1994 which sought to do, more or less, exactly what this Tourism Development (No. 2) Bill is trying to do.

Of course, the current Tourism Bill has a few more items it is addressing and a few more nuances, but for the Minister to come here and talk about “historic legislation” is poppycock, nonsense! What is historic about it? The concept of providing tax relief for hotel development? Certainly not! Concessions of one kind or another? Certainly not! What makes it historic, by detailing dive lodges and villas and so forth?

Mr. Speaker, every time this Government does anything, its credibility is called into question.

Mr. Panday: You should be happy.

Dr. K. Rowley: What I thought the Minister would have done if, in fact, he thought he was presenting historic legislation—since we have had this kind of incentive programme for quite some time and a number of persons and companies have accessed it—is that in presenting to the Parliament this afternoon so-called new legislation or improved legislation, he would have been able to give us some idea of what effect the existing legislation is having on the situation and the need to upgrade and expand, as the case may be, but he does not do that.

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He comes here and for the uninitiated tries to give the impression that we are breaking new ground; so no reporting on how the existing measures are working, no reason why they should be changed, if there is any change, and in a very confused way tries to give the impression that something very important is going to happen. That tells me that this has very little to do with tourism.

In fact, in the current climate of Trinidad and Tobago at this time, this particular piece of legislation is confrontational and destructive, meant to serve the ulterior motive and hidden agenda of what they call “the Panday Administration” and I would demonstrate. When you talk about tourism in Trinidad and Tobago, by and large, we are talking about tourism in Tobago. That is not to say that there is not tourism in Trinidad or potential for tourism in Trinidad, so I do not want my colleagues on the other side to get up and say that I said that. I am saying, as we now refer to tourism in Trinidad and Tobago and its potential, we are talking about Tobago, largely.

In terms of its importance to our people, tourism is far more important to the people of Tobago than it is to the people of Trinidad and, therefore, any treatment with this whole issue of tourism, most certainly should have the views of people of Tobago and their aspirations in the forefront. Any person who looked at what happened in the last few weeks would have come to the conclusion that this Bill has been the root of contention in a coalition government that threatens the stability of the unitary state of Trinidad and Tobago. [*Desk thumping*]

By the Government not acknowledging or accepting where tourism lies in the minds of the people of Tobago and, if you attempt to run roughshod over them, what can happen to the people of Trinidad and Tobago—we ended up with fights like we have never seen in Trinidad and Tobago. The Prime Minister promising to kick the President. We have Senators in the House with more seats than we have for them. We have all kinds of things, that we never dreamt could have happened in Trinidad and Tobago, happening as a result of the way the Government approached the Tourism Development (No. 2) Bill. [*Desk thumping*] The Archbishop is begging for peace. The President says, “let peace begin with me”.

They rode roughshod through the Upper House and they come to the Lower House? What do they expect here, that we would support it? the answer is, not on your Nelly, because this Government is provoking the people of Tobago and getting their puppy dog to tell the people of Tobago, “If yuh doh like it, we would offer you secession and you could go!” [*Desk thumping*] So they are going, and I

am warning the people of Tobago, if they think that these people will not give them independence and push them out of the union, they have another thought coming.

Mr. Speaker, let me tell you what the Bill contains. One would have thought, given the difficulties we have had and seeing what has happened and all that has been ventilated in this country that a responsible government that is about peace, prosperity and good governance would, at least, have listened to the nation as a whole and would have humbled itself and sought another pathway. But no, the Government is hell-bent on confrontation and when they get confrontation, they go off in little groups behind closed doors and talk to selected people and say, “Everybody ganging up on me; dey ganging up on me.” They are ganging on them because of the confrontation that the Government is initiating.

Listen to Part 2, clause 11(2): “Upon receipt of an application the Chief Executive Officer of some agency of the Central Government” would do certain things, and then “the CEO shall submit...”—[*Interruption*]

Dr. Nanan: You are reading from the wrong Bill, Sir, there is an amended draft that is circulated. There is no Chief Executive Officer in that Bill.

Dr. Keith Rowley: Mr. Speaker, the amended Bill has the same tenet that I am dealing with. I am telling you what the Government is aiming to do. When the Government drafted this Bill they spoke about subjecting something to the Assembly for comments on a matter, whether it is this copy or the amended draft, the bottom line is, here is the Government saying to the people of the country that a thinking that comes from the Central Government, that on a matter as fundamental as tourism, the decision is to be made by the Central Government, and the Tobago House of Assembly, an elected body, will have the power limited to comments.

What that means, Mr. Speaker, is that if the people of Tobago, through their representatives, have an objection to a particular hotel project where you have a constituent in Tobago, which we thought was given the responsibility for tourism in Tobago, they would be limited to comments. I ask myself, what would have gone through the Government's mind to have drafted this in the first place? That is what I am asking. Under what circumstances would the Government have wanted the Tobago House of Assembly (THA) to be limited to comments? If that is, in fact, how the Government sees the devolution of authority between the Central Government and the THA, then no wonder we ended up with Government Senators not supporting a Government measure and throwing the country into

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crisis and misconduct of the Prime Minister being the order of the day in Trinidad and Tobago. [*Desk thumping*] [*Interruption*] Because, clearly, with respect to whatever shortcomings there are in the Tobago House of Assembly Act, this document that I am looking at here was drafted after the Tobago House of Assembly Act had been in force. So the fact that this was laid here in the Parliament at any time tells me that the Government either does not understand or it does not believe that decisions of this nature should be made in Tobago. Mr. Speaker, that brings me to an incident that took place in Tobago a few months ago where a particular site had been earmarked for a hotel. [*Interruption*]

Hon. Assam: On a point of order, Mr. Speaker, Standing Order 36(10). Is it possible for a Member to comment on the misconduct of another Member, that is, the Prime Minister?

Mr. Speaker: I rule that the circumstance in which it was done is permissible.

Dr. K. Rowley: I am not surprised at the intervention, because this Government has reached the stage where even people who had a modicum of respectability are now prepared to sacrifice that in defence of—I make sad reference to my colleague from Caroni East, who I always thought was a gentleman, but when I saw him providing support to the Member for Pointe-a-Pierre, I know that all is lost. [*Desk thumping*]

Mr. Speaker, I hope that the Government understands what I am saying, because the issue is a very serious one. When the Government of which the people of Tobago are partners in a coalition running Trinidad and Tobago attempts to draft legislation that restricts the Tobago House of Assembly to necessary recommendations, it makes you wonder what if the recommendations are not favourable, what if they are not accepted.

[MR. DEPUTY SPEAKER *in the Chair*]

Mr. Deputy Speaker, I am yet to understand how this is going to work *vis-a-vis* the other legislation, because when I started off by saying that what the Government is seeking to do is to force a confrontation over this emotive issue, I thought of the Town and Country Planning arrangements that are now practised in Tobago. Under the Tobago House of Assembly Act, as far as I understand it, approvals for development, as being practised now in Tobago, fall under the THA; at least so the people of Tobago think.

If that is not so, then the Government should come out very clearly and tell them it is not so.

3.20 p.m.

Mr. Speaker, recently there was a project in King's Bay—somebody started some project in King's Bay and I saw a report in the media, where the Chairman of the Tobago House of Assembly indicated that the Tobago House of Assembly stopped the project for reasons best known to the Tobago House of Assembly, because it did not find favour with the Tobago House of Assembly. So, if Town and Country Planning approvals are required by way of the authority vested in the Tobago House of Assembly, I want to know how it is going to work where a project is conceived by a developer? If that project gets comments or not from the Tobago House of Assembly; it is approved by the Minister; but the necessary Town and Country Planning approvals still reside with the Tobago House of Assembly. What that means is that you are building up a guaranteed confrontation and that is what exists. [*Desk thumping*]

Mr. Speaker, when the Member for St. Augustine was acting as Minister of Planning and Development, the Minister went to Tobago in that capacity and he met discussions in the system with respect to the advancement of an idea of a particular hotel project, and contrary to the views, recommendations, and expectations of the Tobago House of Assembly—and I want you to read there, when I say the Tobago House of Assembly, I mean the people of Tobago—the Minister or the Central Government gave approval for the project even before the environmental assessment was done. Is that what we are putting in this landmark legislation, this one that is described as historic? Is that really the historic aspect of the legislation that it will now legalize and permit that kind of development? If that is what it is going to do as it most certainly will, what we are going to have is not landmark and historic legislation; we are going to have landmark and historic fighting between Trinidad and Tobago which could result in tremendous resentment, and people being asked to take it or leave us. I cannot see how it is going to work.

Mr. Deputy Speaker, I thought, given the evolution of the people of Tobago's status, where they have moved from having County Council control of Local Government to the creation, in 1980, of a Tobago House of Assembly, and improvement in that Act—or a so-called improvement in that Act in 1996—the general intention of this evolution, as the PNM saw it, was to give the people of Tobago the maximum amount of autonomy to manage their affairs, and I am not seeing that with this particular matter. If we really wanted to give substance to the spirit of that legislation, then what is the problem with the people of Tobago, through their Tobago House of Assembly, being able to say, “yea” or “nay” to a

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hotel project in Tobago? Who is better to say whether, in fact, such a project should or should not take place in Tobago; the people of Trinidad or the people of Tobago?

Mr. Deputy Speaker, we have a Tobago House of Assembly and it elects 12 people every four years. The idea was that such persons as elected, and the councillors who make up a 15-man body with an executive council that should function very much as a Cabinet would guide Tobago's destiny at the local level. The law permits for them to even intervene in the national legislative programme. That was the spirit of those laws.

Mr. Deputy Speaker, I had the pleasure in 1995 of spending two days at Mount Irvine Hotel—where my Cabinet colleagues, led by the then Prime Minister, the Member for San Fernando East and those in Tobago who understand what was happening—discussing a way forward to advance Tobago's status. The spirit of those discussions was that we were prepared to support maximum autonomy of audit with accountability for the people of Tobago with guarantees in the Constitution. That was our position. So, we come now here today, five years later, and we are seeing a coalition Government, interestingly enough, made of elements from Tobago, addressing the Tobago issue by saying to them, on a matter as sensitive as tourism, that that decision will not be in your hands, it will be in the hands of others, and the behaviour you can expect is the behaviour of the Member for St. Augustine who says, "I say so and to hell with who has say otherwise." That has been the conduct.

Mr. Deputy Speaker, tourism in Tobago starts with one thing and that is land. Without land there is no tourism in Tobago. The whole issue of the management of land in Tobago is an issue which more and more is exercising the minds of the people of Tobago, who have suddenly discovered that if tourism development—much as it is desired and is desirable—if it is not managed in a way where the interest of the people of Tobago are put up front, the people of Tobago can end up being strangers in their own land; they can end up being viewers of what is called "development" while they do not participate in development in the way they want to. So, therefore, now more than ever, as we push that kind of development, the people of Tobago, in preparing to protect the wider interest of their children, and to maintain their place in that peculiar community, ought to have that kind of control, but the Government is saying to them, "No, we will have comments from you and the Central Government will have the final say."

Mr. Deputy Speaker, so if a project is mounted and the people of Tobago say, we will look at it and have public hearings; we will look at the situation, and their

elected local representative says, “We have come to the conclusion that this project is not one that we would like to have,” and the people of Tobago say, no, and central government says, “You cannot say that, we say yes, because we are investors, and you cannot see, we can see for you.” This Government has taken an attitude that it can spend public funds however it pleases, and no matter how stupid the outcome is, it justifies it by saying to you, “You are not seeing, it is an investment.” *[Interruption]*

Mr. Deputy Speaker, let us take the Miss Universe situation. Public officials working at TIDCO—I want to remind them that TIDCO was a creation of the Government of which I was a part. The whole idea of converting the Industrial Development Company (IDC) to TIDCO was done under the PNM administration. It is staffed by public servants of one kind or another. When Government personnel with the attitude of the Prime Minister and acting Prime Minister go abroad, pick up somebody’s legacy, come here and say to the country, “Great news! I have just come back from abroad and we shall have a beauty contest in this country, and that beauty contest shall put us on the map.” Matters not that we have won Miss World before; we have won Olympic gold medal before; we have won Miss Universe before; but the map, was never there for us then. This beauty contest will put us on the map and such leaders instruct the state agency to proceed to prepare to host this contest, and they go ahead and spend the moneys available by the Government.

Mr. Deputy Speaker, I do not know why the Government should keep on molesting us by trying to justify what it has done, because we have seen that the matter was a general waste of time, let us accept that and move on, but no. When you do pull them like pulling teeth to account to us for how it expended the money, the Minister comes to the Parliament and in grandeur style tells us that we should be grateful.

3.30 p.m.

“We had planned to spend \$80 million on the beauty contest but we only spent \$70 million so we saved \$10 million, so thank God for that”, you know. *[Interruption]* That reminds me, as my colleague reminds me now, of Malcolm X saying, “A fella who pushes a 12-inch knife in your back does you no favour by pulling out three inches”. That, in effect, is what they are telling us, you know. “We had budgeted to spend \$80 million. It could have been worse than it really turned out to be. We only spent \$70 million and you should be grateful to us”.

Then, when we look at the details, the general lack of honesty comes through because, as the Minister reports, he conveniently leaves out the fact that, as part of

the preparation for the beauty contest, over and above the \$50-odd million that was lost directly through TIDCO, the Pageant Company, Tobago, in participating in the venture, had to spend a further \$12 million. I have not seen that accounted for in the expensing of the venture. I think it is a sleight-of-hand to not have put that there or to not have reported on it as part of the general expenditure for the event. What they reported on was what the Pageant Company itself spent, and are quite happy for us to say, "Okay, they lost \$55 million", but they know very well that they are leaving out an additional \$12 million spent in Tobago for the few hours of participation.

Also, they tell us about a letter of comfort that was given to the Pageant Company to expense the event. They are not telling us that, as part of the preparation for the same item, the beauty contest, the Chaguaramas Development Authority also expended a further \$12 million by mortgaging the National Convention Centre at Chaguaramas to a bank. They are not telling us that the CDA is now in no position to service that loan and that, if the Minister of Finance does not pay that additional \$12 million, the bank will take the Convention Centre. So we wonder, how do we trust a Government that treats us like that even when it reports to the Parliament on a beauty contest where they have wasted approximately \$81 million? [*Desk thumping*]

So, whatever figure the Minister of whatever it is from St. Joseph told the country, I want to advise the country to add to it \$12 million from Tobago and \$12 million at the CDA. Add \$24 million to the figure and ask yourself, why would the Government report to you and not mention these? Ask them, who is to service the \$12 million loan at the CDA where they built a hotel, which so far has had no guests? Of course they will tell us, the same way they are telling us now, that this is landmark legislation that will do something that this current law cannot do. They will tell us, "Expect miracles. It will come in the future". Common sense should tell all of us, if it has not come yet, do not expect it. Of course, the Government is travelling in hope feeling better than arriving.

Mr. Deputy Speaker, we have had a situation here where experts would tell us that in a situation like Tobago, one of the things that we should identify and support is the small tourism plant as a major contributor to Tobago's involvement in tourism without changing Tobago too dramatically. I would have been more impressed if the Government had identified a pathway which was more innovative about the kind of tourism that seems to find favour with the people of Tobago and with the experts who are warning us about going wholesale into

copying other people's tourism, and said, "Okay, this is what we are going to do in Tobago and the people of Tobago would be on board".

The Minister says the Bill is going to facilitate people with accommodation of six rooms and whatever. I do not know how it is so special and why the current laws could not facilitate small numbers of rooms. The Minister must tell us where the current law is deficient. At present, if someone now wants to get help, is it that there is no mechanism to help that person under the current law and only the passage of this law would cause him to get help? I say, Mr. Deputy Speaker, that is not so at all. What the new Bill does is to go into greater detail.

When you look at Schedule 2 on page 14, you see it lists marinas, boat yards, dive operations, water sports and so forth. I ask the Minister, how come the existing law talks about an approved hotel or tourism development project? So if somebody wants to build a marina in Tobago, why could not that marina, under the existing law, be deemed to be a tourism development project? In fact I think a marina is an excellent example of a tourism development project. Tobago right now, Mr. Deputy Speaker, can most definitely benefit from the building of a marina if only they can agree on where to build it.

In the event that they agree on where to build it—and by "they" I mean the people of Tobago through the Tobago House of Assembly. I do not mean the Government has to build one. The private sector industry might be able to build it if they can get the relevant approvals. A marina being built in Tobago will tap into one of the more popular sports in the Caribbean now, which is growing at a very rapid rate, deep-sea fishing. There are a number of tournaments all across the Caribbean from Jamaica to the Caymans, all the way down to Tobago. The one place where the facilities are very, very poor is in Tobago, but the fishing is very good.

Tobago, with its eastern end in the Atlantic ocean, provides fishermen access to the attractive species, both on the north and south coasts of Tobago, and the only thing that is missing is a proper marina facility. In a few months' time St. Vincent will be starting its tournament for the first time and St. Vincent has facilities. They have seen how other people have been benefiting from it and although there is a very strong contingent of followers in Tobago the view is that, if facilities are not put in, the tournament will not grow or, people who are now taking part may not take part in the future. So if someone wants to build a marina in Tobago, that is a classic tourism development project but that is covered under the current legislation, unless of course I do not understand what "tourism

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development project” means in section 13A of the Finance Act of 1994. So when the Minister read out “marina, boatyard and dive shop”, that is nothing. It is just a listing of the tourism facilities.

Okay, deep-sea diving is another area where Tobago can feature very prominently and is featuring. So if somebody wants to have a world-class dive shop and wishes to make use of the diving potential around Tobago, who in which department of Government will say, “No, that is not a tourism development project”? What is the newness about this? I hope that when someone gets up to respond they will identify the difference between a tourism development project in the existing law and this listing that is presented here.

Mr. Deputy Speaker, much of what the Bill seeks to do talks about details of customs and excise duty exemptions and so forth. We do not really have a problem with exemptions except that we are reaching the point now where the principle of the whole thing has to be examined. When tax relief is given to initiate a project, that is in the spirit of helping to bring it into being, allowing it to find its feet, providing it with some assistance and not taking much of the income in the early years. It happens in the energy sector where there is a 5-year or a 10-year tax relief. In the case of hotels, everybody will tell you that after a hotel is built, no money is made during the first few years and, therefore, during that period one would want as much relief as possible.

If we are not careful, by doing what we are doing here on a repeated basis without substantially changing what exists we could be saying that the hotel industry is, in fact, a tax-free industry. This retroactivity the Minister is talking about: in the law it says that if you have received a benefit in the first instance you cannot get a second benefit on the same hotel. Now he is saying this Bill is going to give you some retroactivity, so any application that is made before will now be covered by this. I was not too clear on exactly what he was saying because there is an implication there.

If every seven years or so you refurbish your hotel and you can find ways and means of influencing the Government to give you that investment tax free, it means and I want to ask, at what stage in the proceedings does the child grow up? Is the hotel industry or a successful hotel venture ever going to grow up to pay taxes? We must remember that while it might be better for hotel owners to not pay taxes because they can invest and have the best quality rooms and so forth, taxes have a purpose. They are meant to finance services. When some grandmother buys a pound of sugar or anything on which she pays VAT, she is paying VAT from her pittance and that tax goes towards service of the country.

If the hoteliers require, as they always do, proper security from the police, proper water service, proper electricity service and so forth, it cannot be that the permanent state of affairs is that the hotel industry is one to which taxes ought not to apply. I do not say that is how it is, but I say we have to be careful that this is not the direction in which we are heading. It should not be that because you provide some employment or because you get some investment there would not come a point in time where the earnings should make some contribution to the general service.

Whatever your earnings, you have a responsibility, like the salaried worker, like the pensioner who pays VAT, to make a contribution to the service of yourself and your community. I just tell the Minister that to make sure he understands that, as we talk about retroactivity, there might be no equity in the situation where people who have already benefited are in line to benefit again. Is he sure that, in fact, he is helping everybody in the same way? I have not heard him describe how it will impact on one category as against the other category. You have to discover for yourself whether it really is aiming at, maybe, preferential situations and so forth.

Mr. Deputy Speaker, the other thing that comes to mind is the whole question of the approval of individual units without sufficient common service. The Government talks about wanting to protect the environment. On the question of the environment, at the local level here in Trinidad the local government bodies have been given some responsibility for the environment. In Tobago, however, where preservation of the environment is of paramount importance with respect to the success of any tourism issue, the Tobago House of Assembly ought to be particularly careful that it has control of environmental matters. That brings us back to, where the approvals are going to come from.

If we have a situation where tourism projects, mainly hotels, are approved without the concurrence of the people in Tobago and the experts who are advising them, and the hotels appear all over the place with packaged sewer treatment plants, in the absence of an overall integrated sewer system in Tobago, especially south-western Tobago, we could end up destroying the thing we love. Right now, Mr. Deputy Speaker, there is an uncomfortable situation involving two major sewer treatment plants in western Tobago, one at Buccoo and one at Bon Accord. The effluent from those plants has been known, from time to time, to cause serious pollution in the area between Plymouth and Crown Point, the very area in which the majority of the tourist plants are currently located and where we expect to get more tourists.

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In the absence of a defensive philosophy, I feel very concerned about south-western Tobago. The entire coastline has been built up in a fairly slipshod way and in some areas one wonders whether, in fact, we have not lost the original attributes of the beauty that we knew in that area. This is because sometimes there is a certain resemblance to an inland area like Tunapuna in some parts of that development because of the way we have gone about building, and the state itself is not without blame in the matter.

3.45 p.m.

There seems to be a general feeling that, if there is a beautiful area, one must build on it. Some of the buildings are not very attractive. Some of the buildings are not well thought out, and at the end of the day, you end up with what is called “development” and you destroy what caused the area to be attractive in the first place. That is why I would think that if the Government is genuine in its concern for the advancement of tourism; where tourism is largely the Tobago thing, one of the primary actions of the Government would have been to facilitate the construction of a comprehensive sewerage system for Tobago—western Tobago in particular—where the density of the local population and the tourist plants demand that such a facility be given the highest priority. We have gone past the stage in Tobago now—in south western Tobago—where septic tanks and soakaways and short out-falls from hotels are desirable.

If we really want to impact on tourism and preserve tourism in Tobago, that is a priority; not trimming one Bill and adjusting a comma here and adjusting a name here and listing a few tourist-type plants here, that is not fundamental. What is fundamental is the absence of any forward motion on the Richmond Water Project. Because here we are, talking about facilitating tourism, talking about—
[*Interruption*]

Mr. G. Singh: I think that the hon. Member for Diego Martin West is not aware that work is going on right now at the Richmond Water Project, in addition to Courland and two other areas. Work is going ahead.

Dr. K. Rowley: The priority is not in the reservoir. I am glad, but that is what I am talking about. If that is what the Member is saying—[*Interruption*]

Mr. G. Singh: It is a phased development. The expansion of the intake, in order to deal with the immediate demand, is part of the three-phase approach in order to deal with the building of the reservoir. So it is part of the approach.

Dr. K. Rowley: That is the point I am making. There were plans afoot for the building of a Richmond River Reservoir. [*Desk thumping*] The studies were

done; it was deemed the way to go and moneys were approved by this Parliament to go that way. If what I am being told now, is that we are not proceeding with the reservoir as conceived in the beginning, and what, in fact, we are doing is proceeding on a phased basis with an in take now—a slightly larger in take—somewhere in the future; that is exactly what I am criticizing. I am saying a large and reliable supply of water is required if any expansion in the tourism plant in Tobago is not going to meet with water shortages.

The Hillsborough Dam that was built in the 1950s is largely silted up and there was a need for a new reservoir in Tobago. Not an intake! I take no comfort in the fact that work is proceeding on some intake. Work should have proceeded on the reservoir. A completely new project.

Let us take the hospital, you are inviting people to come to Tobago—
[*Interruption*]

Mr. Deputy Speaker: Hon. Members, before I move the extension for the Member for Diego Martin West, we had agreed to defer the Prime Minister's statement which he would like to be taken now. Mr. Prime Minister.

**MR. ALDWYN ROBERTS (LORD KITCHENER)
(DEATH OF)**

The Honourable Prime Minister (Hon. Basdeo Panday): Mr. Deputy Speaker, with your leave Sir, before I move on to the matter on which I rise to speak, I wish to add to what has already been said and acknowledge, with deep sadness, the passing of a great Trinidadian, Aldwyn Roberts, known as Lord Kitchener.

We are all saddened, of course, by his passing and we share the grief of Lord Kitchener's loved ones. We are, however, comforted by the knowledge that his towering talent will ever be with us in the music created by this outstanding son of the soil.

I have proposed of Lord Kitchener's relatives that the Government wishes to arrange an official funeral for this departed genius. Should their agreement be forthcoming, national flags will fly at half-mast at all public buildings on the day of the funeral service. The state will meet the total cost of the funeral arrangements, and the body will lie in state at the place where the funeral service will be held.

Mr. Deputy Speaker, were it not a breach of protocol, I would petition you, Sir, to invite this honourable House to rise in salute to a son of the soil, a brother

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to us all, whose life was lived in lifting the spirit of his people and of the world, for well beyond a half of the twentieth century.

**ATLANTIC LNG
(EXPANSION OF)**

The Honourable Prime Minister (Hon. Basdeo Panday): Mr. Deputy Speaker, I now report to this honourable House on a matter that is of signal significance to the Government's conduct of the people's business. It is, as well, Mr. Deputy Speaker, a development that will profoundly impact on the lives of every citizen, conceivably for generations to come.

Mr. Deputy Speaker, the Cabinet evaluation of the agreement that the Government has negotiated with BP-AMOCO for the expansion of the Atlantic LNG's operations has been the subject of a level of media attention and public discourse that is perhaps unprecedented in any transaction, at any stage, in the development of any investment project involving an international investor in our energy sector.

For such public attention to be directed at this transaction in the middle of the carnival season is quite salutary, Mr. Deputy Speaker. We would all recall that at a previous period of prosperity in this country—when we were assured that money was not a problem—the manner in which the Government of that day was responding to the windfall of petro-dollars generated by the OPEC oil producing and oil pricing strategies, earned this country a number of indelible epithets.

Lee Kwan Yew, for example, the creator of the Singapore as we know it, spoke of the "carnival mentality" of Trinidad and Tobago. The Singapore President was describing the style of the then Government, and the extent to which that administration's "now for now" mentality had infected the wider society. Others were to describe Trinidad and Tobago as "The Arabs of the Caribbean", a term that intended nothing complimentary to the people of this country.

A prominent West Indian leader was moved to remark that "Money was flowing through Trinidad and Tobago like a dose of salts". Nothing complimentary in that either.

Mr. Deputy Speaker, at the dawn of the 21st Century, Trinidad and Tobago, has enjoyed a four-year period of sustained economic growth and prosperity that has been widely distributed amongst all sectors of the society. This country is now poised for a new prosperity.

I give the guarantee, Mr. Deputy Speaker, that the new prosperity that will be enjoyed by the people of Trinidad and Tobago will not be dissipated by my Government in instant gratification, or grandiose excesses as was this country's experience in the early to mid-seventies, when money was no problem.

I give the guarantee, Mr. Deputy Speaker, that the revenue that will flow into the Treasury from the Atlantic Liquefied Natural Gas expansion will be used to develop our country's human capital, to enhance our intellectual resources.

I give the guarantee, Mr. Deputy Speaker, that I will not deviate from my mission to transform our country into a nation whose people are equipped with the education, the training and the technological sophistication to firmly position Trinidad and Tobago as a nation with first-world abilities, and as a global centre of excellence.

3.55 p.m.

Mr. Deputy Speaker, we are well on the way to transforming our health services to the most desirable standards. We are well on the way to upgrading and expanding our physical infrastructure to meet the needs of an industrialized society rapidly moving forward. That is why decades after it should have been done, a new airport is now under construction. We are well on the way to delivering potable pipe borne water to all this year.

We are already established as a country with an administration that stands out for the speed and sophistication with which we do business with the world. Now, our greatest challenge is centred on increasingly rapid human development for those who have not been able to keep pace with the rest of the country. Mr. Deputy Speaker, the key to our country's future is—as I have said, 100 times—education. We are well on the way to transforming our education system and education facilities so that large numbers of young people, who would otherwise have faced a future of hopelessness, would now have an equal opportunity for an education of a standard that would be second to none.

All of this would be facilitated by the benefits that would flow to the people of Trinidad and Tobago from the historic agreement which Cabinet has approved for the new Atlantic Liquefied Natural Gas Trains. The great public interest in these negotiations could only have been aroused and examined in a truly participatory democracy such as I have sought to fashion in Trinidad and Tobago. All the issues have been publicly ventilated. Mr. Deputy Speaker, two new trains or plants would be added to the one already in place at Atlantic LNG. These two new

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plants would triple the production and export of LNG from the current \$3 million tonnes per year to \$9 million tonnes per year by the year 2003.

BP Amoco, British Gas and Repsol would finance the new liquefied natural gas trains at a cost of some TT \$7 billion. This would be the largest investment in any single project in the history of Trinidad and Tobago, and probably in this part of the world. The participating companies are all major reputable leaders in the global energy industries.

The mere fact that companies of this stature, influence and global reach have committed such vast sums of money in Trinidad and Tobago in this project defines our country as a location with outstanding capacity to host international investment at significant levels by global standards. This investment underscores Trinidad and Tobago's current outstanding rating as an investment option, as determined and designated by Standard and Poor.

This country's financial rating at triple B-Plus, which authoritatively positions us at investment grade, is not the result of any natural evolutionary process. The high regard in which Trinidad and Tobago is currently held in the international investment community is the direct result of the initiatives which this Government has introduced in this country's fiscal and investment policies since 1995. We have brought superior business skills and technical competence to the management of the nation's energy resources.

Very importantly, we have succeeded in eliminating much of the red tape and many of the impediments which, prior to 1996, had delayed, disrupted and driven away investment projects that could have brought immense benefits to the people of Trinidad and Tobago. Investment of this magnitude, \$7 billion, brings immeasurable benefits and opportunities to the people of Trinidad and Tobago. I would give examples of these benefits. The project would provide direct employment for an estimated 3,000 persons at the peak period of construction.

The spin-off effects from economic activity at this level would generate substantial numbers of new jobs in our small business and micro business sectors. The Government of Trinidad and Tobago would receive a projected \$1.5 billion every year over a 20-year period. This is a total of \$30 billion that would flow into the Treasury. Very significantly, the Government of Trinidad and Tobago has not conceded any tax holidays in this mega project. Mr. Deputy Speaker, tax dollars would flow into the Treasury from day one, so to speak.

We have insisted that some expenditure on the procurement of the locally manufactured goods and services be in the region of \$1 billion. This represents a

windfall boost to the local contracting supply sector, and would provide additional job opportunities with large and small operations within that sector. Naturally, Liquefied Natural Gas Trains two and three would be a major catalyst for growth and development in the South West Peninsula of Trinidad and Tobago, which, despite past periods of national affluence, was left as one of the truly depressed areas of this country.

Atlantic LNG would be obligated to provide \$31.5 million to the National Energy Skills Centre. This capital contribution would finance the construction of the Trinidad and Tobago Institute of Technology, an institution that would fill a significant and inexplicable gap in our national education system. Such an institution is an imperative as Trinidad and Tobago's transition into a technology-driven world economy, in a technological age.

In addition to the initial \$31.5 billion, further annual payments of \$1 million for 20 years, thereafter, would go to the National Energy Skills Centre from Atlantic LNG. It is expected that the graduates of the National Energy Skills Centre would be employed in the Atlantic LNG Trains two and three expansion. The University of the West Indies would benefit from a contribution of \$4,400 million spread over a seven-year period. This would fund a Chair in environmental engineering. This is noteworthy, and would allay concerns about the developers' sensitivity to the impact of the project on the environment.

We have also negotiated on-the-job training for apprentices and professionals. The Government intends to generate additional and significant added value to that which would be generated in the national economy by the new LNG trains. One significant initiative would be the establishment of a world class ethylene complex in this country. Ethane will be the basic feed stock for an ethylene-based petrochemical complex in Trinidad and Tobago. Ethane from the Atlantic LNG expansion will supplement existing domestic sources to ensure the flow of raw materials to maintain such a plant. This ethylene complex would enable Trinidad and Tobago to add greater value for its gas-based developments. It would create additional business and new jobs for our citizens.

It represents more than \$6 billion in direct investments, with significant creation of permanent jobs in manufacturing industries associated with polyethylene. Some 2,500 direct jobs would be created during the three years of the ethylene complex. It follows that a substantial number of indirect jobs would also be generated by this project.

An important immediate outcome of the protracted negotiations with BP Amoco with the expansion project is that the price of gas supplied to the National

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Gas Company would be reduced by 12 per cent of prevailing prices. This would, to some extent, reduce the burden which the National Gas Company has carried as a result of the revenue shortfall which the company has had to endure since methanol prices fell by some 40 per cent in 1998.

The beneficiaries of increased gas demand in this country over the past six years were the gas producers. In their pricing terms to the National Gas Company, the gas price escalated annually, while a significant portion of the National Gas Company's revenues was linked to world prices of petrochemical products.

4.05 p.m.

The reduction in gas prices to the National Gas Company will amount to an estimated \$150 million per year. The Government intends to negotiate with other gas producers: British Gas/Texaco and Enron Oil and Gas, for similar relief.

Mr. Deputy Speaker, one of the major issues in the negotiations with BP Amoco is the security of gas supply to meet this nation's future domestic need. Assuming that there are no new gas finds, we have assured gas reserves of 25 years based on the present demand for gas and taking Trains two and three of the Atlantic LNG into account. We recognize the need to increase our proven reserves given the expansion of Atlantic LNG. BP Amoco is committed to drilling, at least, one additional exploratory well on the East Coast before December 2000, this is in addition to the two exploratory wells which are currently being drilled by an international consortium in which BP Amoco is a partner. These three wells are expected to increase our gas reserves significantly.

Since 1995, despite the sharply depressed oil prices that hit us in 1998 and early 1999, Trinidad and Tobago has enjoyed unprecedented growth in exploration activities both on shore and offshore. During the past four years new product sharing contracts have been successfully negotiated. From the deep water bid rounds, Trinidad and Tobago has been paid \$550 million in signature bonuses. This is an unparalleled achievement in this country's history. The companies involved in new exploration activities have budgeted some \$3 billion for their work programmes here over the next few years; they will drill 26 exploration wells. This level of expenditure and activity is unprecedented in this country's energy sector.

Deep-water drilling demands cutting edge technology and our entry into this field of exploration is another milestone in the long history of this country's energy sector. Major oil companies in the world are now all in Trinidad and Tobago exploring for new reserves of oil and gas. It can confidently be predicted

that given the information we have acquired from the technologies as now available we would continue to add considerably to our existing reserves in oil and gas.

We are encouraged by significant new finds of natural gas by such companies as BP Amoco, British Gas/Texaco, EOG Trinidad Limited and BHP/ELF. These new finds are at the level of 10 trillion cubic feet of natural gas. We might not be exactly floating in oil, but there is concrete evidence that in assessing the security of Trinidad and Tobago's supply of natural gas over the next several decades, the only thing we have to fear is fear itself.

We also have reason to be confident about our prospects for increased oil finds. More local oil will allow Petrotrin to increase refinery margin and profitability by reducing its current dependency on imported crude. We have only to consider that since 1995 gas reserves have almost tripled, expanding from 8.5 to 22 trillion cubic feet.

Mr. Deputy Speaker, though it might be a possibility, it is highly improbable that we will face a situation in which BP Amoco and our other gas suppliers will find themselves unable to meet their delivery obligations to their local customers. Should such an unlikely situation occur, BP Amoco under the just approved agreement will give the highest priority to meeting the requirements of the Trinidad and Tobago Electricity Commission's residential, commercial and light industrial customers. Should other suppliers be unable to deliver their contracted volumes to the Trinidad and Tobago Electricity Commission, BP Amoco is committed to reasonable endeavours to meet any such shortfall.

Mr. Deputy Speaker, as can be readily seen, specific measures to meet contingencies which have triggered concerns in certain quarters are integral to the agreement giving the green light to Atlantic LNG Trains two and three. Moreover, in the event of unexcused failure by BP Amoco to deliver sufficient gas to meet the National Gas Company's contractual entitlement, BP Amoco will pay liquidated damages to the National Gas Company on the same basis as it pays to its foreign buyers. This has never been negotiated by any previous administration in this country.

Our successful negotiations with Atlantic LNG must be seen in the context of four years of groundbreaking initiatives in the management of this country's energy sector. Not surprisingly, the global energy industry is now referring to the Trinidad and Tobago model for the development of national energy resources in developing countries. This country's energy sector contributes close to 18 per cent

Atlantic LNG (Expansion of)
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of total Government revenues. It represents 22 per cent of our gross domestic product and 67 per cent of Trinidad and Tobago's exports. The revolutionary transformation of the energy sector since 1995 has been matched by, and is simultaneous with, other developments of considerable importance and benefit to this country.

In every sector we have had notable successes in redressing the imbalances, the inequities, the accumulated neglect, the abandonment and the excesses of previous governments. We have renegotiated the 1991 gas supply contract entered into by the National Alliance for Reconstruction government and as a result the country will save US \$26 million per year for the remaining life of the contract. We also intend to renegotiate the 1992 and 1993 gas supply contracts entered into by the People's National Movement to the detriment of this country.

I have taken this opportunity to confirm that the Government has successfully negotiated an agreement with the Caribbean Nitrogen Company for the establishment a new \$800,000 ammonia plant. The start up of construction on this project is imminent. The Caribbean Nitrogen Company is a consortium made up of EOG Resources, Duke Energy, CL Financial, Ferrostaal and Kellogg, Brown & Root.

These two projects, the Atlantic LNG expansion and the ammonia plant will bring the total aggregate of foreign direct investment in the energy sector of Trinidad and Tobago both upstream and downstream over the past four years close to \$35 billion. This places Trinidad and Tobago in a most envied position regionally, if not globally. We have the fastest growing natural gas industry in the world. The Atlantic LNG Trains two and three expansion will effectively make Trinidad and Tobago the LNG hub of the Western Hemisphere. [*Desk thumping*] We also propose to capture the value-added areas of ethylene, aluminium and gas to liquids.

Finally, Mr. Deputy Speaker, I wish to express my thanks and appreciation to all who participated in the negotiation of this contract, which will be signed after vetting by the Attorney General.

Thank you.

TOURISM DEVELOPMENT (NO. 2) BILL

Mr. Deputy Speaker: The speaking time of the Member for Diego Martin West has expired.

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

Question put and agreed to.

Dr. K. Rowley: Thank you. Mr. Deputy Speaker, I was a little hesitant to get up because I was hoping to hear that the Prime Minister, having interrupted my presentation, would have announced the resignation of the Chairman of the National Gas Company. [*Desk thumping*]

Mr. Manning: And the Minister of Finance.

Dr. K. Rowley: And the Chairman of the Trinidad and Tobago Electricity Commission. Mr. Deputy Speaker, when I tell you that you cannot trust this Government—[*Interruption*] [*Crosstalk*]—I only want to let them know that it was the People's National Movement that introduced liquid natural gas. [*Desk thumping*]

As we deal with the Tourism Development (No. 2) Bill, I want to draw your attention to page 21, clause 14. (1) which states:

“An interim approval may be revoked by the Minister at any time if—

- (a) any of the information given on the application thereof was false or misleading in any material respect;”

So this Government knows that it is possible to constrain the behaviour of people by threatening to withdraw from them any benefit that they receive, if such benefit was gotten by virtue of trickery, bribery or misleading information. That brings me to the InnCogen deal, because they come here this afternoon talking about the LNG plant and it is: there for the grace of God goes Trinidad and Tobago. For had it not been for the people of this country who stood up in the face of an assault from the political investors of this Government, we would have lost the LNG plant Trains two and three. I am very happy that we have gone the way of building on the foundation that the PNM laid.

I want to point out, Mr. Speaker, having said to you that in this Bill we are giving tax benefits to investors in tourism, we are careful to put in the law that if in applying for those benefits there is any false or misleading information your benefits can be revoked. But when we were doing the InnCogen listen to what this Government entered into with the InnCogen participants and you must ask yourself if this is the same government with which we are dealing.

I want to read from the agreement that was made on February 12, 1998 between the Government of Trinidad and Tobago and InnCogen Limited. I take you to page 25 of that agreement where the Government of Trinidad and Tobago, this same Government, under clause 6.3.6 says:

“The Government hereby irrevocably waives and agrees not to assert or take advantage of:

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- (g) any duty on the part of the Company to disclose to the Government any facts it may now or hereafter know regarding the Commission, the Power Purchase Agreement, this Agreement or the project;"

So in other words, if this Government finds out, as it should if it looks hard enough, that elements of the Government were involved in corrupt practice with the InnCogen deal, the Government entered into an agreement to irrevocably waive its right to assert or take advantage of that information!

That is the same Government that now knows what to do when we are dealing with tax breaks for the hotel industry. They can tell you that if we find out you have lied to us, misrepresented to us or you bribed a public official, we can revoke all the benefits that we gave you. This is more likely talking about small millions of dollars, but when you are dealing with US \$120 million, which is TT \$1 billion, given under the most dubious circumstances, making instant millionaires of government peewats, you write into the agreement that the Government irrevocably gives up its right to act if it finds out that those officials were bribed.

I ask you, how can you trust a bunch of people like that? If the people of Trinidad and Tobago were not aware, they are becoming aware now. [*Desk thumping*]

The main reason why this Government through its political leader and Prime Minister of the country for the moment, is walking around night after night encouraging citizens not to read the newspaper is because they want to keep the people of this country away from the facts of their misconduct. [*Desk thumping*] But it is too late, their sums are wrong and the inspector has gone. It is too late. LNG or no LNG their time is up.

4.20 p.m.

Mr. Deputy Speaker, why would any Government that talks about education—like the Prime Minister has just talked about education and wanting to provide this country with the best system of education—want to encourage anybody not to read the newspaper? [*Desk thumping*] Why? [*Interruption*] Yes, it is education because it is from the newspapers that they found out what you and your friends did with their money with the Miss Universe Beauty Contest. [*Desk thumping*] That is education. When the people cannot get treatment in the hospital and you are losing or investing because they knew—[*Interruption*]. The Government is so ridiculous. [*Interruption*] I did not want to go there but since you are carrying me there, let us go there.

The Government comes on the television and seeking to justify—after the Minister was harangued in the other place, he sends the public officials on television—with some nebulous calculations, the cost per person it attracted to Trinidad and Tobago. The Government is still using this nonsensical figure of two and one-half billion people having viewed Miss Universe when, in fact, the information available to the world is that there was no two and one-half billion viewership; it was the smallest viewership. The figure of two and one-half billion viewership. *[Interruption]* How you get hot so? *[Interruption]* The two and one-half billion viewers relate to the footprint on the satellites. It assumes that every single household has a television and every single person was looking at the show. We know for a fact from the authorities that no such thing happened.

Mr. Deputy Speaker, my friend, the Chief Executive Officer of TIDCO comes on the television and does a calculation, dividing 2.5 billion by the amount of money the Government spent and arrives at a cost per person. Now this is foolishness and the Government must not insult us. What is even worse—I want to say to my fellow citizens at TIDCO: you are under no obligation to defend the Government's foolishness. *[Desk thumping]* There are people in TIDCO who are professionals and can hold their own anywhere in the world and they must not be subjected to that nonsense. *[Desk thumping]* The Minister must have instructed them to come on television and talk stupidity. *[Desk thumping]* Who are they talking to? The Minister goes to the House.

Mr. Hinds: Which Minister?

Dr. K. Rowley: This Minister from St. Joseph, the Minister of Trade & Industry and Consumer Affairs, and the one, who said, “We are bringing in so many tourists.” The first big promise was so many tourists would come; we have to moor cruise ships along the Western Peninsula for people to sleep. The Government promised that and we could have shown that did not happen. The Government is still promising. It had nothing to do with you and beauty contest, nothing whatsoever. *[Desk thumping]* The Minister came here talking about Atlantic Bay Hotel coming as a result of tourism. Atlantic Bay Hotel applied for permission long before any legs were exposed in this country; long before any beauty contest; and long before any pinch and feel up. *[Laughter]* *[Interruption]* You be quiet, man! There was never any such thing. The Government know they are not convincing the public.

Mr. Deputy Speaker, I was very embarrassed when I saw somebody like Vishnu Ramlogan on television, doing mathematics and talking about 2.5 billion

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people divided by how many tens of million US dollars of advertisement. All nonsense! *[Interruption]* As if that is not enough *[Interruption]*—you just keep your seat. *[Laughter]* You have nothing to explain. I am talking to the Member for St. Joseph. Are you involved in it too?

Mr. Deputy Speaker, the Minister went to the other place and gave what he considers all the information. The head of TIDCO comes on the television and the poor gentleman tried his best but no change. You know the Government is taking money now and paying the same *Express* newspaper that the Prime Minister is asking them not to read; *[Desk thumping]* the same *Express* that nobody should read, taking taxpayers' money to put stupidity on a whole page in the *Express* newspapers.

Mr. Deputy Speaker, my friend from Naparima—through you, do you know how much—

Mr. Deputy Speaker: I was wondering when it was going through me. *[Laughter]*

Dr. K. Rowley: I will come to you. Mr. Deputy Speaker do you know how much a whole page advertisement in the *Express* newspaper costs? The Government has not thrown away enough money with the show; it has not thrown away enough money on other matters; it is now taking the little that is left and paying *[Interruption]* This is not advertisement; this is an attempt at justification. Right! I am sure Ken Gordon as a citizen and taxpayer would also look at this as a bad way of spending public money. What is the Government trying to do? What it has not managed to do in the House, and what it has not managed to do free on CCN. The Government is taking peoples' money and putting whole page advertisements in all the newspapers and talking about World Beat Festival. I mean, if the Government is reasonable, there is nothing wrong with trying to get into this World Beat matter if we do it properly, but when it is done in the way it has been done and the Government ends up talking about it spent \$12 million and lost \$11 million, people of this country are concerned about the way the Government is spending money *[Desk thumping]* It is not that we are against promotion. *[Interruption]*

Mr. Deputy Speaker, we know that the Prime Minister's conduct is questionable. It seems to have permeated all the Members. Why is the Member behaving like that? *[Desk thumping]*

Hon. M. Assam: Mr. Speaker, I rise on a point of order. The Member for Diego Martin West is impugning the Prime Minister's character by speaking of

his conduct again in this House, and he is aligning the same thing to the Member for St. Joseph. *[Interruption]*

Mr. Deputy Speaker: Member for Laventille East/Morvant, please, 36(10). I hope the Members are familiar with their Standing Orders or should I read 36(10)?

Hon. Members: No.

Mr. Deputy Speaker: So you are familiar with it?

Mr. Valley: It does not apply.

Mr. Deputy Speaker: Member for Diego Martin West, Standing Order 36 (10) basically states the conduct of certain Members of the House should not be brought basically in debate and if you want to do it, you do it on a substantive motion. *[Interruption]* Order Member for Diego Martin Central. So while you are in full flight, I understand it could happen. Just see how you could choose your words differently, thanks.

Mr. Deputy Speaker, as you would have gathered it was not part of my substantive contribution. *[Laughter]* It was an aside where I was observing that it may very well be that certain things are happening. That was not germane to the argument I was making. *[Laughter]* That was just an aside which the Member engendered. I want to say to the people at TIDCO—who are strictly speaking, public servants—you can say “no” to the Government. Do you know why? You are supported by the courts of this land. Look at the judgement of *Junior Sammy vs the Central Tenders Board* and you will see a Judge telling the Central Tenders Board, that as an agency of the state, you have a right to be governed by the laws that govern your existence. You are under no obligation to defer to any Minister of Government who wants to encourage you in dereliction of duty. *[Desk thumping]* That is a recent ruling of the High Court of this land and as long as we have freedom in this country that ruling will stand. *[Desk thumping]*.

Mr. Deputy Speaker, I want to say to TIDCO today, cease and desist from this nonsense. *[Desk thumping]* If the Minister tries to get you to do that just tell him you are not doing it. It makes no sense, let him fire you because that is what the Government is about. Let them fire you and you go to court and you will get the same millions that all the other persons got who were fired. So far the Government fired one battery of people, everyone of them won their case and the state has to pay millions of dollars *[Desk thumping]*

Mr. Deputy Speaker, our public officials must be allowed to maintain their professional self-respect, and the Government is pushing public officials in a

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direction where they are uncomfortable and that ought not to happen. I feel very sorry for the people at TIDCO and, notwithstanding the Minister's fulminations and his carryings on, the country has come to the conclusion that this Government's approach to promoting us in the tourism area is nothing short of a disaster. That must not be interpreted to mean that we are not supporting advancement in dealing with promotion.

Mr. Deputy Speaker: Member for Diego Martin West, the sitting is suspended for half an hour.

4.32 p.m.: *Sitting suspended.*

5.02.p.m.: *Sitting resumed.*

[MR. SPEAKER *in the Chair*]

Dr. Keith Rowley: Mr. Speaker, I was just on the closing phase of my presentation when we took the break. The point I was making to my colleagues on the other side, with respect to the attempts to have public servants justify the efforts we have made in the recent past, is that it is not necessary to spend good money taking out whole-page ads in the newspaper to ask rhetorical questions.

“TT \$63 million investment or loss?”

We already know the answer. So it is not required to spend money to be told what it really represents and we are not going to agree on this. [Interruption] I know my friend from St. Joseph can talk till the cows come home. Let us agree to disagree on this kind of expenditure. We are not going to be convinced that the benefits as outlined are in fact worthy of the expenditure.

When you pay money to put an ad like this in the newspaper and you name the four major benefits and two of them are, item number one:

“Microsoft has opened an office in Trinidad”

and item number four:

“Major time sharing resort management company, RCI, is currently conducting a feasibility study in Trinidad & Tobago”

two questions arise. One is, are we to believe that if we did not stage Miss Universe here in Trinidad and Tobago that Microsoft executives and this major time sharing company, RCI, would never have looked at Trinidad and Tobago? Where did they learn their geography? Where is the proof that as a result of the staging of Miss Universe it caused them to know that there is a place called

Trinidad and Tobago and that they have improved their geography? The logic is not there.

What bothers me, Mr. Speaker, is a level of—how should I put it? I want to use the correct word. A loss of balance has taken place in the country that is causing me concern. I came here this afternoon and I got this invitation which states:

“PUBLIC SERVICES

Senator The Honourable Wade Mark Minister of Public Administration

Invites

Me:

“to the

First All Inclusive Public Services Fete”

I am hoping that this is the private venture of that Minister. I hope it has nothing to do with the public service. If, in fact, it is the private venture of the Minister I wonder, why then is it saying tickets are available at all ministries and departments? Is that what public servants are doing now? If it is a Government fete then public servants could be selling tickets. If it is not a Government fete, what are public servants doing selling tickets for Wade Mark’s fete? I want somebody in the Government to tell me if this is what is going on in Trinidad and Tobago today?

We heard the Prime Minister here this afternoon “talk one set of nonsense” about LNG. He has not touched on the fundamental point that, yes, we are moving ahead on Trains Two and Three for LNG but we came very close to having that being derailed by a functionary, the Chairman of the National Gas Company, who is waging a public campaign against the Minister who has taken a position as outlined by the Prime Minister. I hope it means that we are seeing the back of the energy chairman now, because I cannot understand how that chairman can remain in office with the Minister, who has got the project to go the way it is going over his public opposition.

How are they to work together now? What are we to understand? The Chairman of NGC is waging a public campaign against Government policy as outlined by the Minister and now I see here another Minister, right. The next thing I expect to hear from the other side is that there are benefits to be had from all-inclusive fetes and it is all part of our promotion and it is part of our culture so,

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therefore, the Minister of Public Administration is now hosting all-inclusive fetes and, “Come and wine on the Minister”. I saw the flyer and I could not believe it, “Come and wine on your Minister”. However, when I come here and I see—
[*Interruption*]

Hon. Member: What!

Dr. K. Rowley: “Come and wine on the Minister”. There are fliers out there and when I see this invitation telling me about a \$100.00 all-inclusive fete and tickets to be obtained from Government ministries and departments, I have to ask the question, have you all gone stark raving mad? Have you all gone mad?

Hon. Member: Wine on which Minster, Harry Partap? [*Laughter*]

Dr. K. Rowley: Mr. Speaker, finally, I want to talk about an issue in Tobago in this whole context of tourism, which is of great concern to the people of Tobago. I hope the Member for Tobago East will enter the debate so that he can throw some light on it. The issue has to do with how lands are being transferred from the hands of Tobagonians to foreigners as part of this tourism development thrust.

For a number of years, Tobagonians were attached to the land and they were protected from themselves in a certain way, if I could put it that way, by the laws of the lands which prevented a certain kind of foreign investment or a certain kind of land utilization in the country. That law was changed and since then land ownership in Tobago has become such that now many Tobagonians are being priced out of the market. I predict that, by the time the next generation comes around, the average Tobagonian may not be able to purchase a plot of land anywhere in the attractive zones of Tobago because they would have been priced out of the market.

Tobago is not the first island that had faced this problem and I am wondering if anything is to be done or is being done to protect the people of Tobago from the negative effects of tourism and development of that nature with respect to landownership. If nothing is done, a resentment and a dispossession will take place in Tobago that will leave the people of Tobago with nothing to show for the so called “tourism development”. I make the point that we do not have to reinvent the wheel. There are small islands around the world. Look at Guernsey. Look at Jersey and you will see that they have tremendous tourism. They are in the middle of it. They have pressure from all around. They are part of Europe but, with respect to the ownership of land and the protection of the interests and the rights of local people, their culture and their patrimony, the state has taken steps to

ensure that is preserved. I think the time has come for the concerns of the people of Tobago to be taken on board by the Government.

On this whole question about what the tourism development means with respect to the disposition of the average Tobagonians and the pricing out of the market, I heard this afternoon about facilities for villa purchase and so forth. Has anybody stopped to think about what that kind of development is doing to Tobago or for Tobago? Concrete, galvanize and paint do not necessarily mean development. It might mean change, it might mean a different lifestyle but for the people who are directly interfacing with these things, their concerns must form part of any tourism development plan. I want to hear from the Government if there is any intention to even treat with this issue, because it is an issue of great concern to the people who live in Tobago.

Mr. Speaker, I want to close by saying that, on the question of who should determine what goes on in Tobago, this Bill should be amended to ensure that approvals for tourism development come out of Tobago and are backed up by the central government and not the other way around. To go the other way around would mean that there is going to be constant bickering between the Tobago House of Assembly, speaking for Tobagonians in the majority, and the central government. In that kind of climate the benefits to be had by any tourism development will pale into insignificance when one compares it to the resentment and the grievance that will be carried in the bosoms of Tobagonians.

I am not saying that the central government should have no role. Mark what I am saying, and I want the Attorney General to understand what I am saying. I am not saying that the central government should have no role. The central government is ultimately the Government of Trinidad and Tobago but we have to determine what we mean by devolution and we have to determine what the Tobago House of Assembly means for the people of Tobago. If it is going to mean another county council, fine. If, on the other hand, we want to give them that control of their local environment, who in this country of Trinidad and Tobago is better positioned to say what should or should not happen in Tobago than the people of Tobago?

If those who live in Tobago say, "We do not want this particular thing here on this location", or, "We do not want it here at all", who is best suited to say that? That is why we have gone ahead and given them the Tobago House of Assembly. As long as the recognition is there that the central government is the Government of Trinidad and Tobago, the maximum autonomy and control should reside in Tobago. That, however, is no licence for anybody to feel they could spend money

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and not account for it and not report and not answer questions. The two things are not synonymous. You must have a belief in accountability and also a belief in devolution to the maximum and that will satisfy Tobagonians. This confrontation you all are fuelling, I ask you to back off because it is not boiling well for the people of Trinidad and Tobago. [*Desk thumping*]

5.15 p.m.

Mr. Fitzgerald Hinds (*Laventille East/Morvant*): Thank you very kindly, Mr. Speaker. When I prepared my notes, as the Minister of Tourism spoke earlier today, the first thing I noted was his view that this was an historic piece of legislation. [*Interruption*] I hear the Member for St. Joseph talking about repetition, this is why I indicated, the first thing I wrote on my notepad was this comment about this being an historic piece of legislation.

I operated at the Ministry of Trade and Industry at one time. I operated there as a legal advisor. In that ministry and in that capacity, I oversaw some of the arrangements made in the existing legislation, by way of the grants of concessions: tax holidays, for those who wanted to invest in the hotel industry in Trinidad and Tobago.

When I read this Bill, I saw things that I was entirely familiar with, and anyone engaged in the tourism industry or the hotel industry, more specifically, or working in that ministry or otherwise would have known that these things are not new. I questioned as well what about this makes it so historic? Perhaps because of the rough path that it travelled in the other place. I heard the minister boast that it was historic. Indeed it was, I agreed with him. It led to two resignations and a constitutional crisis; the likes of which we have never seen. [*Interruption*] Yes. As I said: “two resignations and a constitutional crisis” in this calypso season, I remember the calypsonian Preacher who spoke about two sapodillas and some other thing.

Mr. Speaker, this Bill to facilitate the development of the Tourism Industry by providing to investors incentives and concessions and to make provisions for matters incidental thereto. [*Interruption*]

Mr. Speaker: No I was not hearing it. No, honest, I was not hearing it, but if you are being disturbed I will—Could you just indicate that, could they pipe down please?

Mr. F. Hinds: This clearly, Mr. Speaker, is a recognition by the Government, at least, that the world—in terms of world trading activity—the service sector is

gaining in its significance. In fact, it is foreseen that the service sector, as opposed to goods, will account for the bulk of world trading activity in the years foreseeable.

Mr. Speaker, when one is trying to develop the tourism industry as this legislation, supposedly, is trying to do, one is trying to create a climate that would make one's country attractive. Not only in terms of the infrastructure or the plant, but in terms of the psychological environment. People must—when they hear about Trinidad and Tobago—feel a desire to be there. They must be able to say simple things like: "The people are warm, they are friendly, they are articulate, they mix easily, they are not racists, they do not treat strangers badly, they are polite, they are not uncouth, your city is clean." Those are the kinds of simple human things that the business of tourism comes down to.

I saw, only today, in the *Newsday* of Friday, February 11, 2000 at page 15 under the rubric:

"New travel guide slams London as dirty, expensive"

This was published in the *Lonely Planet Guide*, the backpackers' bible, I see here. This was published by British folk, not strangers or foreigners speaking about Britain but Britain speaking about itself. It, in part, says:

"For outsiders, the first time they see it is a real shock.

The next shock is how expensive things are, whether it's hotels or eating out. It's unbelievably expensive."

Immediately, Mr. Speaker, having spent close on seven years in that city, I reflected on my first day in that place. I can remember it well. The article goes on:

"It's making us all very aggressive and we quote a report in the guide which says at least 75 per cent of people say they have either been a part of or witnessed road rage or Tube (subway) rage and it is getting to be a real problem."

Of course it is well known that road rage is supposed to be the phenomena that manifests itself when someone is blocked in traffic for long and inordinate periods and they get frustrated and fly out of their vehicles—it has happened in the world—and assault people at close range. Tube rage, on that very crowded and hot Underground, particularly at peak hours, is really discomfoting. I remember a particular incident where the train may breakdown in between stations and it is hot. Most of us who travelled on the tubes would understand that.

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Mr. Speaker, this is published in a newspaper in Trinidad and Tobago but it speaks about the situation, as the writer of this document sees it in London. We have to be mindful about what people write about us, Trinidad and Tobago, in London, in Barbados and in other countries around the world.

Again, when I was in London, a friend of mine in Trinidad asked me to pick up a book that was printed, I think, in 18-something. I went to the publishers, it was out of print, Stroughton and Horde. I obtained a photocopy of the only copy they had on their file. This man bothered me for weeks to get that book in London for him. I eventually accessed it, but I was curious. It was during the summer; I was not studying at that time so I decided to browse the book to see what he was so interested about. *[Interruption]*

Mr. Assam: Did you ever study?

Mr. F. Hinds: I had a look at some of the pages. It struck me as early as 1907, the writer commented that Port of Spain was a very—I do not want to use his word—but it was a city that—well it was clear that people urinated all over the place. It was pungent as he went by.

Very close to where I work now sometimes when one is going to the car park one gets that experience. Why I am making this very banal point is that as we concentrate on the business of tourism development, and as we agreed that it is not only about building and creating windows of opportunity. When I heard the Minister speak about windows of opportunity—I know this Government, as is its wont—to create windows of opportunity for its friends and its family. *[Desk thumping]* Every single thing that appears good on the face of it, is really a window of opportunity to convert public money to private accounts.

When I hear people speaking about the \$63 million or \$64 million bust and how we lose. I told one person who raised it with me this morning: "You lose, some gained. Not only Donald Trump, some in Trinidad and Tobago gained." We the taxpayer, we who are on the periphery of all these sweetheart deals—these mad max deals that this Government arrives at—we pay. It is our loss. The point is, it is the unpleasanties that the author Federic Fenger in that book, *Alone in the Caribbean*, which I made reference to a while ago—it is those kinds of unpleasanties: animals being killed on the street and, of course, human beings and street dwellers and all of those little things we need to apply our minds to.

What does that mean in effect? It means that Ministers of Government who have the responsibility to deal with these very minute issues—these apparently unimportant issues—must get down to the business of doing their work rather

than plan fetes, and on a flyer encourage people to come and wine on a minister. When I heard that today I was shocked. Absolutely shocked!

5.25 p.m.

That demonstrates what is possible from that Government—the bile and the filth that comes. It is shocking, but it is quite normal and acceptable among them.

Mr. Speaker, I want to make a short intervention on the business of crime as it relates to tourism—a very important issue. I remember hearing in London people wanting to travel to the Caribbean and asking their opinion of a Trinidadian; asking where should I go; people tell you boy I do not want to go to country “X” so let me not call the name of the country so as to sully their names, perhaps, unwittingly. I do not want to go there; too much gang violence, too much wanton killing, I am not going there and I have heard it mentioned about other countries .

A few years ago we read about Rwanda, we saw it on the television, no tourist wants to go there. Nobody wants to go to Kosovo; nobody wants to go to the Balkans at this time; nobody wants to go to those places. Kashmir! Kashmir! *[Interruption]* In terms of Rwanda, in terms of Kosovo, in terms of Kashmir the world could see that those countries are at war. The example that I gave earlier and did not call a name is because war is not as evident as that, so I did not want to do it. Mr. Speaker, with respect to Kashmir, a few weeks ago I read in a magazine that Kashmir is, in fact, a very beautiful place. When the writer described all the plains, the luscious greens and the mountains and so forth, it is really attractive but who wants to go there in the present climate?

Therefore, I am making the point that one’s reputation is of paramount and critical importance. Therefore, what you do and how you do it, what you say, and how you say it, is critical as you create a regime, if I can call it that, or an establishment to promote tourism in your country. When we talk about crime as it relates to tourism, in most cases, people, very narrow-mindedly, pay attention to crimes committed by the locals as against the visitors.

The Minister made a statement only last week in the Parliament where he made reference to that. We must not be narrow-minded and we must not be tunnel visioned. When we talk about crime and tourism it cuts both ways. There are many instances where tourists, according to the definition stated in this Bill—coming from outside of the country—because it talks about people travelling internally too. So as I move from Port of Spain and go to San Fernando—it contemplates that I am a tourist, strangely enough.

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Notwithstanding, when tourists come to the country they are not always and only the victims of crime, many of them perpetrate crime. As a matter of fact, yet again, in today's *Newsday* of Friday 11, 2000, the article is headlined "Yachtie on weapons charges denied bail." This is about a 42-year old Belgian yachtie who appeared before the Port of Spain Magistrates' Court charged for possession of arms and ammunition. It is well known that many yachties around the world transship drugs, weapons and all manners of things.

So as the Minister contemplates the question of crime as it applies to tourism, he has to understand that we, too, have a responsibility to protect our citizens against intruders who perpetrate crimes against us. Notwithstanding, crime is bad; crime by locals against foreigners who are here to spend money and to leave our country better off than when they met it, hopefully, is a serious matter and it deserves some degree of attention.

Do you remember when the Prime Minister of the country, about two or three years ago or thereabout, went abroad and told the *Time Magazine* that the country is a bit of a wild west? Do you remember the furore it caused? That did not do good for Trinidad and Tobago in terms of our reputation, because people would begin to wonder whether we were a bit of a Kosovo; whether we were a bit of a Rwanda. That was extreme. But when the Leader of the Opposition—as I think he then was—Prime Minister in waiting—ambition at the time—had not yet negotiated his way into the pristine post of prime ministership, that is what he did.

Mr. Speaker, in respect of our international reputation, and having mentioned the Leader of the Opposition as he then was, I want to take a look at an article that was an editorial published in the *Jamaican Daily Observer* on Wednesday 09 February, 2000. It is a long article, but it was dealing with—I would paraphrase the initial elements of it—the fact that we are in the Caribbean now moving towards a Caribbean Court of Appeal, and all of the countries in the region have already bought into the decision and have agreed. The article makes the point, truthfully, that Trinidad and Tobago is seen as the country where the court would be sited. That is good for Trinidad and Tobago but listen to what the *Jamaican Daily Observer* in an editorial tells the Jamaican people and the world. Everything is on the internet now. We all know that. I have a copy of it right here, as well.

Since it is important to have the national courts working well and confidence in the Judiciary and all that must be at its optimum, those are the courts that would feed into the Caribbean Court. The article is making the point correctly that all of the countries that would participate in this Caribbean institution must have a

serious interest in what is happening in the local courts in each of the countries. The article says:

“People in the justice system in any part of the Caribbean have a legitimate interest everywhere else in our community. In that regard our own judiciary should view with concern recent developments in Trinidad and Tobago where the Prime Minister, Mr. Basdeo Panday, has declared the chief justice, Mr. Michael de la Bastide, an enemy of the ruling party and the Government. Justice de la Bastide had the temerity to complain about attempts at political interference in the judicial process in his country. He had the support of others on the bench.

Mr. Panday’s attack can only serve to undermine public support for the judiciary in that country, weaken the bench and threaten democracy. We believe, therefore, that it is important for the Jamaican bench, and the judiciary at large, to speak out against Mr. Panday’s attack.

It won’t do for our judiciary to take an aloof, beyond-the-fray position or to speak in cryptic language. This demands, open, up-front, plain talking to tell Mr. Panday what is what. For as we were so eloquently told, justice is not a cloistered virtue.”

I would, therefore, like to add to that a statement that I learnt from Martin Luther King many, many years ago when he was alive. May his soul rest in perfect peace. He said, “injustice anywhere threatens justice everywhere”.

As we talk about building a tourism regime to bring foreign exchange to the country, to cause people around the world to enjoy the benefits and the beauty that is Trinidad and Tobago, we must be mindful—that is the point—about things we do and say and the way they affect our reputation at home and, indeed, abroad.

The Member for Diego Martin West touched it in passing that the Chief Executive Officer of TIDCO found himself in the position of having to defend, as we would see it, the position of the Government. Our understanding is that the people of TIDCO; well-meaning, professional, hardworking, well intentioned, are now being misdirected, guided and misused by the Government of Trinidad and Tobago. I felt sorry for the man myself but I am reminded, in an article I read some time ago, that he is a chosen son of the Government. I am reminded that he is supposed to be a Prime Minister in waiting. I saw some articles in the newspaper about a month or two ago, where supposedly senior sources in the UNC were talking about who would follow Mr. Basdeo Panday, if any, because as

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far as we are concerned, at the end of Mr. Panday that would be the end of the UNC Government.

5.35 p.m.

They were touting who would be who and Vishnu Ramlogan's name was very much in the fray, so he may not be as detached from it all as we might like to think, but we would wait and we will see. We remember the Member for Nariva; he was a journalist in the *Express* Newspaper at the South Bureau and everyone thought that he was a mere journalist. A few weeks later he popped up his head and today he is the Member of Parliament for Nariva and a minister in the Government. So we would wait and we will see; it is just a matter of time.

Mr. Speaker, I would quote the newspaper because I did not hear him live. The newspapers quoted him as saying that it was a smart choice and we are talking about Trinidad and Tobago. In this country, in colloquial terms the word “smart” had a very different connotation from that which other people would choose.

Mr. Speaker: We are still on the Tourism Bill are we not?

Mr. F. Hinds: We are, indeed. Most certainly, Mr. Speaker.

Mr. Speaker: Order please!

Mr. F. Hinds: If I may remind you, Mr. Speaker—

Mr. Speaker: No, you have given me the assurance that you are still there and I take your word for it.

Mr. F. Hinds: I am most grateful that you have accepted without more of my assurance.

Mr. Speaker, he said that the tourism expenditure to sell the country, to give us a brand name, brand awareness around the world—and I cannot help it, I really like the way in which the Member for Diego Martin put it: we had Brian Lara 375 runs not out—[*Interruption*] just now—we had the Miss Universe before; we had Miss World; we had two gold medallists in the Olympics; we had boxing champions. It was as if no one else ever heard about Trinidad and Tobago until the Member for St. Joseph came up with the bright idea of parading a few legs. [*Interruption*] One, I have called about ten. [*Interruption*] A one-night stand certainly does not.

Mr. Speaker: Order please! May I suggest to the hon. Member that he continues, as he started, speaking to me.

Mr. F. Hinds: Most certainly, Mr. Speaker.

In dealing with this expenditure, this investment, \$81 million of it, he told us that the results of these investments are intangible and immediately I remembered my good friend from St. Joseph. I could never forget. Dale and Tony on 102FM every morning would remind us of him, “We would have plenty tourists!” And he does not say the word “tourist” like me or you, Mr. Speaker, he says it with an Oxonian accent. He said, “Tourists, there would be tourists.” When I heard him bellowing that before the pageant I myself, notwithstanding my doubts about that Government, notwithstanding my innate feelings about them, on the basis of all the grime that I have seen, he was almost taking me in because he is a Member for whom I hold some respect. He is so well-spoken, he was almost impressing me.

Mr. Speaker, at the end of the day, absolutely nothing! So, perhaps, the Chief Executive Officer was right, the results were intangible; maybe the tourists were here but they were intangible and we could not see them; not only intangible but invisible! Now we are talking about brand name. Donald Trump and company must be branding us stupid. They must be branding us failures and sore losers. But this is all very costly smartness, according to the CEO, and the Minister talks further about historic.

We heard earlier today—and I am just making passing reference—about the \$284,000 the Attorney General spent just like that, so you could understand why in the tourism sector we have to be concerned. All of these lofty ideals and plans we know what they translate into. We heard only today in a reply, that the Attorney General left his hotel, perhaps, somewhere in London and by the time he got to Heathrow Airport he spoke to two lawyers, \$230,000. He boarded at Heathrow Airport and by the time he got to Piarco Airport he must have met some other lawyer, Dr. Fenton Ramsahoye, another \$50,000 just like that, no prior approval from the Cabinet, apparently; not one bit of legal opinion.

What was the name of the firm that he spoke about, LeQuesne? I would like to know from the Attorney General whether that is the same law firm at which a close member of his family did or is doing his pupillage? He spends TT \$284,000, taxpayers’ money on his way from his hotel room to Port of Spain, Trinidad, no written opinion, but we must pay for it! If that is not waste and squandermania, what is? [*Desk thumping*] And that is only the tip of the iceberg. When we come to government again, we have plenty uncovering and investigation to do and we are willing and able. They are so desperate; they are not even covering tracks; they are just doing it. But, Mr. Speaker, we are dealing with this legislation and I will not be deterred.

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The Miss Universe Pageant was supposed to bring us much tourism and investment. I saw Donald Trump on television and a well-known personality in this country, Mr. Carlos John, well known and well-famed, running almost behind Mr. Trump like the woman who was trying to touch the garment of Jesus Christ. I saw it for myself on television. Yes, I saw it; he wanted to touch the great man. Mr. Trump left Piarco Airport a few hours later, laughing his way to American banks. He left us in the lurch, \$64 million. Yet the Member for St. Joseph has the temerity to tell us that it was an investment and we will see the rewards.

The Chief Executive Officer was talking about intangibles and then he listed 16 tangible benefits. You have heard some of them so I would not even bore the House with that, because as we all know it comes to nought at the end of the day; nought, zero. [*Interruption*]

Mr. Assam: Like we invested in you and you ran away—naught.

Mr. F. Hinds: Mr. Speaker, I had promised and I am dealing with the question of crime as it relates to tourism. Only on January 28, the Minister of Tourism, without invitation, made a statement in this Parliament. It was Private Members' Day and in their usual attempt to usurp and consume the Opposition's time, they brought about five ministers to make statements and the Member for Tabaquite was one of them. Thank God that he did, because he said some very revealing things about crime as it relates to tourism, which is the subject of my short discourse.

The Minister said:

“Crime is always a matter of concern to Government and the citizens of Trinidad and Tobago. We are particularly concerned when such incidents affect foreign visitors.”

That is why I said that he was not concerned about how the crime perpetrated by tourists affects us, but he was concerned about that. He said, “I am pleased to report that several important recommendations emanated from certain deliberations” to deal with this problem of crime. Two articles in the newspapers about two tourists who got robbed in Tobago. Suddenly there was a big meeting and out of that some major recommendations were made. I want to put them on the record:

- “(1) Increased resources to combat crime in Tobago, particularly manpower and vehicles;
- (2) Acquire tracker dogs immediately;

(3) Establish a “Night Court” system—”

To establish, as though that is something new.

“to handle expeditiously, charges of crime against foreigners;

- (4) Develop programmes aimed at the establishment of sustainable employment in communities;
- (5) Pursue the re-establishment of a Police Marine Branch;
- (6) Provide a hot-line;
- (7) Upgrade the public relations and communication systems and processes of the police; and
- (8) Increase safety tips and advisories and related signage.”

Mr. Speaker, if you look semi-closely at these recommendations you will see that each one of them is, in fact, the responsibility of the Executive. If not directly just short of that, because in terms of resources, acquiring tracker dogs, making the police more able in terms of the Marine Branch, vehicles and all of that, improving the processes of the police, that has to do with the Executive, the disbursement of public moneys to allow those responsible to put those things in place.

When the Minister said that, immediately thereafter he launches the usual Government attack against the Chief Justice and the Judiciary of the country. Listen to what the Minister said, and this must not be taken in isolation. He gets egged on, he is encouraged and to use a colloquialism, he gets chained up from what he hears every time they meet in Cabinet. He is listening to the Attorney General, the Prime Minister and the Member for St. Augustine so he joins in to attack the Judiciary. But, of course, to the detriment of us all.

Listen to what the Minister has to say:

“Mr. Speaker, with regard to the request for night courts, the Minister of Tourism, by letter dated January 10, 2000, wrote the Attorney General and Minister of Legal Affairs bringing to his attention, the increase in the reports of criminal activity as this was adversely affecting the promotion of tourism in Tobago.”

So as far as he was concerned, the absence of night courts was affecting tourism in Trinidad and Tobago, what warped logic! He said further:

“I pointed out to the Attorney General that the delays expressed in the judicial system are hampering the fight against crime in Tobago.

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There are grave difficulties faced by victims of criminal activity who are foreign visitors, as they cannot remain long enough...”

I have no idea; I rather suspect that tourists spend, on average, about two or three weeks in a country, if that long. I do not know, I am not—[*Interruption*]

Mr. Assam: Well then sit down!

Mr. F. Hinds: Because I do not know that, I must sit, but I know that that Minister knows everything. What he does not know is how to protect us from these sickening losses of taxpayers’ dollars which we must pay. [*Desk thumping*] The point the Minister was attempting to make was that the tourist comes to Trinidad and Tobago; he is due to stay here for 14 days or so; a crime is committed; the man may be arrested two or three days later, the process of the whole system takes its course and by the time the tourist is ready to leave, the matter is not yet heard or completed in court and that is the end of the matter; the case is dismissed. I have seen it myself. Indeed, it happens.

What the Minister does not know or does not want to know, or when he sought the advice of the Member for Couva South, the Attorney General did not tell him, is that there are many cases where a person is arrested 8.00 o’clock in the morning and by 2.00 o’clock in the afternoon the matter is disposed of and a sentence is passed. I have seen that in the criminal courts myself; in one day. Not swift justice, I am talking about efficient justice. The man is brought, the charge is read, he pleads and that is it. It has happened, but nobody tells us about that. Even larceny cases, robberies, I have seen that and the Attorney General, if he wants to be honest—....

Words expunged.

Mr. Speaker: No, that is unkind to say the least. That is not right; that is quite unnecessary and that comment would be expunged.

Mr. F. Hinds: I am obliged, Mr. Speaker. I want to admit, and in all frankness, I am obliged, I become incensed sometimes by what is happening. Anyone who has had an opportunity to sit here for the last four years and observe closely the behaviour of this Government must be emotional and concerned about what is happening in Trinidad and Tobago. It is very serious; it is no fun.

Mr. Assam: It was serious in your time.

Mr. Speaker: All I would say to the hon. Member is to go outside and say it. Say it on the platform; you do not have to bring it in here, please.

Mr. F. Hinds: Mr. Speaker, this is the Parliament—[*Interruption*]

Mr. Speaker: I rather suspect that you are joining issue on the advice I gave you.

Mr. F. Hinds: No, not at all.

Mr. Speaker: I am just suggesting that Parliament or not, you cannot come to the Parliament and just say anything that you would not risk saying outside, so please let us keep the standards high.

5.50 p.m.

Mr. Speaker, the Minister went on to say and I quote yet again:

“The Attorney General indicated that the administration and management of the judicial system has been **entrusted** to the Chief Justice. This is one of the pillars of our Constitution in order to preserve the independence of the judiciary.

The Attorney General and Minister of Legal Affairs has informed me”

This is the Minister speaking:

“that the Chief Justice is fully aware of the gross delays in the criminal justice system. He has also informed me that the Chief Justice is fully informed of the Government’s concerns about the need for action to be taken by the Chief Justice to have a more expeditious and efficient system of criminal justice.”

All the blame is being put at the Chief Justice and the administration of justice. The Minister goes on to say:

“The Attorney General...”

And this is the critical point:

“The Attorney General and Minister of Legal Affairs, however, has advised that should these delays in the criminal justice system continue to pose problems, he...”

That is the Attorney General.

“intends to prepare for Cabinet’s approval, legislation to compel judicial officers to hear and determine cases within a given time frame, and to provide for a mechanism whereby in special circumstances, cases would fall within an accelerated system and so must be concluded.”

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The Minister goes on to say that the Attorney General advised him. Listen to this—*[Interruption]* Mr. Speaker, I am being distracted.

“Failure by judicial officers to have such cases heard and determined within a given time frame could lead to the officers being either disciplined or even removed from office by the Judicial and Legal Service Commission.”

Mr. Speaker, well so much is wrong, unconstitutional, ungodly, and unthinkable of that one paragraph. I do not know, a book could be written about it. First of all, the Attorney General is not the Judicial and Legal Service Commission. The Attorney General is not in a position to say what it could or should do. Secondly, the Attorney General is arrogating onto himself powers that he need not even contemplate. The Attorney General’s office is the conduit through which Cabinet Notes from the Judiciary goes to the Cabinet. The Attorney General is effectively a messenger in that sense—a post box. The Attorney General now wants to arrogate powers onto himself and convert his lowly status in that regard to that of policy maker and decision maker and this is what is causing the problem in this country. So as we deal with tourism and look at the way crime affects it, we have to be careful; we have to be mindful. This is what the Member for Tabaquite said that the Attorney General told him.

Mr. Speaker, well, of course, the Prime Minister is well known for his well repeated statement: “No one remains unscathed.” Obviously, the Chief Justice replied in a press release to the Minister’s awkward and misguided comments and what did he say in a media release? Among other things, he said:

“The fact is there are no delays in the criminal court system in Tobago which are attributable to the failure of judicial officers to determine cases quickly.”

And that is true.

Mr. Speaker, I took the time to investigate; I made telephone calls to Tobago; and I conducted other investigations. Let me tell you two short statistics about Tobago in respect of delays in the system of justice. It just goes to show how the Government is dangerous and what it can do, how it misleads each other and then it permeates this incorrect information to the rest of the national community but we have eyes and we will see and we have ears so we will hear.

In respect of Tobago, there are 14 matters on court list to be heard in the Assizes. Only 14 as I speak to you today. *[Interruption]* Just now I am coming to that. And, of course, some of them are 2000-year matters—in other words, matters that have already been dealt with in the Magistrates’ Court in Tobago in

the year 2000. That alone demonstrates that there is no question of delay. The problems of the magistracy in Tobago are equally the problems of the magistracy in St. George West and all around Trinidad as well. The Attorney General is very much aware of what are those problems because the Attorney General, like every parliamentarian here, received the *Judiciary of the Republic of Trinidad and Tobago Annual Report 1998-1999*. We all got our copies. In respect of the magistracy, one sees here that the problem in the magistracy is about staff and resources and it is for the Executive to make them available. This Executive is making money available—\$284,000 between a hotel in London and Port of Spain, Trinidad, for people who never wrote a line by way of legal opinion. Fifteen thousand dollars for a man in NIPDEC and the list goes on and on, and the magistracy as the reports says:

“There is a paucity of word processing support in the magisterial districts. This affects the speed with which notes of evidence are produced.

Preparation of notes of evidence necessitates read-back by the notetaker, typing and photocopying. Part of the problem is the system by which the notes of evidence and depositions are written in long hand by one person, the court clerk, and typed by another, the typist. The reading back of notes to the typist must be synchronised with the availability of the clerk whose principal duty is sitting in court with the magistrate taking notes. There is also a shortage of machines and maintenance and repair of equipment.”

Mr. Speaker, I reported to this House sometime ago that in the Port of Spain Magistrates’ Court there is a room full of new computers and they are not in service because of some minor issue—lying down there taking cobweb for years. The Attorney General came here and boasted how they computerized this and computerized that. So it is quite clear to us that the problems of the magistracy in Tobago are similar to problems of the magistracy across Trinidad and it has to do with the absence of resources. It is for the Government to provide them with the resources and they will do the work. *[Interruption]*

Mr. Speaker, when you consider the insult of \$64 million and more—\$81 million; when you consider the squandermania that this Government has taken us through, then you understand that the Minister of Tourism does not have a clue, and the last person he should seek advice from is the Attorney General—though perhaps, he is obliged. The Attorney General is the adviser to the Government. It is wrong and the Chief Justice was obliged to reply to him publicly because the Minister made a statement very public here in this House.

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Mr. Speaker, the Minister made the point that there need to be night courts in the magistrates' courts. What the Minister did not know—and what the Attorney General did not tell him, if he knows—was that the courts in Tobago, because of there unique situation, it has the power to sit on weekends and have exercised that particular power more than once to facilitate the very tourist. The Minister did not tell us that. The Government do not tell the public these things. Two-faced as they are the Government present a smiling face and the snarl and the viscous teeth on the other side but we understand that well—Janus, yes, two-faced, Jeckel and Hyde. We have seen it and our business is, to reveal it; to remove their masks; and to reveal their hideousness to the people of this country and that we will do without fail. They did not tell us that.

Mr. Speaker, and, of course the Chief Justice touched on the point:

“It should be noted that as an alternative to the Executive introducing legislation to coerce the judiciary...”

Which is how the Chief Justice sees it. When you are talking about putting in place measures to compel judges and magistrates to hear matters, and if not, they will be disciplined that is coercion of the highest order. The Chief Justice is saying that what they need is more resources; they need to employ part-time magistrates to staff the night courts and, of course, the magistrates continue to complain. The Magistrates want improved working conditions; they want improved pay packets.

6.00 p.m.

We stood here in this Parliament and spoke at length about the Salaries Review Commission which affects the very magistrates. I remember the Member for Couva North walking off into the sunset from this Parliament and telling us—the last thing he said was—that he was going to the people of the country because the PNM did not support the Salaries Review Commission's recommendations. Do you know what, Mr. Speaker? Not a drum has been heard to date and the very magistrates continue to grumble at the very fact that they have not been dealt with. So I want to advise the Minister—

Mr. Speaker: Hon. Members, the speaking time of the Member for Laventille East/Morvant has expired.

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

Question put and agreed to. [Desk thumping] [Interruption]

Mr. Speaker: Order please. Order please!

Mr. F. Hinds: Mr. Speaker, I want to advise the Minister—[*Interruption*]

Hon. Member: Which Minister?

Mr. F. Hinds: The Minister of Tourism. You do not take advice.

Mr. Speaker: My advice is you speak to the Speaker, please. [*Interruption*]
Order please, order please!

Mr. F. Hinds: I want to advise the Minister of Tourism, Christian as he is, honourable as he is, and I pray that state remains—in that company it is unlikely, but I pray that it does. I pray, Mr. Speaker, that he would concentrate on the serious business of promoting the tourist industry in this country. I want him to find the courage, when he sits in the Cabinet, to tell his colleagues, particularly the Minister of Finance and the Prime Minister, “Listen, tourism is a serious part of the future of Trinidad and Tobago and it has to be taken more seriously than trying to blame the Chief Justice for things for which he is not directly responsible. What we need is more resources.”

I would like the Minister to apply his mind to the business that is in front of him and not be misled by those around him. I would like him, as he speaks to the Attorney General, rather than find comfort from the Attorney General’s words as he makes his political wars with others, to concentrate on the matters that I raised at the beginning of my contribution, the simple things, the things that will affect the psychology of potential visitors. Let them hear that our city is clean. Let them hear that we do not see dead animals, dead dogs in particular, up and down the highways and byways. Let them hear that there is no race hate and rancour in our country. Let them hear that you do not get this pungent smell as you walk by certain street corners on your way to cinema or wherever else you may wish to go.

Let them know, Mr. Speaker, that the police service is well-resourced, well-funded, and well able to deal with those in Trinidad and Tobago who choose to break the law. Let them know that they are safe when they come to Trinidad and Tobago and if, per chance, they acted illegally, that action will be promptly taken against them as well. Those are the matters to which I would like him to apply his mind.

Mr. Speaker, we have indicated, and I wish to indicate, that we are prepared—and we must not be misunderstood—to support any sensible legislation that is designed to bring benefits in any form or fashion to our beloved Trinidad and Tobago. We are well aware—[*Interruption*]

Mr. Speaker: Order please, order please!

Mr. F. Hinds: —that there are certain provisions in this Bill which led to grave contention in the other place and we are aware that an attempt has been made to amend those contentious provisions to make them more palatable here, and certainly when it returns to that place.

We are of the view that the amendments that have been proffered still do not go far enough. We are aware that the Government is keen to pass this legislation—we know—and we would like to give them our support, but we maintain that clause 11(2) in particular yet, again, ought to be revisited and, consequently, clause 12. Short of those, we have studied it and we see that apart from strengthening, if you like, or codifying, again, yes, that which already exists—the concessions, the tax regime and so forth—all the other elements that have been put in here, the embellishments, we have no problem with them but we are keen to ensure that the unitary state of Trinidad and Tobago remains intact. We have seen what this Bill did and caused in the other place and we want to advise the Government, not because of them, not for their sake, but for the sake of Trinidad and Tobago, to take a more dispassionate view on clause 11 and clause 12; be open minded, be willing to negotiate on these.

Let us rearrange those clauses so as to give the Tobago House of Assembly its just due, to give it no reason for grouse and for complaint. We understand full well that the institution of the THA is supposed to have created some autonomy to deal with local matters and we are intent on observing that. As has been said earlier and will always be said, that does not mean they will run wild and do what they wish because they are still a part of the entire political constitutional fabric that is Trinidad and Tobago.

So that, Mr. Speaker, let us pay attention to that. Let us proceed sensibly in this legislation and let me, in conclusion, inform the Minister that the problems of the tourism industry are varied, they are many. The Government has a role to deal with those. The role of the Judiciary is a role separate and apart from the Government. It must be left there. Your function is to source the Judiciary so that it can do its work in peace for the good governance of Trinidad and Tobago.

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

BUSINESS OF THE HOUSE

The Attorney General and Minister of Legal Affairs (Hon. Ramesh Lawrence Maharaj): Mr. Speaker, I did indicate to the Leader of Opposition

Business that although we are going to adjourn this debate, by consent, we have also agreed to one matter this afternoon and that is the Cremation Motion which is now before the House. So I would defer the actual moving of the adjournment until—[*Interruption*]

Dr. Rowley: Mr. Speaker, on a point of information, earlier in the proceedings a question standing in my name was stood down for later in the proceedings. I am not aware that the answer was forthcoming. [*Interruption*] Question No. 11.

Mr. Maharaj: Mr. Speaker, the time expired and I understand that the answer was circulated.

Dr. Rowley: No, no, Mr. Speaker, my understanding was that the question would be answered later. I did not think that the Standing Orders applied to that Question No. 11 because we had agreed that No. 11 would be answered later.

Mr. Speaker: No, I had indicated that in any case at quarter past 2.00, it is written in the Standing Orders, that questions which are unanswered by that time would be dealt with in a certain way. [*Interruption*] One second, please. Before that, the first question on the Order Paper, it was agreed to defer that to a later stage in the proceedings, to a later stage under “Questions to Ministers”. That was a normal, natural interpretation which I gave to it. In which circumstances, we not having come to it by the time question time had expired, I indicated that all unanswered questions which were to be answered during the course of the day were to be dealt with in the way set out in the Standing Orders.

Mr. Manning: Just for my own edification, Mr. Speaker, since the House regulates its own business, is it not possible for a second interpretation on that decision, that is to say that the House agrees that the statement could be answered at any time in the proceedings? Is that not possible?

Mr. Speaker: No, I do not think so. What happens is, yes, there is something here about the House regulating its own proceedings and, if you wanted to do that, you should move that the House do certain things—as is often done when we get to a certain time in the evening—and the House could regulate its own procedure by saying, “Yes, we are going to defer this matter until another point in the proceedings”, which was not done. Indeed, your colleague on the right quite correctly raised the question when we were about to deal with, I think it was question 12, yes, one of the statements. He drew to my attention, quite politely, that the House had not really agreed—“Does that go to the House?”—and I put it to the House and the House voted yes to do it. So that, no, the House could

regulate its own procedure but it has to be done. One would do that insofar as it is put and it is carried.

Mr. Manning: One more question, Mr. Speaker. When the Leader of Government Business indicates to the Speaker and to the House that questions are not available now and therefore he would like to move that those questions be deferred to a later stage in the proceedings, does that not constitute the motion that is referred to under the Standing Orders as part of the House's responsibility to regulate its own business?

Mr. Speaker: Indeed not. The Speaker in all Parliaments interprets things and that is not questioned. The way in which the Speaker interprets that is that it is to be dealt with later on the same topic.

Mr. Manning: No problem, Mr. Speaker. I am asking the questions so that we will know how to handle the matter in the future. It is merely for the edification of hon. Members.

Mr. Speaker: It is precisely why I have always advised that hon. Members should come into my Chambers rather than try to do this here in full public glare and we could discuss it and arrive at very amicable decisions. This type of issue is eminently suitable for that type of discussion.

Dr. Rowley: Mr. Speaker, I just want to say that, for the record, I supported the motion when it was asked that we agree that it be held over to another stage in the proceedings. However, I then would like to ask that if the Standing Orders apply and it is being applied now and the answer was not forthcoming during the allotted time, should the answer not then have been given before the end of the day? Am I to expect that I will have the answer?

Mr. Valley: It will be circulated.

Dr. Rowley: Well I filed the question and I have not got a copy. *[Interruption]* Mr. Speaker, if it has been circulated, I do not have a copy on my desk and I am not aware of any circulation. That is the point I was making. I certainly was not aware of that, when I said yes to the matter, because there was no need to consult me. *[Interruption]* If you had an answer and it was not going to be made available when the time expired, whether I agreed or not was irrelevant.

6.15 p.m.

Hon. Ramesh Lawrence Maharaj: When that was announced, it was thought that the document would have come shortly and the Minister would have

been able to answer the question. As it turned out, the time expired. All these questions, when they are supposed to be answered and are deferred, they are answered right there and then within the time for questions. That is the impression, but—

CREMATION (AMDT.) REGULATIONS, 1999

The Minister of Local Government (Hon. Dhanraj Singh): Mr. Speaker, I beg to move the following motion:

Whereas it is provided by section 8(1)(g) of the Cremation Act that the Minister may make regulations for prescribing the charges of fees which may be demanded by a cremation authority for the burning of human remains in a crematorium.

And whereas it is further provided by section 8(4) of the Cremation Act that regulations made under that section shall be subject to affirmative resolution of Parliament.

And whereas the Minister has made the Cremation (Amendment) Regulations, 1999 on the 23rd day of November, 1999.

And whereas it is expedient to affirm the said regulations:

Be it Resolved that the Cremation (Amendment) Regulations, 1999 be approved.

Mr. Speaker, in keeping with Government's commitment to local government reform, the Ministry of Local Government has been actively engaged in the formulation and implementation of policies geared towards improving the efficiency and effectiveness of local government operations.

Mr. Speaker, one such policy is to review legislation relating to local government. To date, the following pieces of legislation are being reviewed by my ministry:

- (1) Public Burial Grounds Regulations under the Burial Grounds Act, Chap. 30:50;
- (2) Recreation Grounds Rules under the Recreation Grounds and Pastures Act, Chap. 41:01; and
- (3) The Cremation Regulations under the Cremation Act, Chap. 30:51 which is now before this honourable House.

Mr. Speaker, two amendments were made to the Cremation Regulations. These amendments relate to the definition of the term "local authority" as stated

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in Regulation 2 of the Cremation Regulations, and to the inclusion of a third schedule in view of the implementation of section 8(1)(g) of the Cremation Act.

Mr. Speaker, prior to the assent of the Municipal Corporations Act, No. 21 of 1990, Local Government in Trinidad and Tobago was entrusted to seven county councils legally established under the County Councils Act, Chap. 25:04; the Port of Spain Corporation established under the Port of Spain Corporation Ordinance, Chap. 39:1; the San Fernando Corporation established under the San Fernando Ordinance, Chap. 39:07; the Arima Corporation established under the Arima Corporation Ordinance, Chap. 39:11; the Point Fortin Corporation established under the Point Fortin Corporation Act, No. 12 of 1980.

Mr. Speaker, with the assent and proclamation of the Municipal Corporations Act, No. 21 of 1990, a new system of local government came into being, that is, the municipal council system. The proclamation of this Act also repealed the Port of Spain Corporation Ordinance, the San Fernando Corporation Ordinance, the Arima Corporation Ordinance, the Point Fortin Corporation Act, and the County Councils Act, Chap. 25:04.

In view of this, Mr. Speaker, the definition of local authority as outlined in Regulation 2 of the Cremation Regulation is not applicable, since it does not apply to the new municipal system under the Municipal Corporations Act, 1990. Mr. Speaker, the definition of the term "local authority" under the Cremation Regulations refers to the local government system that existed before the promulgation of the Municipal Corporations Act, 1990.

The term "local authority" as stated in Regulation 2 of the Cremation Regulations refers to the Port of Spain Corporation, the San Fernando Corporation, the Arima Corporation and includes a county council established under the County Councils Act.

As a consequence, Regulation 2 must be amended by deleting the definition of "local authority" and inserting a new definition in accordance with the new municipal system. The new definition shall now read as follows:

" 'local authority' means, a Corporation within the meaning of section 2(1) of the Municipal Corporations Act."

Mr. Speaker, under section 2(1) of the Municipal Corporations Act, 1990:

"a corporation means the body corporate constituted by the mayor, aldermen, councillors and electors of any of the cities, towns, districts or places to which this Act is applied by or under section 5."

Mr. Speaker, the second amendment to the Cremation Regulations results from the implementation of section 8(1)(g) of the Cremation Act. Under section 8(1)(g), Mr. Speaker, the Minister of Local Government has the authority to make regulations for prescribing the charges or fees which may be demanded by a Cremation Authority for the burning of human remains in a crematorium. In exercising this authority, Mr. Speaker, the Cremation Regulations are to be amended by inserting after the Second Schedule, a Third Schedule prescribing the charges or fees by a Cremation Authority for the burning of human remains in a crematorium, in accordance with section 8(1)(g) of the Cremation Act.

Mr. Speaker, the fees as outlined in the Third Schedule were recommended by the relevant municipal corporations and endorsed by the Minister of Local Government. These said fees were also approved by the Cabinet of Trinidad and Tobago.

In the context of the foregoing, Mr. Speaker, I beg to move that this House approve the Cremation (Amdt.) Regulations, 1999.

Question proposed.

Mr. Valley: —*[Interruption]* No, are you finished? I am sorry.

Mr. Speaker: No I was not. I was simply trying to indicate to some Members that it was rude, really, to be doing what they were doing while I was putting the question.

Mr. Kenneth Valley (Diego Martin Central): Mr. Speaker, I do not plan to be long. I have looked at the Schedule of Fees and I would want to direct Members' attention to the Schedule of fees attached. We would note a real difference in the Schedule of Fees. In the case of Port of Spain the cremation of an adult is some \$1,200, as distinct from Point Fortin, where the cremation of human remains is \$700 and Chaguanas where the cremation of human remains is \$25.

In discussion with the Minister before, he mentioned to me that in Port of Spain there is a crematorium while at Point Fortin and Chaguanas there is a cremation ground. When we looked at the regulations, the regulations appeared to be specific, Mr. Speaker. It says, in the first part of the resolution:

"Whereas it is provided by section 8(1)(g) of the Cremation Act that the Minister may make regulations for prescribing the charges or fees which may be demanded by a Cremation Authority for the burning of human remains in a crematorium."

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That suggests, to me, Mr. Speaker, that the Minister is limited to setting the fees when the burning is in a crematorium, as opposed to a cremation site. Therefore, if that is correct—and if what the Minister said before is correct—the only thing that should be included in the Schedule would be the fees for the Port of Spain Corporation—[*Interruption*]

Hon. Member: And San Fernando.

Mr. K. Valley: The Minister said that San Fernando has a private crematorium. I wondered about that also because—What is a cremation authority, is it a public body?—[*Interruption*] That is the other thing, is there a cremation authority? I do not know, Mr. Speaker. I just raised these issues so that the Minister may want to look at this once more and decide where we ought to go.

Mr. Manning: Defer it.

The Attorney General and Minister of Legal Affairs (Hon. Ramesh Lawrence Maharaj): Mr. Speaker, in the light of what has been said, we will do this response next week, because I would like to look into it. The Minister has also agreed that we do this response next week.

Motion made, That the House do now adjourn to Friday, February 18, 2000 at 1.30 p.m. [*Hon. R.L. Maharaj*].

Question put and agreed to.

House accordingly adjourned.

Adjourned at 6.30 p.m.

CONTINUOUS ASSESSMENT PROGRAMME

The following question was asked by Mr. Fitzgerald Hinds) Laventille East/Morvant):

18. Mr. Fitzgerald Hinds asked the Honourable Attorney General and Minister of Legal Affairs:

- (c) Would the Minister inform this House of the status of the Continuous Assessment Programme in relation to the 53 schools selected for the pilot project?
- (d) Would the Minister state whether a proper system of record keeping has been effected in the said schools?

The following reply was circulated to Members of the House:

The Ag. Minister of Education (Dr. The Hon. Rupert Griffith): Mr. Speaker, with respect to (a) of the question, the Continuous Assessment Programme remains in its pilot phase which is due to end at the end of August, 2000. Thereafter, there will be a one year transition period to address the issues implicit in the scale-up of the programme to all primary schools.

With respect to (b) of the question, a comprehensive system of record keeping has been put in place in order to support the activities of the CAP. It constitutes part of the overall Ministry of Education recording system. All schools have been provided with Student Cumulative Record Cards. All relevant data concerning the student is entered onto this document from the time of entry into the school system. Information on students' admission is also entered in the School Admission Book.

Recording of students' performance and observations of students' behaviour have been instituted. During the period of this pilot phase the Ministry of Education, with the input of pilot schools, has defined, and implemented a system for recording student performance and observations made of students' behaviour. In this regard, a Teacher's Record Book has been developed. Arrangements are being made for the printing and distribution of this book to coincide with the full implementation of CAP in September, 2000.

Other records which are maintained in the schools include:

- (i) Teachers Roll Book
- (ii) The Teachers Plan Book (record and forecast)
- (iii) Scheme of Work; and
- (iv) Teachers Journal.

Mr. Speaker, at present the system of record keeping is a manual one. However, plans are already in place to ensure that the system is computerized. Arrangements are being made to provide schools with the necessary computer software on a phased basis.

Thank you.

It is recognized that tourism in Trinidad and Tobago is yet in its formative or infancy stage. In fact, tourism contributes to just about 2 or 3 per cent of the gross domestic product.