

**HOUSE OF REPRESENTATIVES**

*Friday, March 17, 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 Caroni East, the Member for La Brea, the Member for Port of Spain North/St. Ann's West and the Member for Arouca South. The leave of absence which they seek is granted.

**HIS GRACE THE ARCHBISHOP  
THE MOST REV. ANTHONY PANTIN  
(DEATH OF)**

**Mr. Speaker:** Hon. Members, it is now common knowledge that His Grace, The Roman Catholic Archbishop of Port of Spain, The Most Rev. Anthony Pantin departed this life on Sunday, March 12, 2000. An official funeral service was held in his honour yesterday at the Cathedral of the Immaculate Conception. Hon. Members representing both sides may wish to express condolences.

**The Prime Minister (Hon. Basdeo Panday):** Mr. Speaker, it is possible that everything that can be said of the character of Archbishop Pantin's life has already been publicly spoken. Persons of all ranks, all callings and all faiths have given testimony to Archbishop Pantin's humility, his personal warmth, his love for his people; not only those of his faith, but all of us whom he embraced as his brothers and sisters and children and for his desire for a nation truly united despite our differences.

All this was most memorably captured and expressed by Archbishop Clarke of Kingston, at the Pontifical mass at the Cathedral of the Immaculate Conception last evening. Few orators could have matched Archbishop Clarke's illuminating, moving statement to the quality of Archbishop Pantin's pastorship. Nonetheless, I wish to place on the record of this honourable House the sentiments that I expressed on the day on which Archbishop Pantin was called to his eternal peace.

The passing of His Grace, The Most Rev. Anthony Pantin is an immeasurable loss to Trinidad and Tobago, and indeed to humankind. The first native head of the Roman Catholic Church of this country was not only a pastor to members of his faith, he was a caring and compassionate shepherd to all in our diverse society.

*The Most Rev. Anthony Pantin (Death of)*  
[HON. B. PANDAY]

*Friday, March 17, 2000*

No individual, cleric or otherwise has carried the mantle of leadership with a wider embrace, greater warmth, with more enduring grace, or with greater humility. His love embraced each and every one of us.

While we mourn his passing, Sir, we must all thank the Almighty for the great blessing that he has bestowed upon us and upon this nation and the life of his son, Anthony, and the lives of all members of Archbishop Pantin's family whose grief we share.

The Pantins' have distinguished their lives with outstanding service to the people of our beloved country, particularly the poor. Archbishop Pantin was truly a saintly man. To have known Archbishop Pantin, was to have had your life touched by an angelic human being. Certainly all of this week there appears to have been a mellowing in our land, as though our nation has indeed been touched by an angel. We can take comfort in the knowledge that Anthony Pantin's eternal spirit will now intervene on behalf of this beloved nation.

Let us now seek the most meaningful expression of our sorrow at his passing, the most appropriate means by which we can celebrate the life and the memory of Archbishop Anthony Pantin. Let us work to surmount the differences that we have permitted to divide our society, let us learn to love and respect one another. Let us open our hearts to the poor and to the suffering and let us put aside our differences and begin to work together to build a truly unified nation which this great and good man tried so tirelessly to shape for all of us, for all of his life.

We owe our dear departed friend and brother, Fr. Gordon Anthony Pantin, no less than all of this.

Thank you.

**Mr. Kenneth Valley** (*Diego Martin Central*): Mr. Speaker, we join with the Government in paying tribute to His Grace, The Most Rev. Anthony Pantin; and I say tribute, because I think as we listened to the commentators from all walks of life in Trinidad and Tobago as we mourn the loss of this exemplar, we note that the emphasis is on what it means for Trinidad and Tobago. In a sense, we mourn his passing, rather than mourning his death and before I am criticized for attempting to make a distinction without a difference, I say that because we feel certain that the Archbishop is, today, with his heavenly Father, that he has earned rest, but for us in Trinidad and Tobago, the Caribbean, and perhaps in the world, we have lost an exemplar.

We in Trinidad and Tobago would, of course, miss his wise counsel, we will miss his unique wit, but we know that he is with our Creator and we are happy for his eternal rest.

Mr. Speaker, when one considers that Archbishop Pantin died suddenly but peacefully at age 70, an age that is generally considered prone to all types of illness, one can only conclude that that spiritual being has simply outgrown that mortal being. Unlike that beautiful butterfly which started life as a caterpillar going through the cocoon, Archbishop Pantin has now blossomed into—using the metaphor—that beautiful butterfly in the kingdom. As we mourn his loss, let us endeavour and commit to emulate his life, let his words of wisdom guide our every action.

I think we are all aware that Archbishop Pantin had that weekly column in the *Trinidad Guardian* and I would hope that we can really develop that into pearls of wisdom, into some permanent form to provide in one volume, a permanent source of inspiration to all of us, especially our young people.

I know for me, the statement made by Archbishop Pantin that would remain forever was when he mentioned to someone that yes, we must always speak the truth, but we must not always speak. Mr. Speaker, as politicians, I think that is wise counsel.

We wish the new administrator, Fr. Christian Pereira, well, we wish him God's blessings and our heartfelt sympathy goes out to the family and relatives of His Grace, Archbishop Pantin.

Thank you

**Miss Pamela Nicholson** (*Tobago West*): Mr. Speaker, on behalf of the people of Tobago and the political organization that I belong to, the People's Empowerment Party (PEP), and myself, I wish to express condolences to the family of His Grace The Archbishop of Port of Spain. Personally, I met him a few times, and one aspect of his life that one cannot forget is his joviality. I can never forget also, when His Grace went to live at Laventille, the kind of problems it seemed to have created to the population. When I saw that, I recognized the kind of individual that the Roman Catholic community had as their leader and one can always recognize the role he played to those who were needy, those on the streets, and they were not apart from the rest of the population in his life.

Mr. Speaker, I know the tremendous pain that his sudden departure from this earth has brought to his family and also the Roman Catholic population and the society of Trinidad and Tobago in general. Because of the role he played in our society particularly when there were problems for leaders at his level to make a contribution, one cannot forget his role at that level particularly when he just became the Archbishop of Port of Spain right down to the end of his life.

*The Most Rev. Anthony Pantin (Death of)*  
[MISS P. NICHOLSON]

*Friday, March 17, 2000*

We as a people, know that His Grace reminded us of our Lord Jesus Christ when he walked this earth; one saw some level of Him in Archbishop Pantin. We wish him peace, we know the tremendous loss and we believe that someone will come this way to play the role the Archbishop had been playing for the church and our country in general. May his soul rest in peace.

Thank you

**Mr. Speaker:** Hon. Members, some men are born great, others achieve greatness and yet others have greatness thrust upon them. Much has been said of the late Roman Catholic Archbishop of Port of Spain in the last few days. His Grace Archbishop Anthony Pantin, was undoubtedly an outstanding citizen of the Republic of Trinidad and Tobago. He was not one who went in search of greatness but it was thrust upon him some 32 years ago by His Holiness, Pope Paul VI, and he seemed never to have betrayed that trust and confidence which His Holiness had reposed in him.

He was called upon to perform the Herculean task of filling the shoes of the wise, influential and once all-powerful Archbishop, Count Finbar Ryan. Notwithstanding his relative youth on assuming leadership of the Roman Catholic flock in Trinidad and Tobago, Archbishop Pantin did not go overboard. He was respected and loved by the general population within and without his church.

**1.45 p.m.**

The late Archbishop seemed to have read and digested Rudyard Kipling's *If*, for he, indeed, was able to keep his head when all about him were losing theirs. He certainly demonstrated an ability to walk with kings without losing the common touch. I am one of the many who had been greatly influenced by the priest, Anthony Pantin, even before he was elevated to the high office of Archbishop. It was my good fortune to be taught by him in both the 5<sup>th</sup> and 6<sup>th</sup> Forms at Fatima College.

Long shall the citizens of our Republic remember the fearless and caring Archbishop who sought to lead by example and who never failed to sing loudly, the words of our National Anthem, whenever it was played at any function which he attended, notwithstanding that his may have been the lone voice.

In the circumstances, I join with both sides of this honourable House in expressing condolences and in mourning the Archbishop's passing. I certainly thank God for so useful a life, and for the privilege of having really known the Archbishop. It is my hope that the late Archbishop Anthony Pantin is now in eternal rest and that positive aspects of his life and some of his Christ-like qualities would be emulated by many.

On behalf of both sides of this Honourable House I now direct the Clerk of the House to write to the Administrator of the Roman Catholic Church, and to the late Archbishop's mourning sisters and brothers, expressing the condolences of the House of Representatives on the death of this exemplar of a man.

Thank you.

#### ORAL ANSWERS TO QUESTIONS

**The Attorney General and Minister of Legal Affairs (Hon. Ramesh Lawrence Maharaj):** Mr. Speaker, may I crave your indulgence to mention that today, the Government would be able to answer question Nos. 29, 30, 36, 37, 40, thereby, the Government would be asking for a week's deferral for questions Nos. 28, 31, 32, 33, 41, 42 and 43.

**Mr. Speaker:** Is there an agreement on this or do we put it to the honourable House? *[Interruption]* No, I thought I was doing something that was not right.

Hon. Members, by the agreement of both sides of the House, it is agreed that question Nos. 28, 31, 32, 33, 41, 42 and 43 would be deferred for a week.

#### Cross Crossing (Completion of Work)

**29. Mr. Barendra Sinanan** (*San Fernando West*) asked the Minister of Works and Transport:

- (a) Would the Minister state whether the completion of the Cross Crossing interchange is on schedule, within budget and the likely date of completion?
- (b) Could the Minister also indicate the extent of the separation of the wall in the vicinity of the underground passageway abutting Sunset Drive, Green Acres and what remedial works will be undertaken to correct this defect?

**The Parliamentary Secretary in the Ministry of Works and Transport (Mr. Chandresh Sharma):** Mr. Speaker, the project being referred to as the Cross Crossing interchange is officially known as the Southern Roads Development Project Contract No. 2. The project consists of three elements, namely:

- (a) (i) Dualling of San Fernando Bye Pass from Chaconia Avenue to Cross Crossing Roundabout;
- (ii) Construction of a grade-separated interchange at Cross Crossing;
- (iii) Construction of a two-lane Connector Road from the new Cross Crossing interchange to Golconda Village.

The contract was awarded to Seereeram Brothers' Limited at a cost of \$151.9 million, VAT inclusive. The commencement date was January 12, 1998 with a duration of 24 months, making an official completion date of January 11, 2000.

At the present time, the project is within budget and is not expected to exceed the contract cost.

Barring unforeseen circumstances, the date of substantial completion of this project is May 31, 2000. By this time, it is expected that all legs of the interchange will be able to accommodate traffic and the other two elements of the project would also be open.

The extent of the separation of the wall of the underground passageway is some 600mm (2 feet). Some stabilization work, in the area of the greatest instability near the tunnel, has been carried out by driving 30 steel H-piles behind the retaining wall and capping the cluster of piles with a concrete pile cap. This work also incorporates a rubble masonry toe wall to enhance stability and accommodate a sidewalk between the retaining wall and Sunset Strip. The ministry's consultants continue to monitor this situation very closely with a view to determining what further remedial works may be needed. The separation of the wall would be corrected by filling in the 600 mm gap with concrete in a wedge shape and flushing off the edge of the outer face of the retaining wall with the edge of the tunnel.

**Mr. Sinanan:** Can the hon. Minister indicate to this honourable House whether the remedial works being done at the moment, are affecting the houses on the opposite side of the road to the extent that they are causing those houses and the walls to crack?

**Mr. Sharma:** Mr. Speaker, that is not happening, but in the event that it should happen, as I indicated, the ministry's consultants are there on a daily basis and consideration would be given for any development of that kind.

**San Fernando Girls' Anglican School**  
**(Construction of)**

**30. Mr. Barendra Sinanan** (*San Fernando West*) asked the Minister of Education:

Could the Minister state whether the construction of the San Fernando Girls' Anglican School is on schedule and the likely date of completion?

**The Minister of Education (Hon. Kamla Persad-Bissessar):** Mr. Speaker, the construction of the San Fernando Girls' Anglican School, which is to house 840 students in the primary level, commenced in December 1997, on behalf of the Anglican Church Board by the Moosai Contractors Limited. The building is now 98 per cent completed, and the Ministry of Education is making every effort, in conjunction with the board, to ensure that it is completed on time, for use when school reopens after the Easter Term break which is May 01, 2000.

*The following questions stood on the Order Paper:*

**National Housing Authority  
(Pipe-Borne Water Supply)**

- 28.** (a) Is the Minister of Housing and Settlements aware that residents of the second, third and fourth floors of the National Housing Authority Apartments situated at Lady Hailes Avenue and at Embacadere in San Fernando do not receive a pipe-borne supply of water because the pressure is inadequate to reach those floors?
- (b) If the Minister is not aware, would he state what he intends to do about this situation and when?
- (c) If he is so aware, what action does he intend to take to fulfil WASA's objective of providing water for all by 2000? *[Mr. B. Sinanan]*

**Stadia  
(Engagement of Specific Financier)**

- 31.** (a) With respect to the four (4) new stadia for the 2001 FIFA World Youth Championship, will the Minister of Social and Community Development and Minister of Sport and Youth Affairs indicate whether the action of the Cabinet in engaging the services of a specific financier to undertake the project is in accordance with the provisions of the Central Tenders Board Ordinance?
- (b) If the answer is in the affirmative, will the Minister indicate the relevant section of the Ordinance that vests legal authority in the Cabinet to act on its own behalf in awarding a BOLT Contract to the specific financier?
- (c) If the answer is in the negative, will the Minister identify the authority or the law under which the Cabinet acted in awarding this contract? *[Mr. Martin Joseph]*

**Stadia**  
**(Project Manager Appointment)**

- 32.** (a) With respect to the four (4) new stadia for the 2001 FIFA World Youth Championship, will the Minister indicate whether the Cabinet's decision to appoint FIFA as project manager is in keeping with the provisions of the Central Tenders Board Ordinance?
- (b) If the answer is in the affirmative, will the Minister indicate the relevant section of the Central Tenders Board Ordinance that vests the Cabinet with the legal authority to enter into this contract without reference to the Central Tenders Board?
- (c) If the answer is in the negative, will the Minister identify the authority under which the Cabinet is authorised to act in its own behalf in engaging the services of FIFA as project manager? *[Mr. Martin Joseph]*

**Stadia**  
**(Agreement with Financier)**

**33.** With respect to the four (4) new stadia for the 2001 FIFA World Youth Championship, will the Minister of Social and Community Development and Minister of Sport and Youth Affairs provide the House with the following details relating to the agreement with the financier:

- (a) The name of the financier;
- (b) The capital sum involved;
- (c) How that sum has been or will be determined;
- (d) The time frame within which the payment is to be effected? *[Mr. Martin Joseph]*

**Nipdec Cold Storage Facility**  
**(Tobago)**

- 41.** (a) Would the Minister of Finance, Planning and Development inform this House whether he is aware that after 17 years of operation without adequate maintenance, the Nipdec cold storage facility in Tobago is inoperable and unable to satisfy the demands to Tobago's fishermen?
- (b) Could the Minister state why the sum of \$2.1 million was not advanced in 1998/1999 to purchase the necessary refrigeration equipment required to sustain the Tobago Nipdec plant?
- (c) Does the Government propose to provide the \$2.1 million to refurbish the Nipdec cold-storage plant in the 1999/2000 financial year? *[Miss P. Nicholson]*



**Development of Commercial Fishing  
(Tobago)**

**42.** Could the Minister of Finance, Planning and Development inform the House why no money has been budgeted to the Tobago House of Assembly for the development of commercial fishing in Tobago? [*Miss P. Nicholson*]

**Government Contractors and Creditors  
(Money Due and Payable)**

**43.** Could the Minister of Finance, Planning and Development inform this House what was the total sum of money that was due and payable to contractors and other creditors of the Government of Trinidad and Tobago as at September 30, 1999 and which was outstanding as at December 31, 1999? [*Mr. K. Valley*]

*Questions, by leave, deferred.*

**1.55 p.m.**

**National Quarries Company Limited  
(Losses)**

**36. Dr. Keith Rowley** (*Diego Martin West*) asked the Minister of Energy and Energy Industries:

- (a) Is the Minister aware that, in 1997, the National Quarries Co. Ltd. (NQCL) reported a loss of \$11,399,413 in a project called the “Atlantic LNG Contract”?
- (b) Could the Minister outline the circumstances under which:
  - i. The NQCL reported a loss of \$3,287,094 through aggregate purchase in 1997?
  - ii. The NQCL reported a loss of \$10,120,737 in “hauling and barging” charges in 1997?
  - iii. The NQCL reported a loss of \$3,679,471 attributed to bad debt?
- (c) Would the Minister state who was responsible for negotiating, executing and managing the relevant contract/s which resulted in these losses as reported in the 1997 financial statements of the company?

**The Minister of Energy and Energy Industries (Sen. The Hon. Finbar Gangar):** Mr. Speaker, yes, the Minister of Energy and Energy Industries is aware that the financial statements for the year ended July 31, 1997 stated that the National Quarries Company Limited recorded a loss of \$11,399,413 as a result of the supply of aggregate with the Atlantic LNG project.

In 1997 National Quarries purchased aggregate from the following six suppliers for delivery to the Atlantic LNG project:

Studley Park of the Tobago House of Assembly

Fredcon Chemline Corporation

Gasparillo Quarries

Fujiko Caribbean Limited

Rock Products and

Coosal's Quarry

In order to expedite the supply of aggregate, the National Quarries had an arrangement with Fredcon Chemline Corporation and Gasparillo Quarries to assist in the development of the operation of these quarries. It was agreed that the cost incurred by National Quarries would be offset by aggregate supply. Outstanding moneys owed by Fredcon Chemline Corporation is \$405,224 and by Gasparillo Quarries \$39,448. A provision of 40 per cent of these liabilities totalling \$177,869 was made for bad debt for the financial year ending July 1997. National Quarries has taken legal action against Fredcon Chemline Corporation to collect the outstanding debt.

In the case of the Studley Park Quarry in Tobago it was agreed between the Tobago House of Assembly and National Quarries that National Quarries would undertake major development works to mine and operate the quarry, including the construction of a loading facility at Barbados Bay, equipment for rental, purchase of explosives and the haulage of aggregate from the quarry. The Studley Park quarry of the THA agreed in principle that all expenditure incurred by NQCL will be offset with the supply of aggregate.

The total expenditure incurred by National Quarries on behalf of the THA for the above was \$15,396,820.55. The value of aggregate supplied for the financial year 1996 to 1997 was \$3,287,094 from the Studley Park Quarry. Total aggregate supplies for the Atlantic LNG project from this quarry was valued at \$8,426,004.50. The outstanding THA debt is \$6,970,816. At present the National Quarries is examining its legal options, including legal advice, in pursuing the Studley Park THA debt since the Tobago House of Assembly has refused to acknowledge its liability. As a result, a provision of 50 per cent of the liability—\$3,485,408—was made for bad debt for the financial year ending July 1997.

The loss of \$11,399,413 reported by National Quarries in 1997 is broken down as follows:

Bad Debts	—	\$3,679,471
Loss incurred in hauling and barging	—	\$7,719,942
Total		\$11,399,413

Mr. Speaker, the figure of \$3,287,094 does not represent a loss through aggregate purchases. It represents the total cost of the aggregate that was purchased from the Studley Park Quarry for the Atlantic LNG project during the financial year ending July 31, 1997.

Mr. Speaker, the figure of \$10,120,737 does not represent a loss, it represents the transportation costs incurred, that is hauling and barging of the aggregate purchased and sold for the Atlantic LNG project.

The figure \$3,679,471 represents a provision for bad debts, which was made for outstanding balances as follows:

50% of moneys owed by the THA	—	\$3,485,408
40% of moneys owed by Fredcon	—	\$162,089
40% of moneys owed by Gasparillo Quarries	—	\$15,779
40% of other miscellaneous debtors (unrelated to the Atlantic LNG project)	—	\$16,194
Total	—	\$3,679,471

Mr. Speaker, the person responsible for negotiating, executing and managing the arrangements for deliveries of aggregate to the Atlantic LNG project was the then General Manager, Mr. Howard John. According to records in the Ministry of Energy and Energy Industries, Mr. John, a geologist in the Ministry of Energy and Energy Industries, functioned as General Manager since August of 1994 on the recommendation of the PNM-appointed board of National Quarries. He left the company's employment in November 1997.

**Dr. Rowley:** Mr. Speaker, a supplemental to the Minister. Is the Minister saying that the financial statements, item 12, which reads, "Exceptional Item", which shows a loss of \$11.399 million on the company's account is not, in fact, a loss?

**Sen. The Hon F. Gangar:** Mr. Speaker, I will just refer to my previous answer to the first part of the question. I said that the loss is, in fact, \$11,399,413 and it is broken down in accordance with bad debts of \$3,679,471 and loss incurred of hauling and barging is \$7,719,942.

**Dr. Rowley:** Thank you, Mr. Speaker. I have one more supplemental question. Considering that the LNG project was a highly commercial and very profitable operation, that National Quarries has supplied the materials for this project and, in so doing, has incurred a loss in public funds of \$11.3 million, would the Minister say that there was any aspect of Government policy at any time to subsidize any aspect of the construction of the LNG project?

**Sen. The Hon. F. Gangar:** No, Mr. Speaker, there was no Government policy to subsidize the LNG project. Based on the explanation I have given in the first part of the answer, a large proportion of the cost is still under dispute with the THA where it was agreed that the expenditure incurred by National Quarries will be offset with supply of aggregate. The fact of the matter is that the outstanding debt of the THA at this point to National Quarries, which is now under legal review, is almost \$7 million. The outstanding debt is \$6,970,816.

**National Quarries Company Limited  
(Moneys Owed)**

**37. Dr. Keith Rowley** asked the Minister of Energy and Energy Industries:

Could the Minister state:

- (i) Who are the persons or firms owing the National Quarries Co. Ltd. (NQCL) \$3,679,471 which has been deemed “bad debt” in 1997?
- (ii) From whom NQCL purchased the aggregate which was supplied to Atlantic LNG at a loss?

**The Minister of Energy and Energy Industries (Sen. The Hon. Finbar Gangar):** Mr. Speaker, the answer to part (i) of the question is as follows. The firms for which there is a provision of \$3,679,471 for bad debt by the National Quarries are as follows:

Studley Park of the THA  
Fredcon (Chemline Corporation) and  
Gasparillo Quarries

The National Quarries purchased aggregate from the following six suppliers for the Atlantic LNG project:

Studley Park of the THA  
 Fredcon Chemline Corporation  
 Gasparillo Quarries  
 Fujiko Caribbean Limited  
 Rock Products and  
 Coosal's Quarries

Mr. Speaker, I would like to give a brief synopsis of the performance of National Quarries over the last 20 years. From 1979 to 1981, when Dr. Rowley was Manager Research and Development, the loss in 1980 was \$1,150,906. In 1981, a profit of \$298,307 was made. During the period 1981 to 1984 when Dr. Rowley was Manager Operations Development, in 1983 the loss was \$2,258,752. In 1984, when Dr. Rowley was both the General Manager and Manager Operations, the loss was \$3,097,123. In 1985, when Dr. Rowley was General Manager, the loss was \$5,102,198. In 1986, when Dr. Rowley was General Manager, the loss was \$4,530,679. In 1987, when Dr. Rowley was General Manager, the loss was \$9,509,745.

In 1988 the loss—it dropped when he left—was \$3,111,931. In 1989, the loss was \$2,469,541. He was no longer there. In 1990, the loss was \$2,913,927. In 1991, the loss was \$1,372,366. In 1993, the loss was \$1,585,443. In 1994, the loss was \$2,402,670. In 1995, the profit was \$3,417,088. In 1996, the profit was \$2,008,356. In 1997, because of the Tobago House of Assembly, the loss jumped to \$8,000,558 and we paid a royalty for the first time in its history of \$1,704,930. In 1998, the profit was \$2,817,181. We paid a royalty of \$1,619,768. In 1999, the unaudited profit was \$3,182,378 and a royalty of \$1,452,330 was paid. No royalty was paid over the period 1979 to 1995. [*Desk thumping*]

**Dr. Rowley:** Supplemental, Mr. Speaker. Is the Minister aware that the losses he referred to in the period 1979 to 1987 were as a deliberate act of Government policy where National Quarries' products were kept under price control?

**Sen. The Hon. F. Gangar:** I am not aware but the policy has not changed, Mr. Speaker. The price of aggregate is still kept under serious price control at this point in time, so there has been no change of policy. [*Desk thumping*]  
 [*Interruption*]

**Dr. Rowley:** Mr. Speaker—[*Interruption*]. Anyway, I am not debating that. Is the Minister aware that at no time during that period he outlined did National Quarries enter into any arrangement where the supply of aggregate to a customer was done at a loss and that the losses he referred to relate to the capitalization of moneys provided to create the company?

**Sen. The Hon. F. Gangar:** Mr. Speaker, I am not aware of that but I do not know how a capitalization loss could be spread over a 20-year period. That is impossible.

**2.10 p.m.**

**Tobago House of Assembly Act  
(Amendment of)**

**40. Miss Pamela Nicholson** (*Tobago West*) asked the Attorney General and Minister of Legal Affairs:

- (a) Would the Attorney General and Minister of Legal Affairs inform this House whether there is a document containing his Government's proposals for the amendment of the Tobago House of Assembly Act, 1996?
- (b) Could he advise whether this document has been distributed to a number of agencies throughout the country for comments?
- (c) Could the Attorney General also inform the House whether a copy of this document was sent to:
  - (i) the Chief Secretary of the Tobago House of Assembly (THA) for comments from the THA or for his personal comments?
  - (ii) each member of the THA for his/her consideration and comments?
- (d) Would the Attorney General further inform this House whether officials of his Ministry held special meetings with the Tobago public in relation to the document referred to?

**The Attorney General and Minister of Legal Affairs (Hon. Ramesh Lawrence Maharaj):** Mr. Speaker, the policy in respect of proposals to amend the Tobago House of Assembly Act has been evolving over the last few years, since even after the Act was introduced in 1996, there was an amendment Bill in 1998, which was introduced in this honourable House but lapsed later that year. The draft policy is now contained in the draft discussion Bill which seeks to amend the Act and contains recommended policy for the reform of that Act.

Mr. Speaker, since the enactment of the Tobago House of Assembly Act in 1996, the Government has from time to time received many proposals for amendments to the Act both from the Tobago House of Assembly and Government agencies. Since 1998, the Government has been holding a series of consultations and discussions with the Chief Secretary, Members of the Tobago House of Assembly, ministries and departments of Government—including the Chief Personnel Officer and the Director of Personnel Administration—with respect to those proposals and, consequently, decided to proceed with the draft discussion Bill recognizing that there could be several amendments to various clauses in the draft. Consultations were also held in Trinidad with the President of the Public Services Association. The draft discussion Bill contains, therefore, recommendations from the Tobago House of Assembly, Government agencies and the Public Services Association.

Mr. Speaker, the Bill has been the result of extensive consultations and discussions between the Central Government and Tobago House of Assembly, which took place on several occasions in Tobago and several occasions in Trinidad. The Government recognizes that the draft discussion Bill would again provide an opportunity for further discussions and consultations, and the Government is open to receiving comments on the draft. In that context, the Government has sent the draft bill to several departments and ministries for their comments, including the Ministry of Tobago Affairs. The draft Bill has also been sent to the President of the Public Services Association as it contains matters affecting the public service.

Mr. Speaker, the Ministry of Tobago Affairs in mid-January, 2000 sent a copy of the draft discussion Bill to the Chief Secretary of the Tobago House of Assembly. It is hoped that in due course, the Tobago House of Assembly's comments will be sent to the Ministry of Tobago Affairs which will forward its recommendations to the Attorney General.

The Ministry of the Attorney General did not hold any meetings with the Tobago public in relation to the Bill. Officials of the Ministry who held discussions with the Chief Secretary and the Members of the Tobago House of Assembly were part of the Government delegation. It must be presumed that the Tobago House of Assembly, in holding discussions with the Government on the Bill, was then acting on behalf of the people of Tobago.

Mr. Speaker, thank you very much.

**Miss Nicholson:** Mr. Speaker, when the hon. Attorney General states that the Government has been holding meetings with the Tobago House of Assembly—they have been holding that—does he include the Opposition Members of the Tobago House of Assembly. *[Interruption]*

**Hon. R. L. Maharaj:** Mr. Speaker, when I say the Tobago House of Assembly, I mean the Tobago House of Assembly. I am not interfering in the internal affairs of the Tobago House of Assembly.

**Miss Nicholson:** Mr. Speaker, that is unacceptable because the Tobago House of Assembly is not made up of one side.

**Mr. Speaker:** Questions, please.

**Miss Nicholson:** Is the hon. Attorney General aware that the Tobago House of Assembly has two sides as the national Parliament here today? There is the Government side and the Opposition side. Is the Attorney General aware, and if he is aware, could he tell us why he did not have discussions with the Opposition Members of the Tobago House of Assembly?

**Hon. R. L. Maharaj:** Mr. Speaker, both sides constitute the Tobago House of Assembly but, in any event, if any Member of the Tobago House of Assembly wants a copy of the draft Bill and wants to have discussions, the Government is very well open and arrangements are being made to have those. I understand that the Minister of Tobago Affairs has met with them.

**Mr. Valley:** Mr. Speaker, just a quick supplemental. I just want to know whether a copy of the draft Bill would be made available to the Opposition also. *[Interruption]*

**Hon. R. L. Maharaj:** It is available.

**Dr. Rowley:** How? From Morgan Job?

**Mr. Speaker:** Please proceed.

**Mr. Valley:** Mr. Speaker, I have not received a response to my question, the supplemental.

**Hon. R. L. Maharaj:** Mr. Speaker, the Ministry of Tobago Affairs would be conducting these consultations and discussions and I feel very confident, and I would give you the assurance that the Ministry of Tobago Affairs would provide copies of the Bill to you, if you so desire. *[Interruption]*

**Mr. Speaker:** Order please. Please proceed.



**TOURISM DEVELOPMENT (No. 2) BILL**

[Fourth Day]

*Order read for resuming adjourned debate on question* [February 11, 2000]:

That the Bill be now read a second time.

*Question again proposed.*

**The Attorney General and Minister of Legal Affairs (Hon. Ramesh Lawrence Maharaj):** Mr. Speaker, I join this debate because during the debate on this measure, matters have been raised in which Members of the Opposition have stated that this Bill would, in effect, take away the power given to the Tobago House of Assembly under the Tobago House of Assembly Act of 1996. As a matter of fact, some of the statements were to the effect that the Government was giving, or the Government gave autonomy to the Tobago House of Assembly in the 1996 Act, and this Bill is taking away that autonomy.

Mr. Speaker, I also join the debate because the contention was, that this Bill was being rushed through and was not properly thought out and that the Government was, in effect, concerned with personalities, and not with the objects as contained in the Bill. I also join this debate because during the debate, certain statements were made by the hon. Member for Laventille East/Morvant, which I think I owe a duty not to leave them on the record without a response from the Government, in respect of the statement made by the hon. Member for Tabaquite, and the response made by the hon. Chief Justice, in respect of the Administration of Justice. Mr. Speaker, if I can take the first matter that I would deal with and that is that this Bill—according to the Opposition—has not been properly thought out, it was rushed through and, therefore, the Bill is suspect. I would like to put on the record the history of this Bill. In January of 1996, the Cabinet agreed to the amendment to the Hotel Development Act to provide, among other things, for the process of granting certain benefits to approve tourism projects.

Mr. Speaker, after the Bill was approved by Cabinet, the Chief Parliamentary Counsel Department decided that it would recommend to the Attorney General that the amendment to the Hotel Development Act was not really the right place to deal with benefits to persons who operate facilities such as marinas, dive-operations, cultural and sport centres and so forth. The recommendation was that there should be a Tourism Development Bill in which all aspects dealing with the incentives and the promotion of tourism should be contained in that Bill. Based on that advice which the Attorney General accepted, a Tourism Development Bill was prepared in 1996, and a team was set up in September, 1996 in order to have discussions also in respect of the Bill.

**2.20 p.m.**

The team consisted of the Permanent Secretary in the Ministry of Tourism; the Permanent Secretary in the Ministry of Finance, Investments; the Chairman of the Board of Inland Revenue; the Treasury Solicitor, Ministry of Finance; the Director (Monetary, Fiscal and Trade Division) Ministry of Finance; a representative of the Tourism and Investment Company of Trinidad and Tobago Limited; a representative of the Tobago House of Assembly; a representative of the Office of the Solicitor General and a representative of the Office of the Chief Parliamentary Counsel.

So, one sees the wide representation on that team in order to hold consultations and discussions in respect of the Bill. The committee met with the private sector and persons who had interests in the Tourism Development Bill; the Bill was discussed; comments were made and a report was prepared.

The report was submitted to Cabinet and in November of 1996, Cabinet agreed to the report and agreed, also, that further amendments had to be made to the existing Bill. So, one sees again the input, consultation, discussions and amendment to the Bill.

A new Tourism Development Bill was prepared by February 3, 1997 which was again sent out to the various parties for comments. When comments were received and incorporated, a Tourism Development Bill, 1997, was submitted to Cabinet in April 1997. Then, in April 1997, the Bill was approved and it was vetted by the Legislative Review Committee.

**Mr. Valley:** Mr. Speaker, I wonder whether the hon. Member could inform the House: What was the policy which informed the various drafts of the Bill?

**Hon. R. L. Maharaj:** Mr. Speaker, there was a policy initially which was discussed and amended. I would assume that all those technical people—the Permanent Secretary in the Ministry of Tourism—were not politicians—Ministry of Finance; Board of Inland Revenue; Treasury Solicitor; representative of the Tourism and Industrial Development Company Limited—

**Mr. Valley:** Mr. Speaker, I asked the question because the Minister is clear on the point that he now has a committee that is looking at the policy issue, as well as the strategic plan. It seems that we put together a committee of officials without giving them policy directions and that is why it seems that we really have not taken into consideration the whole aspect of tourism development.

**Hon. R. L. Maharaj:** Mr. Speaker, in answering that question, I think I should relate an experience that I had.

When I became the Attorney General of Trinidad and Tobago, I was told—I am sure, quite fairly in relation to what was happening—that you could not draft a bill without having a policy document and the policy document had to be studied by committee and committee and committee. I said that was not possible because if things came up and you had to draft a bill, you did not have to get someone to prepare a report, prepare a policy document and then draft the bill.

What has happened there was that the people in the various ministries had a problem. There was an attempt to amend the Hotel Development Act and there were matters which had to be done. Therefore, what happened was they came up with an interim policy and, based on that, a bill was drafted, recognizing that there were matters which had to be looked at on a long-term scale.

But, the facts of the matter showed that this draft Bill was introduced here; it was discussed and I was mentioning that Cabinet agreed to it in April of 1997. The Bill was introduced in the Senate on April 29, 1997 and it remained in the Senate until it lapsed in November 1997. The Bill was introduced in an amended form on July 27, 1999 and there were further discussions with all sectors. It lapsed again on October 4, because, obviously, people were not ready and it was reintroduced in October 1999. It was passed in the Senate on December 15, 1999 after an extensive debate.

Mr. Speaker, this chronology and history clearly show that there is really no basis for saying that this Bill came overnight just like that. It may be that it did not have 500 pages of documentation, but it is not the volume of paper that matters; it is the content and the process.

**Mr. Valley:** Mr. Speaker, if the Minister would give way. I just wanted to find out whether there was one piece of paper with a policy position on which this Bill is informed. Just one page.

**Hon. R. L. Maharaj:** Mr. Speaker, I have not seen the Opposition presenting an alternative bill to this Bill. I have not read any amendments of the Opposition to this Bill. I heard a lot of talk from contributions.

**Mr. Valley:** Mr. Speaker, if the Minister would give way? I outlined a policy paper and I passed a policy paper to the Minister; a policy position. So it is incorrect to say that we did not provide a policy position.

**Hon. R. L. Maharaj:** Mr. Speaker, is the hon. Member saying that these people—the Permanent Secretary in the Ministry of Tourism—did not look at that paper and did not study that paper; they just discarded the paper; the Permanent Secretary in the Ministry of Finance discarded the paper, did not look at that paper; only the hon. Member for Diego Martin Central read that paper? Is the hon. Member saying that the Chairman of the Board of Inland Revenue, the Treasury Solicitor—all these people—the representative of the Tobago House of Assembly; did not read the paper? At that time, there was the hon. Member for St. Joseph who was the Minister responsible for tourism. Is the Member saying he did not read the paper, too?

What has happened here is that this reform should have occurred long ago. They did not do it; we have done it and they have come here to talk about paper and policy. I put on the record that discussions were held with the two Senators from Tobago who were in the Senate in relation to the Bill and changes were made as a result of their representation. So, to come here and give the impression that this Bill just came overnight and was just introduced like that is really not correct, and I think it is not fair.

The other matter that really concerns me, Mr. Speaker, is that I have heard in this debate, the Opposition saying that it would like this Bill to give autonomy to the people of Tobago and that the people of Tobago must have the right to decide these matters even without reference to anybody else. As a matter of fact, the hon. Member for Diego Martin West, in his contribution said:

“Mr. Speaker, the amended Bill has the same tenet...”

That was at a time when he was reading the Bill and reading from the wrong Bill. He came here to make a contribution and he was reading from the wrong Bill and the Minister responsible, the hon. Member for Tabaquite, got up and said that was not the right Bill, he was reading from the wrong Bill. He said that it had the same tenet.

“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.

Now, this is the hon. Member for Diego Martin West saying in the debate on this Bill that he believed that the decision for tourism should be made by the people of Tobago and not by the Central Government. I am saying this because I

am going to refer to the same Member's contribution when the Tobago House of Assembly Bill was being debated in 1996. When that was being debated in 1996, that same Member was of the view that you could not give autonomy to the people of Tobago. He said that the final decisions must be made by Cabinet in those matters.

I will also quote from other Members who felt that way, just to show you how his opinion seems to have changed over the last three years.

**Mr. Valley:** Imagine! You are saying that!

**Hon. R. L. Maharaj:** I am reading from the contribution made on the Tobago House of Assembly Bill on Tuesday, November 26, 1996. Mr. Speaker, I quote from what he said:

“While we understand the intent of clause 25(1) to give the Assembly as much latitude as possible to do for Tobago what the members of the Assembly feel is best, we have a serious concern about how that will apply *vis-à-vis* national policy. We said it is not desirable to have us going in two directions. Insofar as we are supporting the position to give Tobago autonomy, we would like to see that autonomy within the context of national policy. This has been a bug-bear for quite some time because there was the question of who sets national policy and how would one know what national policy is. I do not think that is a problem so far. If there is a country called Trinidad and Tobago which cannot define its national policy so that a body like the Assembly can understand what it is, then we have a real problem. What it has to acknowledge is that there is a body called the Cabinet, there is the Parliament, and responsibility for the entire country, Trinidad and Tobago, is that of Cabinet, which is accountable to Parliament.”

Mr. Speaker, here it is that in this Bill which is before the House, we have a Bill which, in effect, gives effect to the terms and the spirit of the 1996 Tobago House of Assembly Act, which the Member for Diego Martin West opposed, because he felt they were being given too much autonomy for the people of Tobago, but he comes here now, and in 1996 he said Cabinet is the final; Cabinet must determine policy and Cabinet has the final say. He comes in this House and says that the people of Tobago must have the last say, that they are in Tobago and they must decide that.

I will go on to show that when this Government came with proposals to give to the Tobago House of Assembly greater autonomy, even in respect of increasing the number of Senators from Tobago in the Senate, the Opposition opposed it on the ground that there was sufficient autonomy and one had to be very careful in giving more autonomy to the Tobago House of Assembly.

I want to read what the hon. Member for Diego Martin West said. When he was saying this, according to the record here, there was desk thumping. He said he was privileged:

“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.”

Mr. Speaker, it is now a matter of record that the Bill about which he was talking, a bill which the PNM attached to its Minority Report on the debate on the Joint Select Committee—there were two bills and the bill for the Tobago House of Assembly was not giving the Tobago House of Assembly any autonomy. As a matter of fact, it was extending it like another county council.

**2.35 p.m.**

Mr. Speaker, the hon. Member for Diego Martin West went on:

“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.

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?

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.”

Mr. Speaker, this Government brought, in 1996, the Cabinet-appointed committee which submitted its report, made recommendations and proposed two draft Bills in respect of Tobago. There was the committee headed by chairman, Justice Guya Persad. There was a Tobago House of Assembly Bill and a

Constitution (Amdt.) Bill drafted. The Tobago House of Assembly Bill proposed the establishment of a new Tobago House of Assembly with 12 elected assemblymen, councillors and a presiding officer. It also gave the power, in section 25, for certain policies to be formulated and implemented, subject to Cabinet. It also made certain financial concessions.

There was also a Constitution (Amdt.) Bill. Under that Constitution (Amdt.) Bill, there was to be an increase in the number of Senators from 31 to 35, to accommodate the appointment of three Senators from Tobago: one appointed by the President in his discretion, and two on the advice of the Chief Secretary of the Tobago House of Assembly, and an increase in the Government Senators from 16 to 18. When these two Bills came to the Parliament and they were discussed at the joint select committee, it is on record, Mr. Speaker, that the Opposition filed a minority report. This greater autonomy advocated, did not receive the support of the Opposition.

Therefore, when the hon. Member for Diego Martin West comes here and says what should happen, it shows that the hon. Member for Diego Martin West was, obviously, not speaking his mind or did not vote according to his mind then in 1996; or it shows that he knew what he was doing was wrong, but instead of that, he continued to deprive the people of Tobago of greater autonomy. The record in this Parliament—as when it was presented by the then hon. Member for Tobago East, he was then the Minister Extraordinaire—will show that it was this administration which gave the greatest administrative autonomy to the people of Tobago.

Mr. Speaker, I would go to some of the things which the Opposition said when we had the Bills before this Parliament in 1996. I would want to read some of these things, Mr. Speaker. I want to read what was said about section 25. You would recall that section 25 of the Tobago House of Assembly Act is the section which is being relied upon by the Opposition in order to say that there are certain matters in the Fifth Schedule in which the Tobago House of Assembly should have the final say, or which there should be complete power to make that decision.

Section 25 of the Tobago House of Assembly Act, Mr. Speaker, says:

“Without prejudice to section 75(1) of the Constitution, the Assembly shall, in relation to Tobago, be responsible for the formulation and implementation of policy in respect of the matters set out in the Fifth Schedule...”

Mr. Speaker, section 75 of the Constitution of Trinidad and Tobago, which is referred to in section 25, says that the Cabinet is responsible for the making of national policy. One sees that under section 25 of this 1996 Act—of which the Government is now being accused of denying to the people of Tobago what this Act has given them—it is recognized that the Tobago House of Assembly, even in matters which are contained in the Fifth Schedule, and even in respect of the implementation and formulation of matters contained in the Fifth Schedule, is not the supreme decision executive authority. Section 25 of the 1996 Act recognizes that the Cabinet is the supreme executive authority for making decisions in respect of Trinidad and Tobago.

[MR. DEPUTY SPEAKER *in the Chair*]

**Miss Nicholson:** Mr. Deputy Speaker, I do not know if the hon. Attorney General could help me here. If we are saying—to some extent I concur with that, although I am arguing that the Attorney General should tell us what devolution means. Does it mean decision-making? That is one. Secondly, if the Cabinet is the ultimate body, could the hon. Attorney General tell me why:

- (i) the Tobago House of Assembly has been allowed to deal with the squatter regularization; and
- (ii) the Minister of Housing and Settlements cannot take decisions on Signal Hill Land Development, with respect to the \$5/\$7 question?

If the Attorney General is the ultimate body, it is over a year that the Tobago House of Assembly has demanded \$7 and the people are responding because they are afraid, why is the Central Government not using its ultimate authority of the Constitution and addressing that on behalf of the people of Tobago?

**Hon. R. L. Maharaj:** Mr. Speaker, under the Act and under the Constitution, the Cabinet is the supreme authority—Ministers. Even in respect of all ministries, the ministers act on behalf of the Cabinet. What I am dealing with is if it is that the hon. Member has a problem on a particular issue, I am sure the Member can file a motion and the Minister would be able to answer it. What I am on, is the fact that the Opposition is saying that this Bill which is before the Parliament—the fact that an application has to be made to the company, the company refers it to the Tobago House of Assembly, the Tobago House of Assembly makes investigations, makes decisions and recommends its decisions to the Minister, the Minister then makes his decision, that that is denying the people of Tobago what is contained in this 1996 Act. I am saying that this is wrong and that is what I am in the process of doing, Mr. Deputy Speaker.



**Miss Nicholson:** Could the hon. Attorney General please tell the House whether he sees consistency in the implementation of his policies in all the ministries with respect to the Tobago House of Assembly? Is there consistency in his decision-making approach?

**Hon. R. L. Maharaj:** Mr. Deputy Speaker, if a question is asked and I look at the matters and examine them, I would be able to respond. I do not know—the fact that I am the Attorney General—everything that has happened in all the departments. I am dealing with this issue. If the hon. Member presents the matters to the House and there is a debate then one would be able to determine whether there is consistency and, obviously, I would have to look at it.

#### **2.45 p.m.**

For the hon. Member for Diego Martin West and other Members to say that the fact that the Tourism Development (No. 2) Bill allows an application to be made to the company, the Tourism Industrial Development Corporation, and the company passes it on to the Tobago House of Assembly which then makes preliminary investigations and decisions, its recommendations would be based on decisions. It is a decision-making authority: it makes decisions. As a matter of fact, I will point out that when the then Minister Extraordinaire was presenting this Bill he explained what this Bill would do. It is very expressly stated, I would refer it to you.

He took the position that autonomy was self-government and this Bill was not giving self-government. If the Opposition had conceded, we would have got self-government for Tobago. What this Bill was doing—as I would read to you—was giving greater administration to Tobago, and that is why the Bill contained technical officers and other posts, so that you would have no bureaucracy in Trinidad and Tobago, because the position in the past was that those applications had to come to Trinidad and Tobago to be investigated. What this Bill was doing was setting up shadow ministries—if I could put it that way—the different secretaries to match the portfolios, so that the applications in different areas would occur in Tobago and there would be greater administration decisions made in Tobago.

So, Mr. Deputy Speaker, it is wrong for people to think—I would read from page 31 of the *Hansard*. In 1980 when the Tobago House of Assembly Bill was being debated in this Parliament and the then Member for Tobago East was crusading in order to get self-government for Tobago, he had things to say about autonomy. He said that “autonomy” means internal self-government.

**Miss Nicholson:** Well, what does it mean under you?

**Hon. R. L. Maharaj:** So when people get up and say “autonomy”, this Bill was not for autonomy. This Bill was for greater administrative autonomy, not autonomy in the sense that you get self-internal government. If the Opposition, the same Opposition who are now saying that they are supporting you, hon. Member for Tobago West—you were here and you know that we had to draft and redraft in order to have a simple majority for the Bill: they would not support those matters. [*Interruption*]

**Miss Nicholson:** I hope I would not have to do this again. Hon. Attorney General, are you saying that devolution of powers to Tobago means greater administration power to Tobago? Could you give me clarity on that, please?

**Hon. R. L. Maharaj:** I am not saying that. I am saying that autonomy means internal self-government. When the 1996 Bill was introduced in this place and was being explained by the then Minister Extraordinaire, he recognized that it would mean greater administration benefits in Tobago.

Mr. Deputy Speaker, let me see if I can help the hon. Member for Tobago West. I am reading from the debate on the Tobago House of Assembly Bill on Tuesday 26 November, 1996, at page 64 of the *Hansard*, the contribution of the Minister Extraordinaire and Minister for Tobago Affairs. That was the debate on the Bill to repeal and replace the Tobago House of Assembly Act, Chap. 25:03. As a result of that debate, we got this 1996 Act before us.

Mr. Deputy Speaker, he said:

“However, what is involved here is something more fundamental than that. It is a matter of bringing up to standard, and in line with the national pattern, the system of administration that exists in the island of Tobago. It has long been recognized at all stages that the pattern which existed when Tobago was regarded as a ward; when the only representative institution was the county council; when there was a warden; and later a Ministry of Tobago Affairs, that the administration was inadequate to meet the needs of the island.

This was stated, very explicitly, by a mission mounted by colonial and development welfare in the year 1958. It was repeated by Prof. Arthur Lewis when he came at the invitation of the then Chief Premier of Trinidad and Tobago, in order to review the economy of the country and to assist us in the preparation of our development plan and it was clearly stated, subsequently, on many occasions. The matter of the need for an upgraded administration is

even of more consequence today in light of the liberalization of the economy of Trinidad and Tobago, the globalization of Trinidad and Tobago, its entry and its attempt to fit into the pattern of the global marketplace which places Tobago, as well, in the global marketplace.”

Mr. Deputy Speaker, I would ask you to note what the hon. Minister was saying: that in the light of all the amendments we had to do to the Bill to get it through, what the Bill was doing was upgrading administration for Tobago, bearing in mind what he had said in 1980 that if you talk about autonomy, it means internal self-government. Then he quoted authors and said that you do not have to take those authors. How do you achieve autonomy or internal self-government in a unitary state? He went on to explain it.

There is a distinction between autonomy and upgraded administration in which the people of Tobago would have more decision-making powers. He went on to say on page 65:

“The point I am making is that there are also tourism resort proposals which involve investment of hundreds of millions of dollars.”

Exactly on the point.

“All of these are matters which would have to come before the Tobago House of Assembly even if they are finally approved of or considered by Cabinet.”

Here it is, being very prophetic, in respect of tourism development projects that the Bill recognizes that the people of Tobago would have greater administration. That is why when I come to the 1996 Bill I would show you, Mr. Deputy Speaker, how it provided for that. Greater administration, then the investigation, the expertise and so forth, would be in Tobago, which would look at it, would be able to do its report, make its decision and then report or recommend its decision to the Cabinet through the Minister. That is what the Minister is saying. [*Interruption*]

**Miss Nicholson:** This thing needs serious discussion because the consistency of the Government is critical, if that is your analysis. You have a situation in Tobago—you are saying that it is greater administration and any decision they take they must come to the Cabinet. What about the appointments of administrators in the Tobago House of Assembly by the politician in Tobago, when from a national perspective the Public Service Commission addresses those issues. The inconsistency of the Government is very critical; it is what is taking place. If you were consistent, you could articulate what you are saying, but you are inconsistent.

**Hon. R. L. Maharaj:** Mr. Deputy Speaker, I understand the concern and I do appreciate her concern, because I think it must be the concern of all right thinking members of the community, if there are inconsistencies in administration. But as the hon. Member knows these matters are not easy matters. As a matter of fact, when this Bill was being passed the Opposition did tell us that we have to put everything in black and white and not leave it to spirit and it may be that the Opposition was right.

This Bill was being presented on the basis that having regard to the objections by the Opposition, we could not have found a precedent anywhere in the world for marrying the contents of the Bill with other clauses in order to fit a framework to have a simple majority and, therefore, it was not possible to foresee, at that time, all the difficulties that one could have.

What has happened is that some of these problems have been recognized by the Government and, as a matter of fact, in relation to the answer which I gave to the question asked by the hon. Member for Tobago West, some of those matters have been considered by a committee, there is a report and apart from that draft Bill there are other matters on which action is going to be taken.

Obviously, I am responding to a situation in which the Opposition has said that this Bill is taking away the rights given to the people of Tobago, because in the 1996 Bill the people were given autonomy and they were given the power to make these decisions. [*Mr. Hinds rises*] I will give you a chance just now. The Minister Extraordinaire, at the time, was saying that the Bill was to give the Tobago House of Assembly, in its amended form, obviously, because he is on record as asking for full internal self-government within our democratic framework, but he had to take what he got. He had to take quarter of a loaf when we were giving him the whole loaf, but the Opposition prevented Tobago from getting the three-quarters of the loaf.

Having prevented the people of Tobago from getting three-quarters of the loaf of bread, they have come here to say now that we should give them the whole loaf when they know that if we do that it would need a constitutional amendment. They have stopped it. [*Mr. Hinds rises*] You had your chance; I will give you a chance just now: [*Crosstalk*]

Mr. Deputy Speaker, the Minister Extraordinaire went on to say—and I will ask the hon. Members on the other side to take note, to pay attention:

“Mr. Speaker, the point I am making is that there is the impelling need for an administration in Tobago with the administrative and technical resources capable of doing these initial evaluations...”

Remember I told you about the tourism applications?

“in order to determine and advise on whether these projects are really in the interest of, and for the benefit of, the people of Tobago and for the country at large.”

This is exactly what we are doing in this Bill. They do the preliminary investigation.

We have created the legal infrastructure and the positions whereby the necessary technical and administrative evaluations can be done in Tobago. Before it had to be done in Trinidad and the hon. Member for San Fernando East as Prime Minister did not want it to leave Trinidad and go to Tobago. I want the hon. Member for Tobago West to remember the Seemungal draft. [*Interruption*]

**Miss Nicholson:** I remember.

**Hon. R. L. Maharaj:** Remember all those things. Remember how in 1995 this draft Bill was just before the election.

**Miss Nicholson:** That same man is guiding Charles!

**Hon. R. L. Maharaj:** The Minister Extraordinaire, who must be considered to be the authority on Tobago in this country, the man who has spearheaded the fight for internal self-government and was denied it because of the Opposition PNM, hear what he is saying in the 1996 Bill, in which the Opposition is saying that we are acting contrary to the Bill. He goes on to say:

“A new perspective has opened up; that is what globalization has meant, that Tobago as much as Trinidad, is part of the global marketplace and has all the potential and opportunities which are offered by this contact with, and in connection with, the global marketplace.”

**Miss Nicholson:** “Tobago as much as Trinidad.”

**Hon. R. L. Maharaj:** “Tobago as much as Trinidad.” Yes, he is saying that just as how there is administrative expertise in Trinidad to process these applications relating to Trinidad, you must have this administrative and technical expertise in Tobago.

**Miss Nicholson:** Why are you not giving Tobago?

**Hon. R. L. Maharaj:** The Bill gives it. [*Member rises*] I will give you a chance. You had your chance. Hold on, I will give you a chance. I know that you cannot take the truth; wait a little while; I will give it to you. I am dealing with some of your matters too; do not worry. I want to be able to complete my contribution.

Mr. Deputy Speaker, what it has sought to do is to ensure that there is, in the island:

“for the purpose of evaluating proposals and projects and for the purpose of undertaking the necessary administrative action consequent on the establishment of the projects,...”

Do you hear that, Mr. Deputy Speaker?

“and the entry of foreign or other forms of investment for that purpose, that level of administration and technical expertise.”

So administrative and health expertise before the project is decided upon and a follow up of the administrative and technical expertise subsequent to the approval of the project, the Minister Extraordinaire recognizing that the Cabinet is the supreme decision-making authority.

**3.00 p.m.**

He goes on Mr. Deputy Speaker.

“When you are dealing with business people with global experience you must have the quality of administrator or of technical expert who can deal with and relate to that person.”

So here he is saying that these experts would be able to talk to the investors who would be able to match with them to be able to know, instead of having people who are not trained. This is what he went on to say, Mr. Deputy Speaker:

“So if one is talking about projects involving an investment outlay of hundreds of millions of dollars, one cannot then talk about having junior officers dealing with people at that level. One is begging for trouble. One is not talking about serious development. One must also have the kind of supervisory expertise that can relate one thing to another, can bring information together and can source the needed information—identify and source information that is needed.”

In fairness, Mr. Deputy Speaker, and I think I should put on record that the Minister Extraordinaire recognized that this Bill was not going to take away the supreme authority of the Cabinet in deciding these matters. As a matter of fact he said that.

At page 70 of this *Hansard*, he goes on to explain about the level of administration.

[MR. SPEAKER *in the Chair*]

He talked about the level of administration one should have and that is how there are some of these secretaries. Am I not correct?

Mr. Speaker, time does not permit me, but I think I should read some of this.

“I hope, Mr. Speaker, no Member of this House disputes the need for that kind of administration in Tobago.”

But he disputed it.

“The only question is how far do we go, to what extent, how substantial it ought to be? Not the level in dispute, not the depth, but the width of the administration.”

**Mr. Valley:** Not the width, the breadth.

**Hon. R. L. Maharaj:** He said the width, and I am quoting him correctly. If you want to tell His Excellency now that it should be the breadth, you can tell him, but he quoted the width.

“The Bill which we now propose to the House will provide for evaluation of the situation as it exists and for a structure more relevant and more adequate to the needs of the sister Isle of Trinidad.”

That is the *ratio decidendi*, if I may say so. [*Desk thumping*]

**Mr. Speaker:** The speaking time of the Attorney General has expired.

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

*Question put and agreed to.*

**Hon. R. L. Maharaj:** Mr. Speaker, I thank hon. Members for the extension. The Member for Laventille East/Morvant would not give me an easy time so I will give way to him.

**Mr. Hinds:** I am most grateful to the hon. Attorney General. I listened to him a moment ago and I observed that he is attempting to make a distinction between autonomy as a concept and autonomy in the sense of increased administrative capability. In my view, and I submit that this is an important matter, autonomy is about improving the ability of the unit to make its own decisions. Administrative capability is another question and cannot be called autonomy. If the hon. Attorney General is now saying that after the 1980 and the 1996 legislation what was

*Tourism Development (No. 2) Bill*  
[MR. HINDS]

*Friday, March 17, 2000*

intended was improved administrative capability for an example, allowing birth certificates to be issued in Tobago as opposed to the Red House in Port of Spain, that is a separate question and it cannot be called autonomy. I want the people of Trinidad and Tobago to understand that there are no two types of autonomy. It is either autonomy, or something else.

**Hon. R. L. Maharaj:** Mr. Speaker, having regard to what the Member for Laventille East has done, I want to tell him I cannot give him more of my time. I thought he was going to ask a question, but what he has stated shows that he was not paying attention, when I started. He was not paying attention so he cannot understand.

Mr. Speaker, I am quoting the person who presented the Bill in 1980. When the PNM introduced the Bill, he wanted autonomy for Tobago and was not getting it and in 1996, when the same individual presented the Bill as the Minister Extraordinaire, he recognized that autonomy was not going to be given in that Bill because the Opposition had prevented autonomy. This is what the Minister Extraordinaire—or the Member for Tobago East as he was—meant when he said what was autonomy in 1980 at page 32 of the *Hansard* on September 12, 1980:

“Autonomy means internal self-government. It takes Aime Cesaire to tell them that in French—that autonomy means internal self-government and that internal self-government means autonomy—independent budgeting not seeking authorization from Paris to build a school...”

I do not want to read the whole document, you could spend your time reading it, but what I am saying is if the Member does not understand as yet about what I am talking, I am very sorry; I apologize.

Mr. Speaker, the hon. Minister Extraordinaire went on—the Member for Laventille East/Morvant wants to divert attention to come with some irrelevant point—to explain clause 25 in respect of section 75(1) at page 73:

“Clause 25(1) was in conflict with section 75(1) of the Constitution, and bearing that in mind an amendment would take place in order to accommodate that point of view, which we did not agree with but we felt to make it absolutely clear that no such intention existed on our part, that the amendment would clarify the situation.”

Making it clear, therefore that the Cabinet is the supreme authority.



Mr. Speaker, one therefore sees that this submission which was made by the Opposition that this Tourism Development Bill takes away the power given to the Tobago House of Assembly is not correct. As a matter of fact, it shows it is not correct and in any event, they were not interested in giving the people of Tobago any autonomy. As a matter of fact, they blocked them from getting autonomy and they are disqualified from saying that the people of Tobago should get more autonomy, because the people from Tobago would know. They must go to Tobago and tell them that because they would know that they are not speaking the truth.

Mr. Speaker, I was looking for a part of the contribution of the Member for Laventille East/Morvant. I had it underlined, but he might be fortunate that I cannot find it, because it would probably surprise him that he said he was totally against the idea of giving greater autonomy to the people of Tobago. I will leave it for another occasion.

Mr. Speaker, the next issue with which I want to deal, the hon. Member for Laventille East/Morvant made some comments about the statement made by the hon. Minister of Tourism in which he had indicated in a statement to the Parliament that the crime situation in Tobago was allegedly affecting the tourism industry. He had referred to the fact that there were delays in the courts in Tobago and the Government had made it clear that these facts were known to the Chief Justice and there was nothing that the Government could have done about those aspects of it, recognizing that the administration of justice fell under the Chief Justice.

Mr. Speaker, he then said there were no delays in Tobago from his investigations and I find it very strange that he comes here and quotes from some article which talks about justice and then he says the Minister thereafter launches the usual government attack on the Chief Justice and the Judiciary.

This is what the Minister said:

“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.”

He went on to say:

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

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

The Minister of Tourism, in his statement to the Parliament said:

“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 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.”

The hon. Member went on to get into matters which I felt I could not really leave on record without giving a response. He quoted what was said—and I would not go through all the quotations—then he went on to say that there are really no delays in Tobago from the information he had received. He quoted that there were 14 matters as of today and some of them were filed in the year 2000.

Mr. Speaker, I should first preface what I have to say by saying that attempts by the Ministry of the Attorney General to get statistics from the Court Administration Department have not proven successful, but based on the police figures and on information which we had gathered, we were able to get some from one of the officers at the Court Administration Department. It shows that according to the figures that we have, in 1999, there were 4,390 criminal matters filed in the Magistrate’s Court in Tobago and up to February 16, 2000, 2,000 had been filed. We were able to get from the police the number of matters that had been determined and in relation to matters filed every year, there is a shortfall of between 500—700 matters not being determined. So one would see that there is a backlog of matters in the Magistrate’s Court which the Chief Justice himself has recognized, but he has said that the delays are not a result of the Judiciary. So if up to February 16, 2000 you have had cases where up to 1999 there were 4,390 criminal matters filed, I do not know how you could get 4,390 matters determined on the basis of what has been happening.

Mr. Speaker, there is a problem in Tobago as there is a problem in Trinidad and Tobago.

**Mr. B. Sinanan:** I thank the Attorney General for giving way. Could the Attorney General indicate how the statistics in Tobago compare with those in Trinidad? Let us say perhaps the Port of Spain jurisdiction Magistrates’ Court and San Fernando. In other words, is there a greater delay in Tobago as against Port of Spain and San Fernando?

**Hon. R. L. Maharaj:** Mr. Speaker, I cannot make any analysis because the Court Administration Department has refused to supply to the Executive, although there was a specific request for the statistics, they have refused for both in respect of the Magistrates' Court and the High Court.

**3.15 p.m.**

As a matter of fact, I intend, at an appropriate time in the next few days, to lay in the Parliament the documents, the correspondence, which relate to this matter, in that, at the present time, the country does not know how many judgments are outstanding for one, two and three years by judges in the High Court and the Court of Appeal. In relation to magistrates, we do not know exactly how many of them have decisions reserved, and what is the full state of affairs.

I have a document here from the Inter-American Development Bank (IADB), and throughout the Caribbean it is recognized that unless there is more openness with information, to evaluate whether administrations of justice are performing their functions to society, you would not be able to solve the problem.  
[*Interruption*]

Mr. Speaker, however, the hon. Member went on to say that the Government must provide resources; and I want to put on the record, the resources which this administration provided for the Judiciary. Because it is easy for administrators of justice and judiciaries to say, "resources, more money" when it may be that the problems can be the quality and management of the justice system. [*Interruption*]

**Mr. Manning:** Mr. Speaker, I thank the Attorney General for giving way. I would like the Attorney General to tell us exactly how he anticipates that a proper relationship between the Judiciary and the Executive must work. What should that relationship be? I am very much interested in hearing his views in light of the comments he is now making.

**Hon. R. L. Maharaj:** Mr. Speaker, I will go on to deal with what I want to deal with in this debate. What I want to deal with in this debate is what I would want to respond to in relation to what has been said. If the PNM believes that judges are immune from the law, that they are not answerable to the population, and if it is that the administration of justice is because the PNM did nothing about it, they would probably have to answer as to what they believe the relationship should be. [*Interruption*]

**Mr. Manning:** Mr. Speaker, can the hon. Minister give way?

**Hon. R. L. Maharaj:** Mr. Speaker, I am not giving way. He has come here—  
[*Interruption*]

**Mr. Valley:** There is a lack of class!

**Mr. Speaker:** Order please! Order please!

**Hon. R. L. Maharaj:** Mr. Speaker, I do not know what they are afraid of.

**Mr. Hinds:** Nothing! [*Crosstalk*]

**Mr. Speaker:** Order please!

**Hon. Assam:** Lack of class and they lock up a Speaker?

**Hon. R. L. Maharaj:** They want things—[*Interruption*]

**Mr. Speaker:** Order please! Hon. Members, I would ask you please to allow us to have this debate in an orderly fashion. It is quite in order for a Member to ask the Member who is on his legs to give way. It is up to the Member whether he would give way or not, and if he does not, it should not be a question of comment. Please, allow the Member to make his contribution and the other Members would hold their fire and respond to it, if they wish, afterwards. Please proceed.

**Hon. R. L. Maharaj:** Thank you very much, Mr. Speaker. The document, the *Doctrine of the Separation of Powers* was laid in this Parliament, if they had read the back of it—[*Interruption*]

**Mr. Valley:** It is a waste of time! [*Interruption*]

**Hon. R. L. Maharaj:** Yes, it is a waste of time for the hon. Member because according to this hon. Member for Laventille East/Morvant he is saying that this administration did not provide any resources for the Judiciary. [*Interruption*] He does not want to hear the truth.

Mr. Speaker, in December 1995—whilst the Member for Siparia was the Attorney General—Cabinet agreed to new positions of the High Court Judges—[*Interruption*]

**Mr. Speaker:** Point of order. The relevant section, please.

**Mr. Hinds:** Mr. Speaker, that the Member should quote the section.

**Mr. Speaker:** No, no, no, I have asked you the relevant section, you know that we deal with this in a certain way.

**Mr. Hinds:** Which one is it? [*Laughter*]

**Mr. Speaker:** You know that the procedure which has been adopted for years now is that you indicate the relevant Standing Order which has been contravened. In the absence of doing that I ask you, please, not to disturb the proceedings. Please proceed. Order please! Order please!

**Hon. R. L. Maharaj:** Mr. Speaker, it shows that the hon. Member does not read, he is not aware of the documents filed in this Parliament. In 1995, creation of additional positions of three justices of appeal; four new High Court Judges; stenographers, clerks, bailiffs, vault attendants, CAT Reporters, administrative staff.

**Mr. Manning:** So what?

**Hon. R. L. Maharaj:** Mr. Speaker, in January of 1996—resources. Twelve additional magistrates together with staff. Provision of Computer Aided Transcription Services. In February 1996, again, a CAT Unit was established, and the Executive provided for Computer-aided Transcription in the courts; training; employment of contract officers for the Court Administration Department; introduction of a pilot programme of a Judicial Research Assistant in the Supreme Court. Cabinet agreed to increases of the salaries and conditions of service of judges; magistrates agreed to interim increases; and refurbishment of the courts. Here, there are additional staff, additional positions and resources, and this hon. Member for Laventille East/Morvant said that the reason for the delays is because the Judiciary does not have resources.

Mr. Speaker, the hon. Member quotes from the report of the Judiciary but he did not quote—in relation to the response to that report—at page 52 of the document entitled “*Doctrine of Separation of Powers*” which was laid in this honourable House. On page 52 it showed—and I would put on the *Hansard*. Mr. Speaker, the PNM is not interested in improving justice for people—they are prepared to defend any action to preserve themselves, because they are afraid of things being exposed about them. So they do not want to change the system or improve the administration of justice. Any “two by four” lawyer would know that there are reforms of all sectors of state life around the world. In the Caribbean there are reforms of the Judiciary; investigation—a more open, transparent system of justice, but they are prepared to allow situations which do not meet the norm to go uninvestigated.

Mr. Speaker, the hon. Member for Laventille East/Morvant I will deal with that in a short while. Let me just read parts of it. Mr. Speaker, at page 52 it showed, from the summary, that the state of the administration of justice in this country in respect of delays, is in a crisis. It shows that delays are impeding, preventing and obstructing justice; it shows that nothing is being done effectively to deal with the problem. But he gets up in this Parliament and, in effect, blames the Government for taking steps to improve the system of justice for the people, and because he knows that sections of the media can be emotional he says that is attacking justice.

It was Lord Atkin in the famous case of *Ambard* who said justice is not a cloistered virtue, it must be able to stand the scrutiny of right-thinking men and women of a society, and here it is that they want to keep this thing under a bushel. Mr. Speaker, do you know that the record in this Parliament would reveal that the hon. Member for Laventille East/Morvant said that an Attorney General should be a post box, he should be a conduit; he should be a messenger boy? The PNM before wanted conduits in order to be Attorneys' General. *[Interruption]*

**Mr. Manning:** Mr. Speaker, could the hon. Minister be kind enough to give way? *[Interruption]*

**Hon. R. L. Maharaj:** So, Mr. Speaker, here it is that in an important office of the land—whoever that person is—whose duty is to protect and be the guardian of the rights of the people and to ensure that justice is done and be accountable to the Parliament for justice that he must be a sycophant; he must be subservient; he must be a jelly; he must be a conduit; he must be a PVC pipe, just to be a messenger to which water and other events would pass through. *[Interruption]*

**Mr. Speaker:** No, no, please, for the sake of the record let us just get one thing straight. Member for San Fernando East you know—better than anybody else in this honourable House, that one could try to get the other side to give way—you know that better than me—and when you stand and ask the Member to give way and he ignores you that is a sure sign that he is not giving way. And two people cannot stand at the same time. I ask you, please, just take your seat and bide your time. Please, proceed.

**Mr. Manning:** I get that impression.

**Mr. Speaker:** *[Interruption]* Well, if you get that impression perhaps he is deliberately ignoring you.

**Hon. R. L. Maharaj:** Mr. Speaker, the PNM has not got accustomed to the new culture of Government in which there are no sycophants on this side. There are people who could stand up to anybody; people who would stand up to any office holder in order to protect the rights of the people. *[Interruption]*

**Mr. Speaker:** Order please! Order please!

**3.25 p.m.**

**Mr. Speaker:** Order please, Member for Diego Martin Central.

**Hon. R. L. Maharaj:** There are *[Interruption]* in this House, on this side, people who are prepared to say *[Interruption]* that the persons who occupy the highest office in the land have made mistakes because we want *[Interruption]* to

give to the people of Trinidad and Tobago [*Interruption*] and we want to serve them. Mr. Speaker, we recognize [*Interruption*] that public power is derived from the people. [*Interruption*] We hold it in trust for the people. We do not hold it for the office holders. [*Interruption*] We do not fraternize and because we fraternize we cannot oppose and take up for the rights of the people. [*Interruption*]

That is why when the hon. Member for Laventille East/Morvant said in his contribution—do you know what he said? He said, if there is a law which impels judges and magistrates to give their judgments within a particular time and if they do not give it there will be penalties imposed, that will be coercing the Judiciary. It shows that he is prepared to allow the rights of people to be trampled upon. As a matter of fact, in several Commonwealth countries there are reforms which require [*Interruption*] that judges and magistrates who do not give their judgments within a particular time must come before the court, in public, and tell the parties and the country why they cannot give them. They must give a reason and they must fix it for a particular date and if they do not give it they must come back.

There are laws that say that if they cannot give judgments within a particular time they are deemed to be incompetent. [*Interruption*] That is what is happening in the world, Mr. Speaker, and here we have a situation—[*Interruption*]

**Mr. Speaker:** Order please.

**Hon. R. L. Maharaj:**—in which they are saying you must compete in the globalized world, you must insist that people have standards, you must have openness and transparency, but they want to say that a certain section of the state sector must be immune and be able to do anything that they want. In an ordinary event, Mr. Speaker, if any state employee is incompetent he will be removed. If the hon. Member for Diego Martin Central is incompetent, his constituency would remove him. If a public servant is incompetent the Public Service Commission would remove him. So what is wrong with any employee or officer of the state having to face the full brunt of scrutiny?

So, Mr. Speaker, when the hon. Member for Laventille East/Morvant tells this House—he comes to debate an important Bill like this and he has no answer for the Bill. He starts on a wrong premise. First he said this is taking away the rights of the people of Tobago, so he is wrong on that. [*Interruption*] He said this Bill shows—

**Mr. Speaker:** Hon. Members, the Member for Couva South is speaking to me. Wherever he is looking, he is speaking to me and it must not be made

difficult for me to understand what he is saying. The way in which debates are conducted or ought to be conducted in this House, it is not for any Member to be shouting some objection out to him as he makes a sentence. Apparently this threatens to get worse in an election year and I am determined that it will not get worse. So I give you notice. Please, could we try to proceed along more civilized lines? Please proceed.

**Hon. R. L. Maharaj:** Thank you very much, Mr. Speaker, for the protection afforded to me. Mr. Speaker, I know that it is not easy for the Members of the Opposition, having not prepared for a debate lasting for many days. They have come here unprepared. They have come and said the wrong things. They have, in effect, made submissions which cannot be supported by facts. They see that this Government is doing what they could not have done, pass a Tourism Development Bill in which the people of Tobago would have the administrative improvements as the Minister Extraordinaire stated when he piloted the 1996 Bill, and the Bill is totally in conformity with the spirit and the contents of the 1996 Bill.

Finally, Mr. Speaker, the records have shown that the Opposition has tried to use this Bill to say that they were interested in giving autonomy to the people of Tobago when history has shown and continues to show that they are not prepared to give internal self-government to the people of Tobago. That is why they talked and they talked and they talked here, but they were not prepared to say. None of them said that if they got into office—which they will never get into office—that they will give full internal self-government to the people of Tobago. We, however, have come to this Parliament and have said that we are prepared to do that if the people of Tobago want it, subject to the provisions of the Constitution.

So, Mr. Speaker, thank you very much. [*Desk thumping*]

**Mr. Jarette Narine** (*Arouca North*): [*Desk thumping*] Thank you very much, Mr. Speaker, for allowing me the opportunity to speak on the Tourism Development (No. 2) Bill, 1999. I am certainly not going to get involved with the problems affecting the Attorney General and the Chief Justice of Trinidad and Tobago. For the last half an hour we heard the Attorney General trying again to defend his position in Parliament. Today we are dealing with tourism and I would compliment the Members of this side. After the Attorney General spoke I am certain that what Members on this side were saying was true, that this Bill was intended to facilitate a couple of persons, like colleagues of the Government and the UNC, to facilitate the development of their tourism development and provide concessions and tax incentives. [*Interruption*]



**Mr. Speaker**—*[Interruption]*

**Mr. Assam:** Tidco are our colleagues?

**Mr. J. Narine:** Yes, you have them there.

**Mr. Assam:** Tidco are our friends?

**Mr. J. Narine:** You have them there. Mr. Speaker, I compliment the Member for Tobago West in that when the Member for Tobago East spoke we were none the wiser as to what was taking place in Tobago as far as tourism is concerned. I would say that the Member for Tobago West probably is the only Member of Parliament in Tobago.

Today, Mr. Speaker, we have heard that when the Member for Tobago East spoke maybe one of the most pertinent points he made at that time was trying to defend a point made by the Member for Diego Martin Central. When the Member for Diego Martin Central indicated that the Government, by appointing the acting Prime Minister, was undermining our institutions in Trinidad and Tobago, the Member for Tobago East put that to mean that the Member for Diego Martin Central was a racist and this was not intended. He was making the point that you are undermining the institutions of Trinidad and Tobago by putting someone who has no track record.

The only things that he had to do was apologize for the Member for St. Joseph, go to Guyana to find out the colour of rice and recently signed a contract when the Prime Minister was out of the country. That is what is taking place, certainly not the Member for Diego Martin Central indicating anything about race. As a matter of fact, it was the PNM that had “every creed and race shall find an equal place” so that anyone may have the opportunity to be President or Prime Minister of Trinidad and Tobago. The term will be short-lived for you all. It is coming to a close and it will come to a close very quickly.

In this Tourism Bill, tax benefits should only be approved after we follow the various pieces of legislation that are already in place. The Town and Country Planning and local government authorities have legislation in place that is supposed to give first approval before the Minister of Tourism will allow tax incentives and concessions for the Tourism Development Bill.

I say this because when you look at the Bill, Mr. Speaker, on page 18, Part 2 clause 10(1) indicates:

“Application for approval of project Schedule 9”

It says:

“Where a project is contemplated having the minimum capital expenditure prescribed in Schedule 9, any person who owns or operates or intends to own or operate the tourism project or proposed tourism project in respect of which the project is contemplated, may apply to the Corporation in the form prescribed to have the tourism project approved for the purposes of this Act.”

When they speak about “Corporation”, the “Corporation” is Tidco because when you look before this clause on page 10, it indicates:

“‘Corporation’ means the State Authority to which responsibility for tourism in Trinidad and Tobago is assigned;”

Now, we know that the Minister can override these areas. When I was a local government representative and the Member for St. Joseph was Chairman of the St. George East County Council, there were difficulties, even at that time, where projects were started and we did not receive the plans, we had no approvals and all of that. So I say that if you are to give concessions and incentives, then there should be approvals from Town and Country Planning Division and from the local government authority.

I will buttress this by saying, Mr. Speaker, that the courts of Trinidad and Tobago made a ruling in case No. 54 of 1985, the Mayor and burgesses of San Fernando, and the name here is Chandrawatee Ramlogan. In that matter in which the present Attorney General, Mr. Ramesh Lawrence Maharaj, appeared for the appellant respondents in this matter, it was made crystal clear—and I am certain that the Attorney General will remember this—that the municipal corporation, together with Town and Country Planning Division, are the authorities in Trinidad and Tobago to approve development; the Town and Country Planning Division, acting by its legislation, and the Municipal Corporation acting under the Public Health Act and the regulations made thereunder.

It is also necessary, Mr. Speaker, to know that there are various agencies that have to approve these plans and applications. For instance, there is the fire service department. These projects have to go to the fire service department. They also have to go to the Ministry of Works and Transport, Drainage Department. They have to go to the Ministry of Health before approval is given, and even public utilities, like the Water and Sewerage Authority, have to approve these things.

**3.40 p.m.**

Mr. Speaker, it is clear in this court matter here of the Mayor and burgesses of San Fernando against Chandrawatee Ramlogan, in which the hon. Attorney General appeared way back in 1985; that matter was settled on July 26, 1988. They went to the Appeal Court and it was cleared that there is legislation in Trinidad and Tobago that must be followed.

Mr. Speaker, in the case of the Tobago House of Assembly—the Public Health Ordinance Act is clear here in Trinidad which deprives the local government authority from having any input. When the Minister overrides these things they will have no input, yet they will have to build roads to these places; they will have to put in drainage; and they will have to do garbage collection. The regional corporations may now have to correct certain situations, which they never had input in, and that Ordinance is Chapter 12, No. 4 and there are examples of that.

There was a situation where the Grand Bazaar had no approval. It was approved by Cabinet, and then it went to the Town and Country Planning and then to the Tunapuna/Piarco Regional Corporation for rubber-stamping. No one in Tunapuna/Piarco Regional Corporation nor the Town and Country Planning Division had any visitation rights to the Grand Bazaar project, where they were supposed to determine that it was built according to the plan and that the materials that were being used to build these developments were up to specific standards, and they followed all the various drainage specifications and the fire services regulations. If there is a fire there, it must have escape routes and so many times we see that happening and the local government is rubber-stamping after Cabinet's approval.

Mr. Speaker, at Piarco International Airport the same thing is happening. In researching this Bill, when I went to Tunapuna/Piarco Regional Corporation there were no plans and nothing was approved but they are full speed ahead. The Scarlet Ibis Hotel is another one like that. Big renovations going on months now yet nothing is with local government. Again, my colleagues have alluded to the fact, that because of friends and families and the Minister can override anyone, they ride roughshod over you and that is only when friends and families are involved. Do you understand? The normal business person who has no connection will have to go through the normal procedure and I am going to come to all that.

Mr. Speaker, the situation is that when you go to the Town and Country Planning Division in Tunapuna, there is a document there that they have taken time to prepare to give us guidelines for development and it cost \$15. Anyone of us here can go there and purchase that document. It gives you guidelines on how to start planning your project and where you should go for the various approvals and we must follow these guidelines. There is a building inspector in all these corporations. I believe in all 14 corporations there must be a building inspector,

**Mr. Hart:** Should.

**Mr. J. Narine:** They have the authority to get there and make sure that there is no faulty construction. What is wrong with the building inspector for Tunapuna visiting the Scarlet Ibis Hotel, or going to the Grand Bazaar under construction, or Piarco International Airport? *[Laughter]* Why come after and approve it through Cabinet and then bring it for rubber-stamping. I am saying that we must stop this practice. I am saying too like my colleagues, you give authority on one hand by legislation and then you turn around on the other hand in this Bill and take it away so that there is no system. The Member for Tobago West alluded to that. The Member was asking about where is the consistency, because it goes for one and then it does not go for another. So we are asking that these approvals must be given before you do this.

Mr. Speaker, the Tobago House of Assembly is only to recommend as far as the Bill is concerned, and if the recommendations are not taken that is it. They are the people who know the sea frontage; they know the various soil types; and they know what is taking place in Tobago. One cannot help but remember what is taking place in Tobago, according to what the Member for Tobago West said with respect to the environmental situation, the sewage problems and so forth. One will understand—the Minister of Local Government—every regional corporation in Trinidad, all 14 have sea frontage. If you take the Tunapuna/Piarco Regional Corporation, you will have Blanchisseuse coming across to La Filette. If you take San Juan/ Laventille Regional Corporation it ends up in Maracas and these local government authorities are the ones responsible for taking care of these facilities. They are the expertise on some of the environmental problems that we are experiencing; they also have to do all the cleaning up on the beaches and so forth. This bill is really to benefit a few people.

Mr. Speaker, this integrated resort development, I cannot help but remember what took place with the People's National Movement here in 1992. I was part of that Government when there was a company that came down from Canada with a proposal made to us, "The Pearl of the Americas". What was really intended was

that from Fishing Pond to Matelot the Government would acquire the lands and match that company dollar for dollar, and develop the East Coast and call it: “The Pearl of the Americas”. At that time it was rejected. The main reason for rejecting it was, there were persons who had inherited lands on the East Coast. There were private owners who had lands there for donkey’s years and built their little homes and so forth and you could not have displaced them just like that. The only living that they knew was coming from the sea and so forth.

Mr. Speaker, we had a situation there where, “The Pearl of the Americas” was supposed to have taken in the East Coast and that the Balandra Beach Resort would have been part of that development; there would have been hotels, casinos and eco-tourism travel into the Amazon, the Esequibo and the Orinoco Rivers off the East Coast, which was going to be very attractive to tourist leaving the European countries and coming to Tobago. They could take the ferry service from Tobago, go to Toco and take another ferry service and get inside the Amazon Basin and so forth. So because that was curtailed at that time you had certain people—*[Interruption]*.

**Dr. Job:** You said that the tourist might take a ferry service from Tobago to the East Coast and then take another ferry service to the Amazon. I mean, are you serious about what you are saying? Think about it.

**Mr. J. Narine:** Mr. Speaker, I am stating what was on the document. The intention of that project on the East Coast was to take people out of Balandra and take them into the Amazon, the Esequibo and the Orinoco. Is it only you who know something? You are “Dr. Knows”. We know, too, because we read. We had the document with us.

### **3.50 p.m.**

When we talk about the ferry service to Tobago, we had many arguments for and against it. We were saying, at that time, that the population of Trinidad started somewhere around Sangre Grande and it was going to take an hour to get to Toco to take the ferry service to get across to Tobago; whereas from anywhere along the East/West Corridor which is vastly populated, you can get to Piarco International Airport in 15 minutes, say from Arima. Or, you can get into Port of Spain and take the ferry service to Tobago from Port of Spain, but that was not the purpose. The purpose of pushing ahead with the ferry service from Tobago to Toco was to facilitate a certain businessman in the UNC who has bought out Matura Estate—750 acres of land—on the east coast. That is really what is going on.

So that there is a situation where, because these things were rejected, certain business people decided they were going to buy 750 acres of lands along the east coast from Matura going up to Balandra. Then, the Minister of Finance came here and proposed that we were going to spend \$52 million to bail out Winsure insurance of which Maritime insurance was now the receiver.

One would understand that when it went to the Public Accounts Committee that the Member for Diego Martin Central exposed that \$52 million was an exorbitant sum of money to give these people to bail out Balandra Beach Resort. *[Interruption]*

**Mr. Hinds:** Friends and family.

**Mr. J. Narine:** He did not. If you have an investigation now, you would realize that it is about half that cost. *[Interruption]*

**Mr. Speaker:** Order please.

**Mr. J. Narine:** Why is it that taxpayers must spend money to bail out a private insurance company? Why does the Government not acquire the area and make it available to the public? You heard what the Member for Tobago West has said, that most of the beaches in Tobago are now being privately owned and the public does not have access to those beaches. Trinidad will soon be like that, even if it is not in my time, it must come down to the generations where it will be difficult. I will come to that in my discourse.

The situation is that proposals were laid here for the highway to Toco, privileged information by some members of Cabinet. *[Interruption]* Mr. Speaker, on the highway to Toco, because of the privileged information that some people had, they have already bought all the lands along that route where they are going to build that highway from Valencia to Toco. *[Crosstalk]* They have already bought the lands. The people from Toco are now becoming aware of what is taking place.

**Mr. Speaker:** Order please!

**Mr. J. Narine:** Where could I make something? Privileged information.

The environmental problems being caused, Mr. Speaker, while we are looking at tourism and looking to give incentives and all that, do you know what is taking place in Toco? They are going to fill 10 acres of sea to build the jetty to get that ferry service in to Toco.

**Mr. Assam:** That is development.

**Mr. J. Narine:** I will tell you something, Mr. Speaker. I was up there a couple of weeks ago and I was speaking to two public servants who have retired. I am certain most of us here would be acquainted with them. One of them is Mr. Louis Woodroffe and his brother Steve Woodroffe, who inherited lands in that area. They are the people to whom I spoke a couple of weeks ago.

They are very much concerned that if 10 acres of sea front will be filled, that would affect the environment there, because the Toco villagers make a living out of the sea. So that when you move away the areas where they collect the sea moss which they send to different parts of Trinidad—Miss Bravo down at the seacoast does a thriving industry with the sea moss—we will have a problem there with rock fishing because there are certain types of fish that come to the rocks. The famous pacro water that we always get from Tobago or Toco, comes from that area and they are going to land fill that area.

Do not talk about the pollution of oil and sewer, *et cetera*. Development on the east coast, like in the five islands, the raw sewer goes into the sea, and right now we have received something from the Environmental Management Agency. It is like putting the cart before the horse. Those bills were most important to be brought here to deal with the environment before these things are put into place. Who is going to see about those things? The local government authority.

So that we are in a situation where, even at that level, to develop, yes we look for development. We look forward to development, but the persons who are in authority in those areas must be given the privilege to see that proper development takes place. I am certain that the Member for St. Joseph would agree with me. We had battle upon battle too in St. George East, where buildings were being built. He was about four years in local government and we could not move one businessman who occupied a 20-foot stretch of land between the Eastern Main Road and the Bus Route because of so many things that had to take place before that happened. So, we are to be very particular. Now, if the people before had been given the authority, we would not have inherited that problem in Tunapuna.

**Mr. Assam:** PNM was in government.

**Mr. J. Narine:** You see, sometimes you cover yourself by that, but you came into government to do better and after four years, nothing; so by the end of this year you will be long gone. The Member for Nariva never even brought a proper bill to Parliament and he is talking about “bill”.

I am saying that while the Attorney General was speaking today, he spoke about that bill for Tobago. [*Interruption*] The point is that he was able to convince the Minister Extraordinaire that we were not going to vote for the bill and he watered it down, so it was a real smart man game. [*Laughter*] I was here in Parliament when it happened. We were going to support it.

Why did you not do it like the Occupational Health and Safety Bill? Make an agreement with us outside and come and pass it through here and let it fall. You could have done that. Do not come here to make excuses that the Minister Extraordinaire was saying this and that. We know what happened there. It is just that some of us have very short memories.

**Hon. Member:** But not all of us.

**Mr. J. Narine:** Not all.

Mr. Speaker, the livelihood of the people in Toco and those areas, fishing villages, will be long gone. When you do development, you do not train and retrain these people to make a living because what I spoke about the land fill area, we will have that problem. We must not face the problem that Tobago faced with Buccoo Reef. Most of us my age would know. When I first went to Tobago as a youth, we could have swum the Buccoo Reef and the fisheries were right around us. Today, when you go to Buccoo Reef—and I went recently, late last year; I just thought I would go one more time to see what developments had taken place—you have to snorkel a good distance before you can see a parrotfish. It is a fact. It is because of the sewer problems in that part of the country which polluted the Buccoo Reef. One of the wonders of the world. At what time? It just has the name now. So, we must be very particular about that type of development.

We had a former Member of Parliament who was almost covered in the savannah there because he thought—I am not saying that it was not right to do what was done to get rid of the dust and so forth.

**Mr. Panday:** Yes.

**Mr. J. Narine:** Let us say that. But, it is how it was done. The gentleman went to protest. He had a democratic right to do that and he was covered. The Prime Minister said, “Oh. Is he dead already?” That was the reaction—

**Mrs. Persad-Bissessar:** Not true! [*Crosstalk*]

**Mr. J. Narine:**—about a former Member of Parliament. No sympathy. He was asking if he died. [*Crosstalk*] I heard it. Do not try to get away from that.



There was also a development for the north coast to link Matelot with Blanchisseuse. Of course, the project probably is on hold now because the owner of most of the lands died. But I remember Mr. Shand making the same type of complaints, that if you link that road there, it would affect the eco-system of the northern range.

**Mr. Panday:** That is why the PNM did nothing for five years.

**Mr. J. Narine:** He said that. It ended up that because he objected, he was given some job to help the Government, advising the Government on the environment. That kept him quiet for a while. Probably his contract is up and he started reacting in the savannah.

**Mr. Assam:** What job was he advising them on?

**Mr. J. Narine:** He was advising the Government on the environment.

**Mr. Assam:** Which government?

**Mr. J. Narine:** This Government. It was in the newspaper.

**Mr. Assam:** You read it?

**Mr. J. Narine:** Well, when I asked here, nobody doubted it. That came up here before and the Member for Point Fortin said yes, he was given some contract to deal with something. At the time, he was Minister of the Environment.

**Dr. Lasse:** Leave me out of that.

**Mr. J. Narine:** He was supposed to be the man dealing with the environment.

**Mr. Hinds:** What is he now?

**Mr. J. Narine:** I do not know what he is now, but he soon will not be in Parliament. So that we have a situation here where we lost millions—

**Mr. Speaker:** Will the Member please—

**Dr. Mohammed:** Could you spell environment?

**Mr. J. Narine:** Mr. Speaker, we have a Member of Parliament for Princes Town who has a couple months to go. I would like him to behave himself. He better look for his job back at the university because “yuh gone through”.

Mr. Speaker, you find yourself in a situation where all these things are taking place and Tidco is spending money to fly all over the place. We had some questions here on exorbitant sums of money. They spent on the Miss Universe Pageant over \$100 million and one Minister was saying \$40 million was spent in Carenage—

**Mr. Assam:** You see how many tourists! How many cruise ships!

**Mr. J. Narine:**—and anybody who goes through Carenage here would realize that money was not spent in Carenage. Carenage is the same as it was. They might have paved the road or something. That is normal maintenance work that any government does, to pave roads. You must pave roads. Well, do not talk about World Beat, Ringbang and all that—money spent by Tidco—wasted taxpayers' money. [*Interruption*]

Tidco is not the organization; it is the people who are placed there. That is the point.

**4.05 p.m.**

There are health facilities in Trinidad going down the drain. People are having problems to get into the hospital. A Jack Spaniard bit a child and he died. That is the type of thing that is taking place in Trinidad. Yet, we spent \$100 million on the Miss Universe Pageant, \$40 million on the Ringbang Concert in Tobago and World Beat.

D'Abadie Government Primary School has been closed for a year now for a toilet facility. It has been one year now that the school cannot be opened. The Government spent \$4.5 million to build a beautiful school. It took in more persons—[*Interruption*]

**Mr. Speaker:** May I appeal to the Member for St. Joseph and the Member for Siparia please to allow him to make his contribution.

**Mr. J. Narine:** A lot of people have problems when one brings facts out. The Government built a school for \$4.5 million in D'Abadie; there was a certain number of children there. They took in an excess number of children. The sewer system in any school will malfunction because it is children they we are dealing with. There is supposed to be maintenance.

I came here and moved a Motion on the Adjournment—[*Interruption*]

**Mr. Speaker:** I do not want to ask the hon. Member what section of the Bill he is dealing with right now, but please, I ask you—

**Mr. J. Narine:** I was speaking about environmental problems. I was not speaking about the Chief Justice. I was not speaking about race and all that. I was just following the trend of the—[*Interruption*]

**Mr. Speaker:** I was simply hinting to you, a gentle hint, that it is my view that you were going slightly off the Bill. If you want us to enter into argument on it, we could. It was just a gentle hint.

**Mr. J. Narine:** Mr. Speaker, while we are spending money from Tidco, billions of dollars from Tidco, to help Trinidad and Tobago's tourism, there is a toilet in a school in D'Abadie that cannot be fixed for a year now. That is the situation with this Government. That is the problem. I am just comparing.

There are roads and bridges. Water is very important for tourism. Water by 2000. Last Tuesday I heard there is yellow water in the taps in Central; brown water and smelly water. The children were saying that. Do you understand? Water is very important for tourism. Tobago will tell you that.

Now the Courland Bay Project is going on—*[Interruption]* No, the water project. It is now taking place. Do you understand? The Government went to Central and said "Water for everybody in 2000, encouraging tourism here."

**Mr. Hart:** What kind of water?

**Mr. J. Narine:** I remember travelling to some countries where one is warned not to drink the water in the taps. We have been always privileged in Trinidad that people can come from any part of the world, open the tap here and drink water. Right now we are hearing in Central; yellow water, brown water, and smelly water. The children are saying that. When they bathe on mornings to go to school, their entire skin scratches. There is a situation that needs to be dealt with.

**Mr. Assam:** Itching. You scratch your skin but your skin itches.

**Mr. Hart:** So what is wrong with scratching?

**Mr. J. Narine:** They are scratching their skin. The Member could look for all—*[Interruption]*

**Mr. Speaker:** Order please!

**Mr. J. Narine:** Do you understand? Historical sites—we are talking about tourism. These millions could have helped to make our historical sites better places and hand them over to the communities. Do you understand?

Mr. Speaker, I am very concerned about areas that I represent. When one speaks about tourism, I can tell you and you would know that Lopinot Historical Complex is an area where over 80,000 persons visit every year; whether they come from the Asa Wright Nature Centre or the local people and school children go up, they have a population of about 80,000 visitors every year who sign the register.

I will tell you something: in four years' time nothing has been done to the road going to Lopinot, nothing. In the three years and 10 months that the People's National Movement was in government, we cut 32 corners on that road and had intentions to repair that road so that it would attract tourism into the Lopinot Valley. It is very very important that the community centre was built. They had handicraft going. The late Mr. Morris Marshall, who was then the Minister responsible for public utilities, put the telephone system in.

I was amazed that there also are massacre sites in Arouca. There are more than two or three massacre sites and also the African slave cemetery. Nothing is being done to develop these areas.

We are so near to Piarco, Mr. Speaker, that when someone is in transit, they can leave Piarco to go there. The taxi-driver would get something out of it. Young people can be trained in the area to be tourist guides and so forth. They can leave there for a matter of two or three hours to visit the entire Lopinot Valley. But the Government is spending millions to reach the outside world to bring them here to see what?

When one visits the smaller islands in the Caribbean, one would see that they use very little money to develop their tourism facilities and they do very well. As a matter of fact, I am happy that the Prime Minister came back. He went visiting mas camps. I understand he took almost three-quarters of an hour to get to Lopinot. When he got to Lopinot he said: "By the time we all reach Arouca, Carnival finish!" The road is so bad. The Government was saying yes. The Member of Parliament tried when he was there. He could have done something, cut 32 corners and so on. Now nothing has been done for the last four years. The Government wants to develop tourism but it is leaving the infrastructure to deteriorate. That would not help develop tourism.

When we speak about tourists and we talk about tax-breaks, what about the horseracing industry? These are things that attract a lot of persons coming from outside Trinidad and Tobago. As a matter of fact, the Jamaicans and Barbadians are always running their horses here. They need some concessions also. They need to get some break.

The motor racing industry—we are talking about sports here now. We talk about Wallerfield; it is a dilapidated place. When one goes there to look at drag racing or circuit racing—the Government leaves it up to the people. Instead of spending so much money on these concerts and all that, the Government could have developed the racing circuit in Wallerfield and people would have been very happy.

When one looks at cricket and football, the gears for cricket and football—the Member for Tunapuna said it many times before, he is crying out for help. He came here in Parliament and said: “Our sportsmen are not going to be better off if they have to pay \$1,000 for a cricket bat.” The Minister of Sport and Youth Affairs is going all over the place, flying all over the place, but we have to pay \$1,000 for good a cricket bat. That is why Trinidad ran last in the Busta Cup and we do not have a player from Trinidad in the Oval, playing, in this Test Match because we need tax incentives. We need tax breaks.

Sports tourism is one of the biggest things in Barbados. Little Grenada, I was there this week, has back-to-back stadiums. The Mundo Track is now being laid for Carifta Games next month. This weekend a county team from England would be in Grenada to play two games: one against the Grenadians and one against past West Indian players.

#### **4.15 p.m.**

They are doing these things to enhance the tourism that is created from sports; that is very much part of the situation. They do not have oil or the other facilities that we have, so they depend on the tourist dollars. We have tourists coming to Trinidad, going to Lopinot and not spending one US dollar. They go with money in their pockets and leave with the money in their pockets; we must develop facilities that they can spend their money. Lopinot is an area that is rich with handicraft and that is proven, because the band of the year for the Arouca carnival came from inside the Lopinot settlement where the people, because of handicraft, were able to bring the best band in Arouca.

So, Mr. Speaker, in Trinidad, while Tobago is filling lagoons and having environmental problems and so forth, we are having the same situation here. The Member for Tobago West indicated that people are buying up lands, and in certain parts of Tobago the public now has no access to beaches. Today, it is the same problem that we have in the East and the North Coast. There are very few large beaches on the North East Coast; there is Manzanilla—and I will come to that—but when you go to the North East Coast there is Salibay, Salibia and Balandra Beaches. In between there are many small beaches, but privately owned. The public has no access to those beaches.

When one man buys the Matura Estate, which is 750 acres, and right now the Rincon area in Matura—*[Interruption]*—it must be private if you cannot pass to get to them. *[Interruption]* Not private according to law, but if you go there and the house is built, there is nowhere else to pass to get to that beach. How are you getting there? You will have to take a boat to get there.

**Mr. Assam:** It may not be accessible, but it is not private.

**Mr. J. Narine:** This is what I am saying.

**Mr. Speaker:** Order, please!

**Mr. J. Narine:** Very soon the public will not be able to have access to those areas. Where we are blessed with having beach frontage now, Government must make sure to acquire those lands. Take for instance going down to Manzanilla. When you pass the Cocal Estate have you noticed recently that there are barriers going up? I understand that it is privately owned now. They bought the estate, plotted them into five-acre plots and now there is no access to the beach. Very soon in Manzanilla you would only have access up to the beach facility or the car park. So people will have to park and walk down the beach or walk up the beach to get a bathing spot; no access, because Manzanilla is five miles of beach. So you have a situation where the same thing that is happening in Tobago will eventually happen in Trinidad; it will just take a little longer time. They are buying up those lands and doing that.

In Rincon where you go to watch turtles, the owner of that estate bought out the Matura Estate. He has no mining licence, but he is bringing earthfill from there to Piarco. I understand that the reason is because there is a pitchrun find where they are building the airport in Piarco, so they are taking the pitchrun out from right near the airport, supplying it to the airport project and bringing dirt from Matura to fill back those large holes that have been dug.

**Mr. Speaker:** Hon. Members, the speaking time of the Member for Arouca North has expired.

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

*Question put and agreed to.*

**Mr. J. Narine:** Thank you. Mr. Speaker, there are also sewer problems in the North East Coast; most of the sewers run into the sea. If you take a pirogue and come across there you would see the big PVC lines sticking out; raw sewage coming into the sea. We need to do something about these things. Very soon no one would be able to get to the Rincon area unless they pay a lot of money to get there, because the private owner is now developing that area so that people can overnight to watch the turtles, that is for the tourists to go overnight and watch turtles, but not giving access to the locals who would like to just go on the beach and turtle watch in the night. There are certain restrictions that you must adhere to, and I accept that, but there is a problem that is being created there.

Mr. Speaker, we have many poor people in Trinidad. Some children never even went to the beach as yet, and if you try to get them there it is going to cost a large sum of money. There are people in Arima and Samaroo Village who never took their children to the beach.

**Mrs. Persad-Bissessar:** You must carry them.

**Mr. Speaker:** Order, please!

**Mr. J. Narine:** Coming from a Minister of Education, imagine that!

**Mr. Speaker:** Would the Member please speak to me. Order please!

**Mr. J. Narine:** You “cyar” fix a sewer, you will tell me to carry the children to the beach! If the Government is giving millions to private insurance and giving millions to Ringbang, World Beat, pageants and so forth, the time will come—and we saw it on Tuesday—people are disenchanted with the type of spending that this Government has done over the years.

When you are going to Manzanilla, apart from the left side that is being blocked off, an area was given for protection of the Manatee, it is now blocked off and is not going to remain the same. I understand they are planting watermelon inside there. One of your people is planting watermelon inside there. *[Interruption]* Yes, I will tell you who it is at teatime. It was intended that the area would remain undeveloped and there would be certain protection for the manatee. It is now barred off and they are planting watermelon inside there and they have to use rotavators and all that—one of your colleagues in your political party.

We have a Bill here, and my colleague and everyone who spoke on this side said that it is a sham. It came here to facilitate a couple of persons. If you are going to build condominiums in Tobago at Lowlands and sell them, then these tax concessions should not come. If you are going to do that, then there should be no tax concessions. If these people do not adhere to the existing law, then the Minister must not approve any concessions or any tax relief for these people. They must go through Town and Country Planning, the Local Government authorities, and Cabinet should not do these things, send it here for rubber-stamping.

Obviously, if the Minister has a decision to make and one person who is close to him or a “big boy” in Trinidad who he cannot interfere with because he has a lot of money goes to him—and we know who they are—and they have a tourism development project, he has to pass it. Whereas the small man who is going to build a guest house with 10 bedrooms, you would not override to pass that. He

would have to go through every motion, through Town and Country Planning and get approval before he could get his application passed. In fairness to everybody, we are to do these things in the right way and in order for us to give tax incentives these approvals must be given.

I thank you. [*Crosstalk*] [*Minister Nanan stands*]

**Mr. Valley:** We are not finished.

**Hon. Member:** “Allyuh eh finish?”

**Mr. Edward Hart** (*Tunapuna*): Thank you. Mr. Speaker, I rise to make a brief intervention in this debate. I must say that quite a few speakers went before me. I see this as a serious piece of legislation, and some of the speakers on the Government Benches really disappointed with respect to the Bill.

For example, the Member for Tobago East spent about 75 minutes here, but he chose the opportunity to do a lot of media bashing, about how they do not print what he says and he has been here three years and always angry and quarrelling. He talked about how they got him off his radio programme and so forth. I expected especially being a Tobago born and representing Tobago East—he came in after the current President who represented Tobago East for years—that he would have addressed the problems more. The Member for Tobago West had quite a sterling contribution as regards what is happening in Tobago. Then we had the Member for St. Joseph who chose to talk about a Member on this side asking for more tickets for the Miss Universe Pageant and all that kind of thing. I think that the Member should stop talking about the Miss Universe Pageant, because we all know what went on. I expected the Member to lift the level of the debate.

**Mr. Valley:** He is not capable of that.

**Mr. E. Hart:** All afternoon the Member for Tabaguite has been sleeping. People have been making contributions, he is not even taking a little note, and he is not saying anything at all. He is just sleeping there; not one thing. What is it? In other words, the people over here are talking nonsense.

**Mr. Sudama:** That is right. That is a logical conclusion.

**Mr. Hart:** You are not paying attention to what is being said at all. You probably have something written to just get up and say. This is an important piece of legislation. You are now the Minister of Tourism—I do not know if it is a promotion or what. [*Crosstalk*] The fact is you must pay attention to what is being said here.



Mr. Speaker, I am not so sure that this Government is serious about tourism or anything, as a matter of fact, because their main concern, as my colleague alluded, is apparently to do things in a manner that their friends, supporters and financiers could fill your pockets. That is their main concern. I expected to hear what they would do in order to attract people coming to these shores. [*Crosstalk*]

Right now, as far as I see, the Tourism Industrial Development Corporation just decided to piggyback on organizations instead of having some well thought out plan for tourism. Long ago there were many tourists who came here, pensioners, retired persons and so forth came here for a little holiday after they saved for a lifetime in order to travel. We have many young people coming to these shores and I think that we should capitalize on it. Sports tourism is a very important thing, but we must take into consideration what we have to offer, the infrastructure and so forth.

For instance, Mr. Speaker, Tobago is a natural for water sports like skiing, boating, yachting, *etcetera*. What are we doing about it? What about the infrastructure? We speak about Tobago, what is the position with Shaw Park today? Before the Ringbang Concert a group of people got together, sports men and sports women, and spoke about the possibility of the grounds being—mashed up, in other words. That was their fear, that they would desecrate the grounds, the playing field at Shaw Park. What happened? They went ahead, had the Ringbang Concert and right now people cannot use the facility at all. They had to vacate Shaw Park. Millions of dollars have to be spent now to repair the grounds, so the guys who have to play cricket have to go further to different points in Tobago instead of using the Shaw Park facility.

Golf and all these things are attracting many people, but the Minister has not told us about anything they are doing locally. Mr. Speaker, I could show you some points that we have here. The Member for Toco/Manzanilla came here on diverse occasions crying out for the regional corporation in Sangre Grande, to fix the grounds and have the playing field prepared, so that these people in the constituency could take part, because they have produced many great sportsmen in those parts. They have not done that. [*Interruption*]

**Mr. Speaker:** Hon. Members, the sitting is suspended for half an hour.

**4.28 p.m.:** *Sitting suspended.*

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

**Mr. E. Hart:** Mr. Speaker, before we took the break, I was making the point that sports tourism is of paramount importance, it is very important now and we should have the infrastructure in place. Particular attention should be paid to that.

If one looks at Barbados, they are doing fine, they sent Sir Garfield Sobers and Rev. Wesley Hall to Australia to promote Barbados and right now they have a lot of tournaments especially when it is winter in those foreign lands, when the people come to the Caribbean for the sunshine, and where they could take part in these events, and people from all over the world are attracted. I do not think we are really capitalizing on it.

Mr. Speaker, we in the West Indies have a rich history where cricket is concerned, despite the fact that right now the team appears to be a bit down, but these things happen. There was controversy the other day about whether our own Brian Lara should step down or not, and when I was asked what I thought about it, I made the point that I felt that Brian Lara's stepping down was not the issue. I think the people from the board should be the ones to step down, but nobody published that, and I still feel so today, that Brian Lara was not the problem and we must stand behind him and I hope to see him on the team soon, because he has a great contribution to make.

With these tournaments that are organized, a lot of revenue comes into the country and that is not happening in Trinidad and Tobago. As a matter of fact, I was making the point—forgive me if I repeat—that the Member for Toco/Manzanilla cried out for the maintenance of the grounds, and I do not know if the Minister of Local Government made any effort at all. Right now in Tacarigua, a stone's throw away from where you live, Mr. Speaker, would you believe that Sangre Grande United which entered the national league had no home ground because for over two years, the Sangre Grande Regional Corporation promised them a turf wicket, they have nowhere to play so they are in Tacarigua using what used to be the Moosai Ground to campaign. Imagine having a team from Sangre Grande using their home ground in Tacarigua. They are at a great disadvantage, no supporter and so forth.

It is a beaten track now probably—the paving of the savannah. I had nothing to say about it at that point in time and I would not use this opportunity, but I want to put on record that I am against the paving of the savannah.

**Hon. Member:** You are?

**Mr. E. Hart:** Yes, I am and I will say why later on. It was claimed that it was paved by “Mr. Big Stuff”, who said he does not want the soldiers’ boots to get dirty, then it went on to other things and just recently, on Carnival Tuesday, Neal and Massy Trinidad All Stars stood up for three hours at the entrance of Memorial Park before we got into the savannah to get on stage. So when the Member for Couva North, the Prime Minister, came through the Panorama to see for himself, and he said he saw the mud, and he gave it his blessings and all this sort of thing. I have been in the Panorama since 1963 and I never saw him around, recently he visited for one reason or another and says he gave it his blessings, but I would talk about that another time.

Mr. Speaker, we also have our footballers, Dwight Yorke, David Nakhid, and Gerard Nixon, all these guys earning their livelihood abroad, but what are we doing here to capitalize on it? I see the Minister of Sport and Youth Affairs is supportive of the team and I admire that. He went to foreign shores to give them his support, but what are we doing to bring people to our shores? What sort of arrangements do we have where football is concerned, seeing we have those heroes out there?

In athletics we have Ato Boldon who is flying the Trinidad and Tobago flag high, and we could well recall at the last games when he struck gold, poor fella, when he looking for the red, white, and black flag to show off Trinidad and Tobago, there was none. The *chef de mission*, I do not want to call his name because it would be said you call people’s name in here and they do not have a chance to defend themselves, but when they called on him, there was no flag for Ato for the whole world to see Trinidad and Tobago and know he is from here. So we have to work on these things and I am suggesting that we really go to work seriously and get some nice brochures because we have another game coming up. I think the Government is supporting Ato, they give him a stipend or whatever you call it. Every month they give him some sort of money, but that is not enough. We must capitalize on these things.

We have just concluded another carnival season, but did we really go—  
[Interruption] Mr. Speaker, the Member for Arima seems not to have the ability to keep quiet. He will have an opportunity to speak on the Bill if he wants to. The other day he was speaking on behalf of the Government when Lord Kitchener departed this life and he extended his condolences to him, it is in the *Hansard*. He must keep quiet sometimes when others are speaking, he will have his opportunity to speak. Go and address the problems in Arima. The same track where Ato Boldon and Neil De Silva came from, you could take it up like a piece of

cardboard. It is years now and nobody is doing anything about the athletic track in Arima, the athletes have to come to Tacarigua to train. Who are you representing? Arima, or yourself? Sorry about that, Mr. Speaker.

Mr. Speaker, I am saying that we should aim for events with high impact but at low cost, not like the Miss Universe where we spent millions of dollars, we must talk about it because it pains, it grieves. The Ringbang, the World Beat, all the millions of dollars going down the road and what are we getting in return? Absolutely nothing, and that is why I am saying we talk Friday after Friday, and when the Members on the other side get up to reply, I am saying that I felt the Member for Tabaquite, who is now the Minister of Tourism will listen to what we are saying and try to address some of the problems.

The Member for Tobago West spoke from the heart about the problems they are encountering in Tobago and I was thinking about some of the social ills with the advent of tourism where these visitors come to Tobago, and like it is advertized that Tobago is some sort of sex country where these women would come to have fun, but what is happening? A survey was done recently on AIDS and the figures are startling. Are we addressing these problems? There are young Tobagonians who wait for when these females come—I do not want to go there, but these are serious concerns to be raised.

We have the Three Chains (Tobago) Act, and section 5 says:

“The right of road to the public through the said strip or belt of land is hereby expressly reserved;”

We are hearing that people are going all out on the beach fronts and building, and they are locking up people. I saw on the television a lady was locked in for three hours with the fish she caught and nobody had anything to say and they are saying they are seeing about overseeing things and Central Government has the power to do “x”, “y” or “z” but what are we doing when all hell breaks loose in Tobago and nobody is saying anything at all.

Mr. Speaker, I was speaking on the carnival and I was saying that I am not sure—I did not even hear there was a post-mortem on carnival. How successful it was, what revenue came in, what we could do to have things better because our carnival is labelled as the greatest show on earth. What are we doing to improve it, when in a sense, our carnival has sprung up all over the world? It is Nottingham, Boston, Brooklyn, you name it. There is carnival all over and I am glad because Trinidadians have an opportunity now to travel around; the wire benders, the arrangers with the steel band and so forth to capitalize on it, but what

is happening here? I am hearing there is going to be a world panorama somewhere in Panama with bands from Trinidad going to take part in the world panorama and we have to be careful. I have made the point already that someday the calypsonian said: "We would hold we head and bawl." We must hold on to our steel band and calypso, we must hold on to it. *[Interruption]* You do not care about steelband and calypso, you do not know about steel. You ever jump up in a steel band? You do not care, you are just laughing and this is a serious matter about which I am talking. I am saying that some day we could very well lose these things.

**Mr. Assam:** You feel it is a serious thing to...?

**Mr. E. Hart:** If it is a serious thing?

**Mr. Assam:** Yes.

**Mr. E. Hart:** No, but we feel good doing it. You feel it is a serious thing to put on a scissors-tail coat and a top hat? *[Laughter]* *[Interruption]* Well right, that is what you do.

**Mr. Assam:** To represent you and the country.

**Mr. E. Hart:** To represent me? You cannot represent me. Sorry, Mr. Speaker. These people keep interrupting.

Mr. Speaker, I made the point earlier on that Tobago is a natural for the water sports, and it must be addressed. A 50 metre swimming pool will be ideal for the people in Tobago. Triathlon is a big attraction now, Mr. Speaker.

**Dr. Griffith:** What is that?

**Mr. E. Hart:** You will not know. You never take part in anything, you never even played wind-ball cricket, you never even spun a top, so you would not understand what I am talking about. You do not have any interest in sport, I know what you are interested in.

**Dr. Griffith:** Tell me.

**Mr. E. Hart:** Mr. Speaker, nature trails attract many foreigners, there are those who like to ride on these rugged mountains; the Member for Barataria/San Juan will allude to that because he likes that. I think at one time he took part in this, and these are things we must address and try to encourage that when the visitors come to these shores, we have the facilities that they could take part. So we have to work on that.

Mr. Speaker, even locally the Minister of Sport and Youth Affairs took five years to construct a tennis court which is a stone's throw from the national hockey centre and the indoor gymnasium. Since they took office the tennis court was there to be constructed and they are just dragging on, and dragging on, and every time I ask the Minister what is happening, he says just now they will finish it, but yet work is going on apace at the airport. They know why, but the tennis court is not important, the airport is important, but the people who are looking forward to the tennis court—*[Interruption]* That is all you are saying; "It is finished." Why are people not utilizing it?

Through you, Mr. Speaker, will the Minister stand and say why the court is not utilized if it is finished? It is finished, but why is it not utilized? What is the point finishing it and not utilizing it? It was the same thing with the John John Towers. It was completed a long time and what happened? It was locked up. So what is the point saying the tennis court is finished and nobody could utilize it? Through you, Mr. Speaker, I have told the Minister over and over, the cost is prohibitive for people to go into that said indoor gymnasium or the national hockey centre and participate and I thought that was what it was built for, so the average person could go there and take part.

**Hon. Member:** This is a Tourism Bill.

**Mr. E. Hart:** Yes, I know it is a Tourism Bill. I wish you had given that advice to some of your Members who contributed to it.

Mr. Speaker, I keep talking about sports tourism. When the tourists come here, we talk about the land of steel band and calypso, if they have to go to hear a band play—we had plans on stream for a proper concert hall where the steelbandmen could show off their work. We are hearing it is coming, but when? Having said that, I hope that the Government of the day—although they would not be there too long again—that these promises they made to the pan men and the sports men—because right now election is in the air and there are certain people from the UNC who are in Tunapuna once again offering cash for votes.

**5.15 p.m.**

I wish that there could be some legislation against that because it is not going to work. They have been promising a community centre and so forth, and for five years nothing has been done by the UNC Government, except the road in Macoya. They know why they constructed that little piece of road—with so many lights like a Christmas tree—but I would not go into that now.

We cannot support this Bill as it is. People have lost confidence in the Government; we cannot trust them. Any piece of legislation that they bring we have to look at it through a microscope because—according to Calypsonian Skatie—“Something Wrong”. With respect to this Bill it is some hidden agenda they have—just like some other pieces of legislation. I eagerly await what the hon. Minister would say when he gets up. He was very anxious to jump up just now to say what he has to say.

Thank you very much, Mr. Speaker.

**The Minister of Tourism (Dr. The Hon. Adesh Nanan):** Mr. Speaker, I would like to thank all the hon. Members who contributed to this lively debate. My colleagues on this side handled most of the matters raised in this debate quite efficiently, but there are certain areas I would like to deal with. I will start with the Member for Tunapuna as he was last.

Mr. Speaker, every time the hon. Member for Tunapuna stands up in this honourable House, he talks about the steelband movement and the sporting facilities. He even said that nothing was done in Tunapuna—forgetting the school that our Government built for him. Anyway he does not consider that. We built a school in Trincity for you. You forget that? Not Trincity—in Tacarigua. You forget that school?

When I was here the last time I thought he was going to talk about the newly discovered Amerindian Settlement in Tunapuna but, apparently, he forgot that. Mr. Speaker, he has many problems. Because what I am seeing on the newspapers is that he has a lot of competition in his area as I do, myself. He accused me this evening of not paying attention in this debate, but what I had to listen to from the Member for Arouca North was a diatribe of the usual. He spoke about Lopinot Road which we heard time and time again: What does that have to do with this Bill? He comes in Parliament saying the same thing over and over.

Mr. Speaker, I want to get back to the two hon. Members who, in my opinion, contributed in this debate. I want to congratulate the hon. Member for Diego Martin Central for his contribution in this debate. I told him so in the tea-room and I would say it again, that he made a very good contribution. It is a pity that for the last 30 minutes the standard dropped. *[Laughter]*

What we heard in the contribution of the Member for Diego Martin West in this honourable House this afternoon reminded me of this saying—when the Minister of Energy replied to the question raised by the Member for Diego Martin West, his supplementary question showed us, quite clearly—“that when you are

in a hole the best thing to do is to stop digging.” [Laughter] That is what happened to the Member for Diego Martin West, as he kept asking more supplementary questions and more answers kept coming, he kept digging a deeper hole. So when you are in that position my advice is to stop digging.

Apparently, the Member for Diego Martin West did not consult with the Member for Diego Martin Central because he has his view and the other hon. Member has his view, and quite clearly the *Hansard* would show that there were differing views. I have made that point here. The Member for Diego Martin West told us in this honourable House that we were giving away everything, and if I could recall, the Member for Diego Martin Central stood up and said that we did not give enough incentives. He spoke about the linkages and more incentives. So I hope that the Member for San Fernando East would guide the hon. Members properly with respect to the debate.

**Mr. Assam:** They have no policy-adhoc!

**Dr. The Hon. A. Nanan:** In the Member for Diego Martin Central’s contribution, I must say that he read the Bill, unlike the Member for Diego Martin East, he read three lines: he spoke about the time factor and the Schedule. That is all he read in this Bill. And I would advise the hon. Member for San Fernando East that he must advise the hon. Member for Diego Martin East, that when he is speaking he must make a proper contribution in this honourable House because the national community would require that. [Interruption]

**Mr. Assam:** You see the walls of Jericho already fell on him.

**Mr. Speaker:** Order please!

**Dr. The Hon. A. Nanan:** Mr. Speaker, I want to get back to the Member for Diego Martin Central. The hon. Member for Couva South dealt with the issue with respect to the contribution made by the hon. Member for Diego Martin Central. He spoke about the Bill which is really to facilitate the Integrated Resort Development and all we did was add on more things to make it appear that we are doing something for tourism.

I just came back from the International Tourism Fair in Germany, Berlin and when I looked at the various booths, there were 46 halls, and over 1,000 countries participated. Mr. Speaker, they speak here about the Miss Universe Contest, the Ringbang and the World Beat Festival but, for the promotion of tourism, the islands of Seychelles and Mauritius, in the various booths, were spending over \$900,000 Deutsche Marks, that is close to \$2.7 to \$3 million for the promotion of the industry. The Member for San Fernando East knows that promotion. He is aware of the importance of the marketing aspect. [Interruption]



Mr. Speaker, I am quite sure that the Member for Diego Martin Central is also aware. In terms of the marketing—that is why when they spoke about the Miss Universe Contest the Member of Parliament for St. Joseph replied in this honourable House and talked about all the increases in arrivals. In fact, the year 2000 has seen the most arrivals in this country. *[Interruption]* Mr. Speaker, not only cruise ships, there were no vacancies in hotels; there were no cars for rent anywhere on the island. *[Interruption]*

I, myself, toured the mas camps and pan yards and, of course, the Member of Parliament for Tunapuna would say, “for the first time.” But Mr. Speaker, if he said that he was touring steel bands and mas camps, why did he not make representation when he was in the Government, about those poor people in those mas camps? He could not do it, and he comes here talking about sports tourism. We are moving ahead in sports tourism and he knows that, and we are going to make sure and build all those stadia in this country.

I want to get back to the matter pertaining to mas camps—because he comes here, together with the Member for Laventille West, to talk about steelbandmen and mas camps. When I went through the mas camps, there were designers and wire benders who were working night and day, he never looked at that. Why is the industry for mas camps 1% local and 99% foreign? For example, it was told to me by the designer, Stephen Derek, that most of the feathers came from abroad, such as Japan and Miami. Why can we not utilize that industry here? *[Interruption]*

**5.25 p.m.**

**Mr. Speaker:** I honestly do not think it is really necessary to remind Members on both sides of the House that this is a serious debate and that, when the mover of the Motion gets up to reply to whatever was said or not said, the least one could do in the highest forum in the Republic is to listen to him. As I say, I do not think that it is necessary to remind you. I ask you simply to think that in the business of politics there is a certain type of behaviour for the platform, “picong” and the like, just as there is a certain type of wear for the beach.

Believe you me, in a House like this where, particularly, the camera is on you, and you have a responsibility to those coming after you, I ask you please to consider that and at least let the Member reply in silence and give the appearance that it is a serious business. Yes, the odd joke, but really, we cannot do it like that. *[Interruption]* Okay, if the Member for Diego Martin Central says that is serious business. Please proceed.

**Dr. The Hon. A. Nanan:** Mr. Speaker, I want to ask the Member for Tunapuna a question, but I know he cannot reply because I would not give way. Is the Member aware that most of the support rods for mas costumes are imported? I wonder if he is aware that the rattan rods used to build mas costumes are imported and that there are other substitutes that could be used? I wonder if he is aware—he has been touring. He says he has been at mas camps and steel band yards. [*Interruption*]

Mr. Speaker, the Member for Diego Martin West—[*Interruption*] I am not giving way. It is all right. In my contribution I spoke about historic legislation and landmark legislation and there was a barrage from the Member for Diego Martin West about historic and landmark legislation. The Member for San Fernando East is aware, because he was the Prime Minister at the time. I want to bring up the issue of National Fisheries because when the Member of Parliament for Diego Martin West benchmarks, in terms of National Fisheries, I do not know if that is what he is talking about in terms of historic and landmark development because National Fisheries was a total failure under his watch. However, when I spoke about historic and landmark legislation I was speaking about a Bill which dates back 37 years.

The Member for Diego Martin Central—I really did not want to bring him into this debate too much—only read the tourism master plan, he knows that, a few weeks ago and this is their tourism master plan. That is to tell you how they care about the industry. I know that they will reconsider, when I am finished, in terms of supporting this Tourism Development Bill because they know that we have put—he said there was no policy. In terms of a philosophy for tourism, the area of sustainable development is one area. The other area is to utilize the revenue generated from tourism to improve the quality of life of the citizens. That is the basic philosophy of the Bill. That is what we are doing in terms of establishing linkages. He spoke about linkages and said that we should give more incentives, Mr. Speaker. We are looking at linkages in the local industry—construction, manufacturing, agriculture; it is all there.

Now, I will get into the contribution of the Member for Diego Martin Central. The Member for Diego Martin West is a sly gentleman. I hope that is not unparliamentary, Mr. Speaker. He came to this House and talked about the Tourism Development Bill and said that there was an amendment to the Finance Act—probably somebody told him that—in 1994 to give incentives. Well, I want to clear up that issue here with respect to the amendment to the Finance Act. Mr. Speaker, section 13 of the Income Tax Act states that in the year of income where a person or a company buys shares in an approved tourism project—well, this deals with shares.

He confused the two issues and he did it in such a way that shares and our incentives are the same. This Bill goes much further than the amendment he spoke about. The amendment was only dealing with shares, whether it be a person or a company. The Member for Diego Martin Central is aware of that because he was a junior Minister in the Ministry of Finance. The amendment allows for 25 per cent of your investment which can be utilized to reduce your chargeable income over a three-year period. It is only dealing with the reduction on chargeable income for income tax purposes. This Bill goes further than that. This Bill includes tax holidays, it includes the operator of a hotel, not only a person or a company with respect to shares, because we are giving tax holidays.

You know, when the Member for San Fernando East asked the question, why did we go for retroactivity from 1995, we included that retroactivity to facilitate all those people who read this master plan and all your discussions about tourism and tourism incentives and went ahead and developed. You know that, Member for Diego Martin Central. You are aware of that. So you should support this Bill before the House and I am sure all the Members here would reconsider in terms of supporting this piece of legislation because it is going to be the fillip for the tourism industry. We are using this to further diversify the economy. *[Interruption]* No, I am not giving way. I am almost finished. I am going to finish now.

So, Mr. Speaker, as I wind up I would say that the Member for Toco/Manzanilla is now aware of his constituency, after this debate, in terms of its beauty *[Desk thumping]* because he spoke about the reef and he spoke avidly about his constituency in terms of the areas of importance. I could tell every single one of them—well, I do not know about San Fernando East. I have not done any research in terms of what your constituency can contribute. *[Interruption]* Well, okay, the San Fernando Wharf.

The Member for Arouca North spoke about Lopinot. I told you about the Amerindian settlement. *[Interruption]* Oh, I am so sorry, yes, yes, yes. That is a major development. In fact, there is a natural harbour. Member for Laventille East/Morvant, what we are doing in your constituency is, you must be aware, there is a community culinary experience that is taking place in your constituency. I hope you are familiar with it because you represent part of the—*[Interruption]* No, no, no, no, no. That is the creole aspect of the kind of food preparation that we are looking for. So up there in Laventille—I will give you the date—in terms of exposure, that is what we are doing.

*Tourism Development (No. 2) Bill*  
[DR. THE HON. A. NANAN]

*Friday, March 17, 2000*

The Member for Toco/Manzanilla talked about bringing in village councils in the planning for tourism projects. I want to tell you, probably you are not aware, there are tourism action committees in the various constituencies working on producing that kind of material where they can identify—*[Interruption]* No, no, we are working on tourism action committees on a village basis but not village councils. *[Interruption]* Mr. Speaker, we have a few amendments to move but this entire Bill, in terms of the platform and panoramic view of the landscape with respect to tourism, will project this country forward because, as we attract more and more visitors we have to look at the airlift and we also have to look at the infrastructure.

Mention was made here of infrastructure. *[Interruption]* Part of the Bill, Mr. Speaker, is dealing with infrastructure. There are certain Schedules in place. The Member for Toco/Manzanilla talked about reducing the price for eco-lodges in terms of investment and the Member for Tobago West spoke about the number of rooms with respect to guest houses.

**Miss Nicholson:** Is that the only thing you remember?

**Dr. The Hon. A. Nanan:** I want to tell them both, Mr. Speaker—*[Interruption]* Mr. Speaker, the other issues were dealt with in this House. The Attorney General dealt with the issues. *[Interruption]* How could you—the Attorney General made a fantastic contribution in the House. You probably were not listening. *[Interruption]* Stuttering? *[Interruption]*

**Mr. Speaker:** Order please, order please. Order! Order please! *[Interruption]* Member for Arouca North, order please!

**Dr. The Hon. A. Nanan.** Mr. Speaker, as I conclude my contribution I ask the Members on that side to support the Tourism Development Bill because it will be the fillip for the economy as we diversify the economy. Mr. Speaker, I thank you. *[Desk thumping]* I beg to move.

*Question put and agreed to.*

*Bill accordingly read a second time.*

*Bill committed to a committee of the whole House.*

*House in committee.*

**Mr. Chairman:** I take it that all Members have the circulated list of amendments to be moved? It is a one-page, two-sided list.

*Clauses 1 and 2 ordered to stand part of the Bill.*

**Miss Nicholson:** Excuse me, Mr. Speaker, are we dealing with it according to the parts? When we say clauses 1, 2 and 3, what do we mean?

**5.40 p.m.**

**Mr. Chairman:** Well, the arrangement of the clauses talks about:

“*Clause*

Preamble

1. Short title
2. Interpretation.”

It is to the front of the Bill and that is what I am following for the time being. *[Interruption]* No, no, the big Bill.

**Miss Nicholson:** We have the big one and an amendment to the Explanatory Note.

**Mr. Chairman:** Well for purposes of convenience you could look at the arrangement of clauses on the front page and, of course, insofar as you have to do anything you relate to the clauses themselves in the body of the Bill. For purposes of ease, I am simply ticking the clauses. So what has been dealt with is 1 and 2 which would be Short title and Interpretation, and one is now going to Part I, and this is where one talks about clause 3, which is headed: “Tax benefit”.

*Clause 3.*

*Question proposed,* That clause 3 stand part of the Bill.

**Dr. Nanan:** Mr. Chairman, I beg to move that clause 3(2) be amended in terms of the circulated draft.

“Delete the words ‘National Tourism Objectives’ and substitute the words ‘national tourism objectives’.

**Mr. Valley:** Mr. Chairman, this clause 3 is a very important clause.

**Mr. Chairman:** Yes, all that has happened is that I put clause 3, and the proper thing has been done in that the Minister has said, before we get into clause 3, that he has a circulated amendment. I have simply put to the House what he is asking that clause 3 be amended in terms of the circulated draft.

**Mr. Valley:** Mr. Speaker, clause 3(3)(b) is one of the more contentious clauses. It attempts to provide tax-free profits to a company, that is really selling villas, condominiums and so forth to locals. I mean, one has a difficulty in understanding why this is in the Tourism Development Bill where, in fact, most of these villas and so on have been sold to locals. Why are we granting an exemption from tax for these sales? What really is the argument? Why are we doing it?

**Dr. Nanan:** If you go to Schedule 5 which deals with the Integrated Resort Development that is the explanation there. The developer has to show clearly:

“...that the construction of these villas and condominiums are critical to the viability and success of the entire project.”

**Mr. Valley:** You see, especially when I look at Schedule 5, it makes the point that it is one project and only one project that is going to qualify, when you look at this Integrated Resort Development (IRD) project. When you look at the constraints placed on it:

“An IRD will be treated as an approved tourism project and be eligible for incentives referred to where the IRD meets all of the following criteria:”

It must include a hotel of at least 200 rooms and have a minimum capital expenditure of at least \$350 million and all of these things. It is all geared for this one Plantation Project. Okay?

**Dr. Nanan:** All of this deals with the facilitation of an Integrated Resort Development which is the modern day approach to resort development...and if you are encouraging that kind of development for the country—

**Mr. Valley:** Mr. Minister, given Tobago, how many 200-room hotels do you expect in Tobago? I mean, is it not a fact that one is looking for a smaller number of rooms in Tobago?

**Dr. Nanan:** Yes, there are 5000 for Tobago and 10,000 for Trinidad. That is the cap off.

**Mr. Valley:** No, I am talking about in terms of hotels. Is it not a fact that in Tobago the developers have said that they do not want these massive developments, in other words, the 200-room hotels and so forth? Is it not a fact?

**Dr. Nanan:** No, it is a combination of big and small.

**Miss Nicholson:** Mr. Speaker, are the condominiums really an integral part of the tourism stock? If it is not—*[Interruption]*

**Mr. Chairman:** What are we talking on?

**Miss Nicholson:** The same tax exemption.

**Mr. Chairman:** What aspect of clause 3? What is it?

**Miss Nicholson:** The Integrated Resort Development (IRD). *[Interruption]* Yes, I am talking about tax exemption in respect of the games and so forth. That is the one I am talking about 3(b).

**Mr. Chairman:** Yes, please proceed.

**Miss Nicholson:** The condominiums are not really a part of the tourism stock, it will be the hotel with how many rooms and so forth. If people can afford to spend \$1 million or \$2 million in purchasing a condominium or a villa, should they be exempted from paying taxes?

**Mr. Chairman:** One second. What is before us is an amendment which reads:

“Delete the words ‘National Tourism Objectives’ and substitute the words ‘national tourism objectives’”.

Now that is what we are dealing with. *[Interruption]* Of course, that is what we are dealing with.

**Mr. Valley:** Mr. Chairman, what you have moved is that clause 3 stands part of the Bill. While we have no objection with the amendment there that deals really with 3(2), but clause 3 has a number of subsections. We are saying that before we can agree on clause 3 standing part of the Bill, we want some clarification on this clause 3(3)(b).

**Mr. Chairman:** No, I think we have it wrong. It is like this. We could go on from now until doomsday if we adopt the wrong approach. What we have before us is the Bill. We have amendments that are circulated and those are the things that we are really considering. Now, let us deal with that and relate what is before us by way of amendment to any aspect of the clause or indeed, the entire Bill if you want, but we must relate it. We cannot just start talking about some other aspect of it or philosophy, without relating it to what is here by way of amendment which is, “National Tourism Objectives” and substitute the words “national tourism objectives”.

**Mr. Valley:** Mr. Chairman, there is no objection to that.

**Mr. Chairman:** Well let us deal with that and then with the others.

**Mr. Valley:** I was confused because you were moving that the whole of clause 3 stand part of the Bill. You see, if you were talking about 3(2), we will take that and move on.

**Mr. Chairman:** With the greatest deference Member, I have to, I am obliged by the Standing Orders to put first of all—even before one gets to the question of amendment—that clause 3 stands part of the Bill. It is at that stage that any Member could raise the amendment. In other words, he is saying no, no, we do not want it to stand part, we want to get an amendment in terms of “X” and it is that amendment in terms of “X” that we have to discuss. It is only if we get past that stage, if it fails or if it succeeds, that then we take it from there. I am not saying that you must not relate other aspects of clause 3 or clause 10 for that matter to the amendment, but there must be a relationship.

**Mr. Valley:** We have no problem with that amendment, Mr. Speaker.

**5.50 p.m.**

**Miss Nicholson:** Mr. Chairman, I am still trying to understand what you are saying. I have a problem with continuing my discourse.

**Mr. Chairman:** You could be sure, Member, that I will try to elucidate. I was having a little difficulty in understanding what you were saying, and you were having some difficulty in understanding what I am trying to say. If there is any kind of partnership between yourself and the Opposition Chief Whip; he seems to have understood what I was trying to say.

**Miss Nicholson:** I am trying to give the Opposition Chief Whip support because I understand what he was saying.

**Mr. Chairman:** And he now agrees with what I am saying.

**Miss Nicholson:** No. You might be sarcastic.

**Mr. Chairman:** The question is: what has been put is that the suggested amendment be considered. That is where we are and before we could have dealt with that, you started to deal with things. So that, hon. Members, the question is that the amendment, as circulated, be considered.

**Mr. Valley:** Yes. We agree with the amendment at clause 3(2).

*Question put and agreed to.*

**Mr. Valley:** Could I raise it now?

**Mr. Chairman:** You could talk on that now.

**Mr. Valley:** Yes, Mr. Chairman. My objection is to clause 3(3)(b).

**Mr. Chairman:** We have not reached that. We are on 3(2).

**Mr. Valley:** Therefore, Mr. Chairman, what you are saying stands part of the Bill, is clause 3(2) as amended.

**Mr. Chairman:** Yes.

**Mr. Valley:** But that is not what you said. You said clause 3.

**Mr. Boynes:** Mr. Chairman, if I may just ask. As we are on clause 3(2), could I ask the Minister to explain: Why is it tax benefits are being given to an owner/operator who has made or, more particularly, is likely to make a contribution, to the sustainable development of the tourist industry of Trinidad and Tobago? How are you going to measure that?



**Dr. Nanan:** It was going to be in terms of a certain criteria with respect to job creation, with respect to a proposal coming forward for a tourism project.

**Mr. Assam:** If I could just enter there. Tidco is setting up a monitoring committee and it will develop the criteria to judge or determine the sustainability of the contribution to the tourism industry of the particular project. That is going to be done by Tidco.

**Mr. Chairman:** Is there anybody who wants to—

**Mr. Valley:** I still have an objection to clause 3(3)(b) and I do not know when is the appropriate time to state my objection to discuss it. I am waiting for your guidance.

**Mr. Chairman:** Well, we are still on clause 3. We have just been dealing with 3(2).

**Mr. Valley:** Okay. So, can I deal with 3(3)(b) now?

**Mr. Chairman:** Hon. Members, the question is that clause 3(2) be amended as circulated.

**Mr. Valley:** Very good.

*Question put and agreed to.*

**Mr. Valley:** Mr. Chairman, clause 3(3)(b), the tax exemption as stated here for condominiums or for a villa, I have a difficulty with that and, as my colleague from Tobago was making the point, the condominiums are not a fundamental part of the hotel project; that in fact, those are being sold—I mean separate and apart—to locals, not even to tourists; and one wonders why we are providing a tax benefit for that. I mean, tell us if the project were failing and you wanted to help the project. Tell us that and one may want to take a sympathetic view. My fear is that you would set a precedent, having nothing to do with this but in other areas, because people are building houses everyday and this is all this is. Why are we giving the tax benefit?

**Dr. Nanan:** Mr. Chairman, the income generated from the sale of the villas or condominiums would facilitate the project.

**Mr. Valley:** Make it viable; make an otherwise "unviable" project, viable. Is that what you are saying?

**Mr. Boynes:** Mr. Chairman, if I may ask. With respect to this, I would have absolutely no difficulty, with respect to the IRD, as the Member for Tobago West mentioned, if these condominiums formed part and parcel of the whole tourism stock.

If you want an example, for instance, there is time-sharing so that at least you would get involved in the whole tourism of things. When I look, for instance, at Schedule 5, I see the reason why—and you have just pointed it out—we have the sale of these villas and condominiums, as long as they form part of an IRD. They will only be considered as tourist accommodation facilities where it is clearly shown by the developer that the construction of these villas and condominiums is critical to the viability and success of the entire project. So, it is clearly a question of making the project viable. It is not a question of having these condominiums and villas as part of the tourism stock. It is just to make this particular IRD project—because I do not see any other project in Tobago qualifying—viable. Now, if it is that is the purpose of it, let us know.

**Mr. Assam:** Can I say something? I do not think Members opposite seem to appreciate what is meant by an integrated resort development, because in building a 200-room hotel, they are dealing with a number of other aspects like marina, golf course, wetlands, development of a first class five-star restaurant. All of these things are part of the development and in order to ensure the viability of each of these things, the marina, the golf course, the wetlands, the five star restaurant and so forth, there is need to give them the tax break with respect to the villas in order for it to be a truly integrated resort development. That is where the tax break comes in, to make the entire thing viable, whether it is the golf course, the marina, the restaurant or the hotel. I understand there is going to be a sort of a health care facility and so forth. All of these things form part of the integrated resort development and, therefore, the tax break is critical for the entire thing to be viable.

**Mr. Valley:** We understand that. You see, the point is that the villas would not be part really of the integrated resort development. They will be sold off to locals and so forth, not even to foreigners. It is not on a time-sharing basis. I mean, really, in a sense, the guy sells those and takes his money and runs.

**Mr. Assam:** More than that, there is a limit. I was trying to refresh my memory and the officer has helped me. I remember it was only a certain number of villas which will attract that type of incentive. It is not *ad infinitum*; it is not forever. It is only a certain number of villas that have been identified to ensure the viability of the entire project. If they build any villas after that, it will not attract the tax break.

**Mr. Valley:** Let us understand what you are saying, Minister. I want to understand that quite clearly. When you say a certain number of condominiums and villas, are you saying only those built by this developer, that is, the Plantations?

**Mr. Assam:** Yes.

**Mr. Valley:** So it means that another project coming in will not qualify for that?

**Mr. Assam:** In that particular Lowlands area.

**Miss Nicholson:** So, you are confirming.

**Mr. Assam:** But if there is another IRD, let us say in Golden Grove, or in Buccoo, or any other place, of course, the Bill will apply to that, too. Once they have the integrated resort development—the marina, the golf course, the hotel and the villas—they, too, will be allowed the same number of villas upon which they will get the tax break, whether it is in Buccoo, in Golden Grove or wherever.

**Mr. Humphrey:** Mr. Chairman, it is wrong to say that this provision is for one project, because we are examining several projects now where condominiums are proposed as a means of raising the capital required for financing the entire project—one in Port of Spain, two more in Tobago—and once you give this incentive, you can attract very, many more tourism developments because it is one way of raising capital, to finance a very, very expensive development, to pay for the golf course, to pay for the marina and so forth.

**Mr. Valley:** I take that point. I think that is a valid point. But, let me just ask and I do not know, I might have missed it. I am looking at the concept of recapture. I think what we need to protect—and that is a good point that you have on overall integrated development and, fine, you want to raise capital and this is quick money coming back and so forth. But, the protection must be that if the major developer just sells and runs, there must be some concept of recapture.

**Mr. Assam:** I do not understand.

**Mr. Valley:** Okay. We know he is going to sell the villas, the condominiums and so forth, but here you have the hotel and, obviously, the hotel is a company so we have to be careful how we do this. But, I am saying if he disposes or sells to a second person, the hotel, the integrated resort development—

**Mr. Assam:** If he sells the hotel—

**Mr. Valley:** Well, he sells his shares. The concept that I—

**Mr. Assam:** But it is a company.

**Mr. Valley:** I understand that and this is why we have to think it through. I mean, here we have an individual, perhaps he owns 60 or 70 per cent of the shares

of the company, or perhaps 100 per cent. He sells the thing or starts selling out shares, making large capital gains because of the tax benefit. I am saying if you are doing this type of benefit, it ought to be for the long term and we need to find a way of ensuring that we are not simply allowing persons to get that type of tax benefit short term and run with it.

**Mr. Assam:** That is very, very unlikely because, as you know, in the hotel business, in the first three years you do not make money.

**Mr. Valley:** You have the tax incentive programme.

**Mr. Assam:** I am saying you do not make money but, more than that, you always have to be putting aside for maintenance and refurbishment because in the hotel business, you have to be continually maintaining and refurbishing if you are to maintain your five-star status. So, who is going to just take money and run away?

Besides that, if you look at the equity structure of this particular project, there is no one equity shareholder who has that preponderate share to just take it and go. In fact, you will say Tidco will take it and go because Tidco is one of the largest shareholders in this whole thing.

**Mr. Valley:** Who are the shareholders of this project?

**Mr. Assam:** It is Angostura, Tidco, Guardian Life Holdings and I do not know if the Caribbean Development Bank has a small shareholding. I think CDB has a small part of it. So, it is Guardian, Angostura and Tidco which has a large part—I think it is 35 per cent—and CDB has 5 or 7 per cent, from what I remember. So, which one is going to run? Run where?

In fact, we are very lucky to have a tourist industry in Trinidad and Tobago that is locally owned. It is not to say that some American or European is going to come here, invest, take the money, get the capital gain and run. Where will Angostura run? Where will Guardian Life Holdings run? Where will Tidco run? And CDB is a Caribbean institution. Where will they run? [*Laughter*] So you see, it is not gravy for the boys as you were intimating during the course of the debate.

**Mr. Valley:** It is. It is.

*Clause 3, as amended, ordered to stand part of the Bill.*

**6.05 p.m.**

**Mr. Boynes:** Mr. Chairman, before we move on to clauses 4—7 could I just ask for your indulgence with respect to clause 2 and the definition of “guest house”?

**Mr. Chairman:** Do you want clause 2 revisited?

**Mr. Boynes:** Yes, indeed, Mr. Chairman.

*Clause 2 recommitted.*

*Question again proposed, That clause 2 stand part of the Bill.*

**Mr. Boynes:** Mr. Chairman, I refer to the whole definition of “guest house” on page 10. I also direct your mind to the definition of “room” on page 13.

“‘guest house’ means a building having a minimum of eight separate rooms...”

The definition of “rooms” means:

“the sleeping room of a tourist accommodation facility which is of a specified minimum size, is furnished, includes bathroom and toilet facilities...”

In the Minister’s submission, he mentioned that it would really and truly include easy access to bathroom and toilet facilities, not that each room would have an individual bathroom and toilet facility. I was wondering, whether the Minister would be minded to amend the definition of “room” to mean instead of “includes bathroom and toilet facilities” but “includes access to bathroom and toilet facilities”. It is not clear at all.

**Miss Nicholson:** What do you mean by access?

**Mr. Boynes:** That is what the Minister said in his submission.

**Mr. Assam:** He said access?

**Mr. Boynes:** Yes, he said that. When the Minister was saying “guest house”, let us say eight bedrooms, the Minister mentioned in his submission that not each bedroom would have an individual bathroom and toilet facility. *[Interruption]* That is what the Minister mentioned in his—*[Interruption]*

**Mr. Assam:** Like an *en suite* bath?

**Mr. Boynes:** If one has a guesthouse and there are eight rooms, at least there could probably be about two or three bathrooms.

**Mr. Assam:** I do not know, but nobody is saying that each room must have—*[Interruption]*

**Mr. Assam:** an *en suite* bathroom, nobody is saying so.

**Mr. Boynes:** But the definition is saying so.

**Mr. Assam:** Each room must have a bathroom?

**Mr. Boynes:** Bathroom and toilet, yes. That is what the definition on page 13 of the Bill says.

**Mr. Assam:** That is what the definition of “room” says?

**Mr. Boynes:** That is correct.

**Mr. Assam:** I do not know. If it says so, all right.

**Mr. Boynes:** I will just mention it again. On page 13, the definition of room states:

“room means the sleeping room of a tourism accommodation facility which is of a specified minimum size, is furnished, includes bathroom and toilet facilities and for which daily housekeeping services are provided;”

**Mr. Assam:** “Includes bathroom facilities”, it does not mean it is *en suite*. It means it includes that. There is a provision for it, but it does not mean that it is *en suite*. There is a difference between *en suite* and it includes those facilities. It does not mean necessarily that it is in the room. It means that there are facilities for bath and toilet available to the rooms, but not necessarily *en suite*. That is the point I am trying to make.

**Mr. Boynes:** Is that the literal meaning of that?

**Mr. Assam:** Oh yes, of course. A guesthouse is not a four-star or five-star hotel. When one goes to a guesthouse one understands what one is getting. It is different from a four-star or five-star hotel. When one goes to Europe there are about ten rooms and there is one common bathroom down the hall, do you not know that? If one goes to a *pension* it is worse yet; there is no bathroom, there is only a face basin.

*Question put and agreed to.*

*Clause 2 again ordered to stand part of the Bill.*

*Clauses 4 to 7.*

*Question proposed, That clauses 4 to 7 stand part of the Bill.*

**Mr. Valley:** Why are we taking these clauses like that?

**Mr. Chairman:** No, we call them and it is up to anybody who feels—who either has circulated an amendment or who has not circulated it but who wants to talk on it to do it. There is absolutely no problem. I take it that you would have a tick against those you want to talk about.

**Mr. Valley:** No.

**Mr. Chairman:** It would help.

**Mr. Valley:** I do not have my Bill here with me.

**Mr. Chairman:** No, if you want us to do it clause by clause, I am here you know, I have a lot of time.

**Mr. Valley:** Me too, Mr. Speaker.

*Question put and agreed to.*

*Clauses 4 to 7 ordered to stand part of the Bill.*

**Mr. Chairman:** I want to say to you, Member for Diego Martin Central, that in like measure, as we revisited—as I gallantly agreed to revisit clause 2 for the Member for Toco/Manzanilla, for whom I hold no particular brief—I will do the same thing for you.

**Mr. Valley:** Thanks a million, Mr. Speaker, much obliged. There is only one clause but I do not know where it is. It is with respect to the holiday period. I think we all agree that this is really not a tourism development Bill and that—  
*[Interruption]*

**Mr. Chairman:** Well let us get on with this one. Let them remind you which one that is. We are coming to that just now.

**Mr. Valley:** It is not clause 8.

*Clauses 8 to 10.*

*Question proposed, That clauses 8 to 10 stand part of the Bill.*

**Miss Nicholson:** Mr. Chairman, I have a problem with both clauses 8 and 10 as far as the minimum capital expenditure goes. *[Interruption]* Sorry, Sir, I was a little anxious. Mr. Chairman, in clause 8 which states:

“(a) have a minimum capital expenditure as outlined in Schedule 9;”

With respect to the areas that we have in Schedule 9, I do not understand the structure "international investor" and "local investor". I believe that some of these areas should only be for the local investor. Secondly, I believe that the price for

the accommodation facility is very high for the local investor. I have a problem with that. That is in clause 8(a):

"In addition to the criteria set out in section 7, in order to obtain benefits under this Part, a tourism project shall—

(a) have a minimum capital expenditure as outlined in Schedule 9;"

For the local investor, I feel \$2.5 million is far too high. I believe here they are talking about a facility, more from a guesthouse perspective. Also, I believe that we should be thinking about what kind of tourism people would be going into. That is why I was articulating, earlier on, the use of communication with the Tobago House of Assembly. If one goes into the northeastern corner of Tobago and does the same thing as the southwest, after a few years, nobody would be going to Tobago for tourism. It is a very important issue.

With respect to clause 10(1):

"Where a project is contemplated having the minimum capital expenditure prescribed in Schedule 9, any person who owns or operates or intends to own or operate the tourism project or proposed tourism project in respect of which the project is contemplated, may apply to the Corporation in the form prescribed to have the tourism project approved for the purposes of this Act."

I feel that some of these areas should only be for local investors, eco-lodges, water sports, charter boats, historical landmarks and heritage sites. Also, in clause 10, the application should be to the Tobago House of Assembly and not to the corporation from a Tobago perspective. I wish to suggest that.

**Dr. Nanan:** Mr. Chairman, no written amendment has been proposed.

**Miss Nicholson:** As soon as you leave, we will amend it. *[Interruption]* Yes, but they must listen to people, Sir.

**Mr. Chairman:** I think, notwithstanding that there is no written amendment, they could still sort of say that *[Interruption]*

**Miss Nicholson:** They have no consideration.

**Mr. Chairman:** One second. One could still say: "Well, would you not consider X, Y, Z" Of course, the Government could say: "No, we have considered that and this is a policy that we want to do and we cannot go along with it."



**6.15 p.m.**

**Miss Nicholson:** I should like to know if the Minister could restructure the thinking here: one, 8(a) “have a minimum capital expenditure as outlined in Schedule 9,” that from the local investor perspective, \$25 million is too high. I do not feel that it should be more than \$1 million; \$750,000—\$1 million that is accommodation facility, because you are talking here from a guesthouse unit perspective. From a Trinidad and Tobago perspective, I would say that it is too high.

**Dr. Nanan:** Mr. Speaker, the reason for the \$2.5 million for local investors is to maintain a certain standard in the industry.

**Miss Nicholson:** You must have standards.

**Mr. Valley:** It makes no sense. You are talking about a guest house.

**Miss Nicholson:** Mr. Speaker, I am talking about having the units and having standards. [*Interruption*] I could demonstrate that, but I do not want to demonstrate here.

**Mr. Valley:** You are talking about eight rooms; an eight-room guest house cannot cost \$2.5 million, especially if there is one toilet for all eight of them, as the Member for St. Joseph was suggesting.

**Mr. Assam:** I was not suggesting.

**Mr. Valley:** All right, but you get the point.

**Mr. Assam:** An eight-room guest house would cost that. You do not have a clue about building and equipment costs. You do not have a clue about that. We who are in the Ministry of Tourism and the tourism business know about that. If you want to build an eight-room guest house it will cost you about \$2.5 million.

**Mr. Valley:** But people could convert existing properties. [*Crosstalk*]

**Mr. Chairman:** You have made that point. It is supported, in a sense, by the Member for Diego Martin Central and we are just getting a response from this side. If there is no agreement, we will just put the question.

**Miss Nicholson:** I was not completely repeating; pricing is only one aspect. The next area I am concerned about is the type of tourism project; we have that section. I am saying that eco-lodges, water sports, charter boats, recreational space—well, you might have recreational space but this would only be for a large hotel situation—historical landmarks and heritage sites, that must be the business

of the local investor, not the foreign investor. The foreign investor can be in the other areas, but I do not feel that we should open up eco-lodges, water sports, charter boats, historical landmark and heritage sites. They like to come here and steal all our heritage business and go away with our artefacts and so forth. We have examples of that in Tobago. The wardens who used to function in Tobago at the administrative buildings were noted for taking all the historical artefacts away from Tobago saying they are going to do a, b, c and d, and they have never returned.

**Dr. Nanan:** Mr. Chairman, over two and a half years of discussion, I appreciate the views but this is the policy of the Government.

**Mr. Valley:** You are young—[*Interruption*]

**Mr. Chairman:** There is a view, there is a point. There is something that the Member for Tobago West would have done had she been running the government and that you would have done had you been running the government, and they have put it forward. They have listened to what you have said—[*Interruption*]

**Mr. Valley:** But I have not spoken as yet, Mr. Chairman. I am just trying to get my bit in.

**Mr. Chairman:** Please, I thought you did. I am sorry if I had you wrong. Please proceed.

**Mr. Valley:** Mr. Chairman, I want to ask the Minister whether he has done the figures. If we are talking about an eight-room guest house, can a capital cost of \$2.5 million provide a viable project given an eight-room guest house? I suggest to you that it is not going to.

**Mr. Assam:** If you converted an existing property, that would be part of the valuation of the \$2.5 million. In other words, when you have converted the thing and you take into consideration the value of the land and building, all the renovation, all the equipment and all of that, once it is valued at \$2.5 million it would qualify.

**Mr. Valley:** I am hearing that but—[*Interruption*]

**Mr. Assam:** If you build from scratch, it may even cost more.

**Mr. Valley:** Mr. Minister, you are setting minimums here and I am suggesting and agreeing with it. If you consider it you would realize that \$2.5 is really too high a minimum if you are talking about a minimum size guest house of eight rooms. Just consider it. I have no interest in guest houses.

**Mr. Assam:** When we put that in the Bill these numbers were worked out very carefully, we did not pull them out of a hat.

**Mr. Valley:** You would have had to. This is a “vaps” Bill in any case.

**Mr. Boynes:** Mr. Chairman, on the same point on the minimum capital expenditure, that is Schedule 9, I am looking at the section marked “Film and Special Events”. I am looking at the international investor having to invest \$6.2 million and the local investor having to invest \$3.1 million. I want to ask the hon. Minister if he could define what “special events” means, because herein lies an opportunity for many local investors to invest in our culture, if we can give them certain tax incentives. Is it that we are dealing with Ringbang? What are we dealing with here in terms of special events, from a local perspective, to the tune of \$3.1 million?

**Dr. Nanan:** Mr. Chairman, when we talk about special events we are speaking about things like the World Beat Festival and those areas; Ringbang, if you want to include that.

**Miss Nicholson:** Mr. Chairman, regarding clause 10, I am saying that the application should be to the corporation and/or the Tobago House of Assembly (THA). I do not know which word, but meaning that when you go to apply it is not only the corporation you should apply to. It should state: “Where a project is contemplated having the minimum capital expenditure prescribed in Schedule 9, any person who owns or operates or intends to own or operate the tourism project or proposed tourism project in respect of which the project is contemplated, may apply to the Corporation and the Tobago House of Assembly.” It should not just be to the corporation, they should be able to apply to the Tobago House of Assembly also.

**Dr. Nanan:** Mr. Chairman, it has to go to the corporation for monitoring purposes. But we have had intensive discussions on this particular Bill and all the industry partners were consulted, even though the Member for Diego Martin Central does not think so.

**Miss Nicholson:** So you are saying that the THA does not have any monitoring role to play?

**Dr. Nanan:** It goes to the Tobago House of Assembly coming from the corporation.

**Miss Nicholson:** But why can it not go to the corporation and the Tobago House of Assembly?

**Dr. Nanan:** That is the policy of the Government.

**Miss Nicholson:** Well, Mr. Chairman, we are just wasting time here.

**Mr. Chairman:** That has been a hot issue and, again—[*Interruption*]

**Mr. Boynes:** Mr. Chairman, I have not left clause 8(a), I am asking if the hon. Minister could look at the aspect of film and special events with respect to the local investor and if he could see it fit to reduce the amount of the local investment in order to qualify under this particular section, simply because if it is reduced you would find many business people in this country investing more in cultural and special events, if they can qualify. If you can lower it to about, at least, \$500,000.

**Mr. Chairman:** Is there a response from this side?

**Dr. Nanan:** I am not in agreement at this time, Mr. Chairman.

**Mr. Assam:** You cannot undertake a major special events activity to attract international visitors for less than that. You want to have a jazz festival, a pan festival, a chutney festival, whatever festival or special event you want to have, if you want to have a culinary festival, you cannot do it for less. I think that we are living in a dream world to believe that we can build guest houses or hotels or do special events for small sums of money. We cannot do it.

**Mr. Chairman:** We have two divergent views.

**Mr. Boynes:** Mr. Chairman, I beg to differ.

**Mr. Chairman:** Well, again, as I said you have put it forward, they have given an answer—[*Interruption*]

**Mr. Valley:** Mr. Chairman, through you, I just want to direct the Member for St. Joseph to convention centres and shopping facilities, where we are talking about the local amount being \$620,000. Again, I would think that if you are talking about convention centres and shopping facilities that would normally cost very much more than an eight-room guest house. The capital requirement for that is \$620,000, as against the guest house which is at \$2.5 million—[*Interruption*]

**Mr. Chairman:** What, therefore, is the suggestion, please?

**Mr. Assam:** Do you mean a shopping facility within a convention centre?

**Mr. Valley:** No, there are convention centres, shopping facilities; in other words, to build a convention centre—[*Interruption*]

**Mr. Assam:** No, No—[*Interruption*]

**Mr. Valley:** That is what it says!

**Mr. Chairman:** Gentlemen, one second please. What, therefore, is the suggestion that the Member for Diego Martin Central is making?

**Mr. Valley:** I am suggesting, once more, that they reduce—perhaps, what we need to do is have another category, guest houses, distinct from accommodation facilities, because I think what they were thinking here is about hotels and so forth, not the small guest houses. I think that we need to do that, otherwise, Member for Tobago West, you may have to qualify under the eco-lodges.

**Mr. Chairman:** Is the Government prepared to go along with this?

**Dr. Nanan:** No, Mr. Chairman.

**Mr. Valley:** Okay, fine.

**Mr. Boynes:** Mr. Chairman, I am not finished with this particular section.

**Mr. Chairman:** Which one?

**Mr. Boynes:** Clause 8.

**Mr. Chairman:** Well, I thought you were referring to clause 8 just now.

**Mr. Boynes:** No, I am still on clause 8 here. I will move on from the whole aspect of special events, even though it is my humble opinion that under \$500,000, a guest house or whatever facility, could host an event that would attract tourists throughout the world. It is my humble opinion, because I know that—*[Interruption]*

**Mr. Chairman:** There is no point arguing that. You may well be right but, again—*[Interruption]*

**Mr. Boynes:** In the past, we have done it in Sangre Grande to the tune of about \$200,000 and invited people from all over the world. Mr. Chairman, I wish to—*[Interruption]*

**Mr. Chairman:** Order please! Diego Martin Central, your colleague, No. 36 is speaking.

**Mr. Boynes:** I also wish to refer your mind's eye to "Theme Parks and Cultural Centres" and I am looking at the local investor having to fork out \$9.3 million. There are several projects that are being contemplated at this time throughout the constituencies with respect to windball cricket competitions and other cultural activities. Persons are looking to invest about \$2 million to \$3 million in order to highlight in each person's particular constituency the local talent, inviting as it were, tourists from throughout the world. I am simply saying

that if you look at this figure of \$9.3 million, I think it is too exorbitant to benefit under this particular piece of legislation. I wonder if the Minister would consider, through you, Mr. Chairman, having a mark of \$5 million.

**Mr. Assam:** I think the Member for Toco/Manzanilla is missing the point of this Bill, just by how he spoke about village councils developing tourism. Mr. Chairman, do you know what is the cost of a theme park? I saw a project document for a theme park recently. Do you know what was the cost? The cost was US \$120 million and he is talking about a theme park for TT \$3 million.

**Mr. Boynes:** If I may explain to the Minister, the Member for St. Joseph. People try to understand what is in the best interest for several communities. If we belong to a community and we understand what the community wants, we in Sangre Grande, for instance, we have a facility at the moment that we are renting which costs approximately \$4 million. In that particular facility we do everything, from staging cultural events, to having night windball cricket competitions, cricket, football and basketball. It brings forward the entire town on a regular basis and that is what is proposed throughout the length and breadth of the country. It cost approximately \$4 million to build this. On several occasions I have invited Members from this entire House to visit and see what is taking place in this region. I am not talking from what I think, but from what is happening in reality.

**Mr. Chairman:** Could we, therefore, have a response from the Minister of Tourism on this?

**Dr. Nanan:** Mr. Chairman, I have heard what the Member for Toco/Manzanilla said, but we are not prepared to change it at this time

*Question put and agreed to.*

*Clause 8 ordered to stand part of the Bill.*

**6.30 p.m.**

**Mr. Valley:** Mr. Chairman, clause 9.

**Mr. Chairman:** No, no, no. We have spoken on that already—

**Mr. Valley:** On clause 9? You just did clause 8.

**Mr. Chairman:** We did clauses 8 to 10 and we have exhausted the discussion on it and it is just out of an abundance of caution, I did not want to lump them all together to put them so I am putting them individually.

**Mr. Valley:** Are you saying that I cannot raise any issue on clause 9 at this time, Mr. Chairman?

**Mr. Chairman:** We have really gone past that stage, but if you really feel that you want to do it now again, I would put clause 10 and we will come back to clause 9.

*Question put and agreed to.*

*Clauses 9 and 10 ordered to stand part of the Bill.*

*Clause 9 reintroduced.*

**Mr. Valley:** Mr. Chairman, I would pass, because obviously the Government does not seem to want to entertain any discussion from the Opposition so I allow them to—

*Question put and agreed to.*

*Clause 9 ordered to stand part of the Bill.*

*Clause 11.*

*Question proposed, That clause 11 stand part of the Bill.*

**Dr. Nanani:** Mr. Chairman, I beg to move that clause 11(1) be amended as follows:

“Delete the words ‘which the project is contemplated’ occurring in line five.”

*Question put and agreed to.*

*Clause 11, as amended, ordered to stand part of the Bill.*

*Clauses 12—45 ordered to stand part of the Bill.*

**Mr. Chairman:** May I point out for the benefit of Members that there are no amendments that have been filed.

*Schedule 1.*

*Question proposed, That Schedule 1 stand part of the Bill.*

**Mr. Boynes:** Mr. Chairman, in terms of Schedule 1, I was wondering whether in subclause (a) with respect to bedroom, furnishings and fixtures, we would have to take out the word “bedroom” and put “rooms”.

**Mr. Maharaj:** That is a typographical error.

**Mr. Chairman:** We have to take note of it. Where is it?

**Mr. Maharaj:** In Schedule 1, under (a) it should be “room” instead of “bedroom”.

**Mr. Manning:** What the Attorney General is describing as a typographical error, it would be much better if it is corrected here in committee.

**Mr. Chairman:** It is personally a view with which I agree, but if the Government does not want to do that—

**Mr. Maharaj:** I will cede to your request.

**Mr. Chairman:** Out of an abundance of caution.

**Dr. Nanan:** Mr. Chairman, I beg to move that Schedule 1 be amended as circulated.

“Delete the words ‘the National Tourism Objectives of this Bill’ occurring in line one and substitute the words ‘national tourism objectives.’”

(a) Delete the word “Bedroom” and substitute the word “room”.

*Question put and agreed to.*

*Schedule 1, as amended, ordered to stand part of the Bill.*

*Schedules 2 and 3 ordered to stand part of the Bill.*

*Schedule 4.*

*Question proposed, That Schedule 4 stand part of the Bill.*

**Dr. Nanan:** Mr. Chairman, I beg to move that Schedule 4 be amended as follows:

“Delete the word ‘bedrooms’ occurring in line six and substitute the word ‘rooms’”.

*Question put and agreed to.*

*Schedule 4, as amended, ordered to stand part of the Bill.*

*Schedule 5.*

*Question proposed, That Schedule 5 stand part of the Bill.*



**Dr. Nanan:** Mr. Chairman, I beg to move that Schedule 5 be amended as circulated.

- “A. Delete the whole of item (ii) and substitute the words ‘(ii) Hotel’;
- B. Delete the whole of item (iii) and substitute the words ‘(iii) Camp Site, Dive and Eco-Lodge’;
- C. Delete the whole of item (iv) and substitute the words ‘(iv) Guest house’”.

*Question put and agreed to.*

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

*Schedule 6 ordered to stand part of the Bill.*

*Schedule 7.*

*Question proposed, That Schedule 7 stand part of the Bill.*

**Dr. Nanan:** Mr. Chairman, I beg to move that Schedule 7 be amended as circulated.

- “A. In the column headed ‘Taxi Co-operatives’ delete the words ‘Licensing Department as occurring in the second paragraph of the fourth item.
- B. In the column headed ‘Other Taxis’
  - (a) insert the word ‘be’ after the word ‘should’ in the second paragraph of the fourth item;
  - (b) delete the words ‘by the’ in the second paragraph of the fourth item.
- C. In the column headed ‘Boats’
  - (a) insert the word ‘a’ after the word ‘be’ in the second paragraph of the third item; and
  - (b) insert the word ‘have’ after the word ‘must’ in the first paragraph of the fourth item;
- D. In the column headed ‘Helicopters’ insert the word ‘a’ after the word ‘be’ in the second paragraph of the third item.

*Question put and agreed to.*

*Schedule 7, as amended, ordered to stand part of the Bill.*

*The Preamble.*

*Question proposed, That the Preamble stand part of the Bill.*

**Dr. Nanan:** Mr. Chairman, I beg to move that the Preamble be amended as circulated:

“Delete the words ‘the following National Tourism Objectives’ and substitute the words ‘national tourism objectives’”.

*Question put and agreed to.*

*The Preamble, as amended, ordered to stand part of the Bill.*

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

*House resumed.*

*Bill reported, with amendment; read the third time and passed.*

#### ADJOURNMENT

**The Attorney General and Minister of Legal Affairs (Hon. Ramesh Lawrence Maharaj):** Mr. Speaker, I beg to move that this House do now stand adjourned to Friday, March 24, 2000 at 1.30 p.m. It is Private Members’ Day and we shall resume discussion on the motion on the Administration of Justice, I assume that is what we will be doing next Friday, and there is an issue on the Motion for the Adjournment.

**6.45 p.m.**

#### **Establishment of a Casino (Princess Margaret Street, San Fernando)**

**Mr. Speaker:** Hon Members, leave had been granted to the Member for San Fernando East to raise a matter which had been deferred once or twice. I now call upon him to proceed.

**Mr. Patrick Manning** (*San Fernando East*): Mr. Speaker, thank you very much. I can assure you that I would not detain this honourable House unduly. You had been kind enough to permit me to raise, on the Motion for the Adjournment, a matter involving unusual construction activity that is taking place at Princess Margaret Street, San Fernando, in my own constituency.

At No. 37, to be exact, where it is suspected that a casino and/or private member’s club is under construction.

The residents of the area are objecting to this proposed land use on several grounds. First of all, they consider the area to be residential and that a casino operation would be in direct conflict with such usage.

Secondly, the peace and tranquillity of the area would be jeopardized particularly at nights, when families need to rest, as the residents see it, and they have signed a petition to this effect.

Thirdly, they argued that the value of their properties would be severely depreciated.

Fourthly, they argued further that their children would have unnecessary exposure to casino operations, as all the negative features such as gambling, alcohol consumption included, would be introduced into the area which, as I have said before, is a quiet residential part of San Fernando.

They argued further that their personal safety may be compromised through the influx of undesirable persons into the area.

The sixth point of their objection is that their religious and moral tranquillity would be severely compromised.

Finally, they claim, with justification, that the additional traffic, with parking flowing into Princess Margaret Street, would result in severe traffic congestion.

There are two considerations in this matter. First of all, whether it is Government's policy to allow casinos to be constructed in Trinidad and Tobago. If I understand the Government's policy correctly, casinos do not form a part of that policy. Therefore, whatever is taking place at Princess Margaret Street in San Fernando, one cannot assume, under the existing legislation, that it is a casino that is to be introduced. Since the Government's policy—as we understand it, of course—has changed, the Government is free to make it clear to us today, that the policy is, that there should be no casinos constructed in the area.

The second point is, if it is a private member's club that is being constructed then we need to draw the attention of hon. Members to the Registration of Clubs Act. In the definition it goes as follows:

“‘members' club’ means a club not constituted for the acquisition of gain, the members of which contribute to the funds out of which the expenses of conducting the club are paid and are jointly entitled to all the property and funds of the club;”

In other words, it is a private arrangement, not for the purpose of gain, but merely for the purpose of enjoyment, in which the members of the club themselves would contribute and defray the cost of the operation of the club itself.

*Tourism Development (No. 2) Bill*  
[MR. MANNING]

*Friday, March 17, 2000*

The residents first raised this matter by way of a letter dated November 17, 1999, and they renewed their concerns on January 20, 2000, when they recognized that construction was continuing at the renovation of the premises.

Secondly, that equipment had now been moved into the area for the purposes of gambling, as they put it—I think slot machines had been moved in—and they noticed an increase in the number of strangers frequenting the area at all hours of day and night.

Finally, they understood that, indeed, their worst fears would be realized and the club or casino was due to be opened very shortly. It is my understanding now that the matter has been formally raised with the authorities in the context of land use and that the land use issue has gone to the Ministry of the late Deputy Prime Minister of Trinidad and Tobago, the distinguished Member for St. Augustine.  
*[Laughter]*

Mr. Speaker, the Appeals Tribunal considered this matter recently *[Interruption]* and it is the understanding of the residents that the Appeals Tribunal is sympathetic to the argument and the case that has been made out by the residents. But, of course, the Appeals Tribunal is advisory to the Minister and in the final analysis, the Minister has a final decision in this matter and can exercise that discretion in one way or the next.

The purpose of my raising this matter here today, therefore, is on behalf of the residents who feel that they have gone through all of the legal processes that are required to deal adequately with a matter that they believe creates a great injustice to them, and that the final decision now rests with the Minister responsible, and so we take the opportunity of a sitting of Parliament to formally draw it to the attention of hon. Members.

Thank you very much.

**The Minister of Trade and Industry (Hon. Mervyn Assam):** Mr. Speaker, this Motion on the Adjournment was supposed to have been raised since on Friday, February 18, 2000, so I think it is very remiss of the Member for San Fernando East, if he deemed this matter to be of such great importance to his constituents, to have deferred it for almost a month and, according to him, allowed matters to snowball to the point where he said equipment resembling that used in a casino, is now moving into these premises. *[Interruption]*

**Mr. Manning:** Mr. Speaker, I would like to thank the hon. Member for giving way. The delay was occasioned by the fact that the residents wanted to complete the administrative processes and to exercise their right in Parliament, through their parliamentary representative as a last resort. That is the reason.

Thank you, Mr. Speaker.

**Hon. M. Assam:** Mr. Speaker, a most inadequate explanation, because the Member for San Fernando East left this Parliament early on two occasions, which is why he was unable to raise the matter? It has nothing to do with the residents at all, but I would not pursue the point.

He started his contribution by saying, “it is suspected that a casino is being constructed.” Mr. Speaker, we cannot go on a suspicion here—I mean, I am not a lawyer but it would be dangerous to go on a suspicion. Notwithstanding, even if it was a suspicion...*[Interruption]* That is right a folk lawyer would go on a suspicion. I must agree totally with the Member for San Fernando East, with respect to all the reasons he has advanced why a casino—even though suspect—is being constructed in Princess Margaret Street and should not be constructed. I agree with all the reasons: the question of the personal safety; the additional traffic; the exposure to vice of different forms to children; the question of the religious tranquillity; the peace of the neighbourhood and so forth. I agree with all of that.

So that the Member for San Fernando East has my full sympathy, as well as the residents of Princess Margaret Street. However, it is no secret that there is no legislation in place in Trinidad and Tobago for the construction and operation of casinos. That is a fact. Any such operation is therefore, illegal.

However, my Ministry is aware that applications have been made from time to time, for the operation of a private member’s club, which he attempted to define in his presentation to this honourable House. However, with respect to the establishment of the Monte Carlo facility—of which he says that he suspects to be a casino—the Ministry of Trade and Industry is advised that an application has been submitted to the Town and Country Planning Division of the Ministry of Housing and Resettlement for the change of use of the facility. To date, we are advised that the application is under consideration and no official planning approval has been granted.

**6.55 p.m.**

So, therefore, if the owners or operators of this particular building or facility are proceeding to either install equipment that is normally used in a casino or using it for any purpose other than as originally approved, which is residential, then I believe the residents of Princess Margaret Street—and I am not a lawyer—can file an injunction against these operators and have the court declare the activity to be impermissible, if that is the correct word. In the meantime, we will await the decision of the Ministry of Housing and Settlements with respect to the appeals tribunal.

**Mr. Manning:** Before you take your seat, hon. Minister, will you entertain a question? Yes, the residents have available to them the remedy of an injunction, but does the State not have a responsibility in the matter, in terms of land use and the purposes for which you will authorize the use of land in Trinidad and Tobago? In other words, is the State prepared to intervene in a matter on behalf of citizens of Trinidad and Tobago who have raised a legitimate objection?

**Hon. M. Assam:** Mr. Speaker, although I do not think on a Motion on the Adjournment we have this question and answer period, clearly the State has an obligation. If it is known that a particular building is being used for a purpose for which approval has not been granted, the particular authority in San Fernando can deal with it. I believe the particular authority in San Fernando to deal with it, as far as I am aware, is the San Fernando City Council.

*Question put and agreed to.*

*House adjourned accordingly.*

*Adjourned at 6.57 p.m.*