

*Leave of Absence**Friday, October 6, 2000***HOUSE OF REPRESENTATIVES***Friday, October 6, 2000*

The House met at 12.00 noon

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

Mr. Speaker: Hon. Members, I wish to advise that I have received communication from the Member for Siparia who has asked to be excused from today's sitting of the House of Representatives. The leave which she seeks is granted.

SHIPPING (MARINE POLLUTION) BILL

Bill to provide for powers and jurisdiction in relation to pollution of the seas from ships, intervention on the high seas in cases of oil pollution, dumping of wastes at sea, prevention of pollution from ships, preparedness and response for oil pollution emergencies, liability and compensation for pollution damage and matters incidental thereto, brought from the Senate [*The Attorney General and Minister of Legal Affairs*]; read the first time.

PAPER LAID

The Report of the Inter-ministerial Committee to facilitate timely enforcement actions by state agencies with respect to environmental issues. [*The Attorney General and Minister of Legal Affairs (Hon. R. L. Maharaj)*]

The Attorney General and Minister of Legal Affairs (Hon. Ramesh Lawrence Maharaj): Mr. Speaker, may I ask for a deferral of the second report to be laid later in the proceedings at the time when the Prime Minister is making his statement.

*Agreed to.***ORAL ANSWERS TO QUESTIONS**

The following questions stood on the Order Paper in the name of Mr. Colm Imbert (Diego Martin East):

**Asphalt Works
(Cost of)**

- 91.** (a) Would the Minister of Works and Transport state the prices agreed to by the Ministry of Works and Transport, or any other state agency working on behalf of the Ministry of Works and Transport of the

Central Government for the supply, transport, placing and rolling of asphalt on roads in Trinidad during the period July 15, 2000 to September 14, 2000?

- (b) Would the Minister provide details of the names of the state agencies involved in awarding contracts on behalf of his Ministry or the Central Government in the year 2000, including projections for such work to December 31, 2000, for the supply, transport, placing and rolling of asphalt on roads in Trinidad, and the total amount of money involved in the case of each such agency?
- (c) Would the Minister state which agency or department is responsible for monitoring and/or supervising the contracts referred to in (b) above, and how this monitoring and/or supervision is being done?

**Road Paving
(Details of)**

- 92. (a) Would the Minister provide details of the names and locations of the roads in Trinidad that have been paved by his Ministry or any state agency working on behalf of his Ministry or the Central Government during the period July 15, 2000 and September 14, 2000 and the amount spent on each road?
- (b) Would the Minister provide details on the names and locations of the roads in Trinidad that are earmarked for paving by his Ministry or any state agency working on behalf of his Ministry or the Central Government during the period September 15, 2000 to December 31, 2000 and the amounts budgeted for spending on each road?

**Asphalt Works
(Price Increases)**

- 93. (a) Would the Minister state the average percentage increase in the prices agreed to during the period July 15, 2000 and September 14, 2000 by his Ministry or any state agency working on behalf of his Ministry or the Central Government for the supply, transport, placing and rolling of asphalt on roads in Trinidad, over the prices agreed to and/or paid by his Ministry for the same work between January 1, 2000 and June 15, 2000?
- (b) Would the Minister explain the reasons why his Ministry or any state agency working on behalf of his Ministry or the Central Government has agreed to pay the increased prices referred to in (c) above?

Questions, by leave, deferred.

ARRANGEMENT OF BUSINESS

The Attorney General and Minister of Legal Affairs (Hon. Ramesh Lawrence Maharaj): Mr. Speaker, as I indicated, the Minister of the Environment would like to make a statement. I would ask that the statement to be made by the hon. Prime Minister be deferred to later in the proceedings.

Agreed to.

REPORT OF COMMITTEE ON ENFORCEMENT OF ENVIRONMENTAL LAWS

The Minister of the Environment (Dr. The Hon. Reeza Mohammed): Mr. Speaker, it gives me great pleasure to make a statement on the report prepared by the Inter-ministerial Committee to facilitate timely enforcement actions by state agencies with respect to environmental issues which was laid in this House earlier today. The Cabinet appointed committee, which produced this report, was chaired by the Acting Permanent Secretary, Ministry of the Environment and included representatives from the following state agencies:

- (a) The Environmental Management Authority;
- (b) The Ministry of Housing and Settlements (Town and Country Planning division);
- (c) The Ministry of Health (Public Health Division);
- (d) The Ministry of Agriculture, Land and Marine Resources (Forestry Division);
- (e) The Ministry of Works and Transport (Central Planning Unit);
- (f) The Ministry of the Attorney General and Legal Affairs;
- (g) The Ministry of Public Administration;
- (h) The Ministry of Labour and Co-operatives;
- (i) The Ministry of Local Government;
- (j) The Institute of Marine Affairs; and
- (k) The Interim National Physical Planning Commission.

Mr. Speaker, the establishment of this committee is indicative of Government's concern with the increasing incidence of acts, which continue to impact negatively on the environment. The consequences of such acts may in some cases not be obvious or severe. However, the cumulative costs in environmental damage and the long-term effects, such as illness, loss of biodiversity, unsustainable consumption and wanton destruction of natural resources may be considerable.

Environmental Laws
[DR. THE HON. R. MOHAMMED]

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There are two aspects to this observable trend of increasing environmental offences that are of serious concern to Government. On the one hand, many of the violations appear to be deliberate acts of non-compliance by corporate and individual citizens. On the other hand, there is an apparent lack of enforcement action by relevant state agencies. Notable examples of this undesirable state of affairs are:

- (i) siting and operations of motor vehicle scrapyards throughout Trinidad and Tobago, in particular on the nation's highways;
- (ii) illegal occupation of state lands;
- (iii) construction of unauthorised structures; and
- (iv) change of land use without planning permission.

These actions are all in contravention of the following laws of the Republic of Trinidad and Tobago:

- The Highways Act (Chap. 48:01);
- The Motor Vehicles and Road Traffic (Enforcement and Administration) Act (Chap. 48:52);
- The Litter Act (Chap. 30:52);
- The Town and Country Planning Act (Chap. 35:01);
- The Public Health Ordinance (section 70);
- Municipal Corporation Act (section 10); and
- Yellow Fever Regulations 1979 (section 9).

Mr. Speaker, Government stands resolute that this situation cannot be condoned or allowed to continue. It is therefore against this background that Cabinet by Minute No. 1404 established an Inter-ministerial Committee with the following terms of reference:

- (i) To review the existing institutional arrangements for the enforcement of environmental laws and to make recommendations for improvement;
- (ii) To identify the infrastructural requirements for facilitating effective enforcement action; and
- (iii) To identify and to make recommendations to address bottlenecks which inhibit timely and effective enforcement action.

The committee's report which was submitted to Cabinet on September 27, 2000, is wide ranging in scope and provides a comprehensive approach to addressing the problem of lack of timely enforcement action on environmental issues by relevant state agencies.

The major findings and recommendations of the committee are as follows:

1. There are over 100 pieces of legislation regulating different aspects of environmental conditions in Trinidad and Tobago;
2. The legislative framework for environmental management is fragmented, uncoordinated and encourages conflicting claims as to which piece of legislation should take precedence.
3. Often, responsibility for enforcement falls to several state agencies, and in many instances there are serious cross-jurisdictional problems related to the precise demarcation and distribution of authority among agencies.
4. Enforcement action by state agencies is generally unsatisfactory in terms of implementation, timeliness, legal requirements and promoting a high level of compliance.
5. The legislative framework with respect to certain environmental concerns is antiquated and is in urgent need of modernisation.

12.10 p.m.

6. The level of co-ordination of environmental management functions amongst these agencies is inadequate.
7. The provisions in the Environmental Management Act, No. 3 of 2000 to facilitate co-ordination amongst these agencies in exercising environmental management functions are inadequate. However, there has not been due compliance with, and implementation of, these provisions.
8. There is inordinate delay in enforcement action pursued through the courts.
9. Institutional weaknesses related to inadequate human resource capacity, absence of structured mechanisms for enforcement and deficiencies with respect to the provision of equipment and services compromise the effectiveness of the enforcement function.
10. The absence of an enforcement and compliance policy for the administration of environmental laws has resulted in a lack of equity, consistency, predictability and efficiency in enforcement action.

11. Promoting compliance is critical to successful enforcement. However, this is not accorded high priority by most of the enforcement agencies.

The recommendations of the Inter-ministerial Committee based on the above findings are as follows:

1. The Minister of the Environment be authorized to establish an Inter-Ministerial Committee comprising representatives of the Ministries of the Environment, Public Administration and Finance, Planning and Development to address the human resource and institutional weaknesses affecting enforcement agencies.
2. Structured programmes for promoting compliance should be developed and implemented by all enforcement agencies as a matter of urgency.
3. The Office of the Director of Public Prosecutions, in collaboration with the Environmental Management Authority and the Ministry of the Environment, should develop and implement training programmes in criminal procedure and relevant aspects of environmental law for attorneys and technical officers empowered to act as court prosecutors under the relevant legislation.
4. The post of Legal Officer should be created on the staff establishment of all enforcement agencies.
5. Consideration should be given to the establishment of regional administrative tribunals or by-law courts to deal specifically with environmental and related public health issues.
6. As is provided for in the Environmental Management Act, No. 3 of 2000, the Environmental Management Authority should be mandated to execute, as a matter of urgency, comprehensive memoranda of understanding with all enforcement agencies. These memoranda should detail the specific responsibilities of each agency and the manner in which such responsibilities will be discharged in areas of common interest as provided for under section 32(1) of the Environmental Management Act, No. 3 of 2000.
7. The Environmental Management Authority should be mandated to expedite the drafting of legislation subsidiary to the Environmental Management Act, No. 3 of 2000, to address remaining gaps in the legislative framework and to modernize existing environmental laws.

8. The Environmental Management Authority should give priority to the finalization of the Environmental Code.
9. The Environmental Commission should be operationalized as a matter of urgency.
10. Priority should be given to replacing the Public Health Ordinance with more up-to-date legislation and to enacting the Planning and Development of Land Bill, 2000.
11. The Environmental Management Authority in collaboration with the Ministry of the Environment should develop an enforcement and compliance policy to guide the implementation of environmental laws.
12. Rationalization of laboratory facilities of institutions within the public sector engaged in testing of samples, environmental research and monitoring; on completion of this rationalization exercise, priority should be given to upgrading at least two of the laboratories to allow for international accreditation.
13. Expansion of the project involving the use of police officers to enforce the Litter Act, Forest Act, Public Health Ordinance and Summary Offences Act, throughout Trinidad and commencement of a similar initiative in Tobago.

Mr. Speaker, Cabinet at its regular weekly meeting on October 4, 2000 considered and approved the Report of the Committee. Cabinet also agreed that the action plan contained in the report which outlines specific follow-up action to be taken by relevant state agencies, be monitored by the Cabinet appointed Technical Monitoring and Co-ordinating Committee to advise the Minister of the Environment. The Technical Monitoring and Co-ordinating Committee has also been mandated to provide monthly reports on the status of implementation of the action plan to the Minister of the Environment.

In keeping with the policy of this administration of promoting transparency and accountability in governance, our commitment to dialogue on issues of national importance and the recognition that we are all stakeholders in the environment, Cabinet agreed that this report be tabled in the Parliament.

I thank you, Mr. Speaker.

**WORKING OF PARLIAMENT
(INACCURACY OF NEWSPAPER REPORT)**

The Attorney General and Minister of Legal Affairs (Hon. Ramesh Lawrence Maharaj): Mr. Speaker, I sought your leave today to make a statement under “Personal Explanations”.

It has to do with a publication in the *Trinidad Guardian* of today's date. The headline, which has to do with the working of Parliament, was written by one Gail Alexander. In that article, the relevant parts that I want to deal with said:

“AG Maharaj said on Wednesday night the Lower House will sit today from noon (instead of the usual 1.30 p.m.) until 6 pm. It will end at that time as the United National Congress has a public meeting in South at 7.30 pm today.

If any bills are still outstanding at 6 pm today, the House will resume sitting tomorrow when the matters will be dealt with, until the fifth session of Parliament ends at midnight.

If all the Bills Government wants to handle are concluded by then, Parliament sources indicated, Parliament can be dissolved at that time and a general election can be called.

But if any Bills are still outstanding at midnight tomorrow, as is projected, then the sixth term of Parliament will be started on Monday. Parliament officials said they expected that if this takes place, both Houses will continue meeting regularly, ‘almost daily for a couple weeks until all Bills are dealt with, then the Parliament will dissolve for elections.’

Higher up in the article, it gave the impression—and I will read it—that there was an agreement by the Opposition Chief Whip about some of these matters which are mentioned here. That is totally inaccurate and I think it is my duty to state it. It said:

“Maharaj disclosed this while wrapping up another lengthy session of the Lower House on Wednesday. It ended at 10.55 p.m. He said he had spoken to People’s National Movement Chief Whip, Ken Valley, about the situation and had an agreement to meet on Saturday, if necessary.”

There was no such agreement to meet on Saturday, if necessary. I want to put on record what I said. On October 4, 2000 at 11.05 p.m., Mr. Speaker, I stated in adjourning the House:

“Mr. Speaker, I beg to move that this House do now stand adjourned to Friday, October 06, 2000 at 12 noon. The Government intends, on that date, to

debate the Integrity in Public Life (No. 2) Bill; the Constitution (Amdt.) (No. 5) Bill; the Constitution (Amdt.) (No. 6) Bill. These three Bills were the subject of a Joint Select Committee and were passed in the other place and got unanimous support in the other place. They need a specified majority.

I indicated to the Opposition Chief Whip and he indicated to me that we should finish what we have to do on Friday by 6.00 o'clock..."

So that it is quite clear that was the consensus that I was mentioning.

"...but I indicated to him that if it is not finished, we may have to sit on Saturday in order to complete it."

It was merely information to him that if we did not complete, we would have to sit on Saturday to complete it, but the consensus was that we discussed and he indicated that we should finish on Friday by 6.00 o'clock.

It is totally unfair to the Opposition Chief Whip, to his party, to the Parliament, to the Government and to me for the newspaper to print what it has printed and I thought it was my duty to mention it. I would want to read other parts of what I said:

"Mr. Speaker, we also would like to do Motion No. 4, the Senate Amendments to the Children's Authority Bill and the Senate Amendments to the Children's Community Residences, Foster Homes and Nurseries Bill. The Opposition Chief Whip was aware of what we are going to do, I indicated to him what we intended to do and he gave me that assurance."

The assurance would be what we intended to do and not the assurance that there was the consensus to sit on Saturday.

"So I would like to put it on record and to put the fact, the other options that we would have. I would also mention that if there are any other Senate Amendments from any matter that would also be included in what we are supposed to do."

The news article also gave the impression that I said until the usual 1.30 p.m., but the Opposition Chief Whip knows what was being discussed was that we were supposed to sit at an earlier time today. I discussed the matter with him and we said that we would start around midday and that we should finish by 6.00 o'clock. I merely indicated to him that if we were not finished by 6.00 o'clock, we may have to sit on Saturday.

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

ARRANGEMENT OF BUSINESS

The Attorney General and Minister of Legal Affairs (Hon. Ramesh Lawrence Maharaj): Mr. Speaker, I think we would like to do “Bills Second Reading” first. The three Bills that we would like to do are what were mentioned. When I move the Motion, we could probably do them together, Bills Nos. 1, 2 and 3.

Agreed to.

INTEGRITY IN PUBLIC LIFE (NO. 2) BILL

Order for second reading read.

The Attorney General and Minister of Legal Affairs (Hon. Ramesh Lawrence Maharaj): Mr. Speaker, I beg to move,

That a Bill to provide for the establishment of the Integrity Commission ; to make new provisions for the prevention of corruption of persons in public life by providing for public disclosure; to regulate the conduct of persons exercising public functions; to preserve and promote the integrity of public officials and institutions, and for matters incidental thereto, be now read a second time.

Mr. Speaker, in moving the second reading of this Bill, I seek the leave of the House to debate, together, the other two Bills before this House which relate to this subject of debate. They are the Constitution (Amdt.) (No. 5) Bill, 1999, and the Constitution (Amdt.) (No. 6) Bill, 1999. These are also the two Bills which were considered by the Joint Select Committee with the Integrity in Public Life (No. 2) Bill.

Question put and agreed to.

Mr. Speaker, in order to properly present these three Bills, I think it is very important for us to give a little background of the Bills to recap very briefly the history of integrity legislation in Trinidad and Tobago, bearing in mind that it has been on the national, regional and international agenda that the integrity legislation in Trinidad and Tobago did not have any teeth and if governments were serious about dealing with integrity in public life, then reforms of the law had to be effected, otherwise it would purely be a window dressing in having integrity legislation.

Mr. Speaker, Members would recall that in the Republican Constitution, there was the provision for the establishment of an integrity commission, but it was not until 1987 that integrity legislation was passed.

12.25 p.m.

In 1994, at the instance of the then Opposition, a Motion was moved in this honourable House so that there could be the undertaking for reform of integrity legislation, with a view to empowering the Integrity Commission to exercise greater control and oversight with respect to activities of persons performing governmental functions.

Mr. Speaker, I think I should also put on record that even before 1994, Members of this honourable House would recall that the Hyatali Constitution Commission, in 1987, had considered that the Integrity Commission, as it was then structured, was an effective tool in the detection of corruption, and proposed then that the commission be strengthened with the appropriate investigative and enforcement powers.

Mr. Speaker, when this administration took office, a Green Paper on this topic was published in 1995, and laid before the honourable House. It was recognized in the Green Paper that there was need to strengthen the integrity legislation and to enable the commission to exercise greater control over the financial affairs and ethical conduct of persons in public life.

In brief, the Green Paper found that the Integrity Commission had no rule-making power. It had limited power to summon persons who made declarations before it. It had no means of tracing a transfer of any increased asset, which was shown; no means to detect the divestment, by declarants, of illicit gains; no mechanism to enable the Integrity Commission to detect any conflict of interest; no means to establish standards/sanctions for ethical misconduct; and it did not exercise control over many other areas of the state service, which were very important if integrity had to be promoted in public life.

It would appear that the present 1987 Integrity Act simply established an Integrity Commission and empowered that body to review the financial declarations of certain persons in public life. Apart from that, it did virtually nothing else. Therefore, the ineffectiveness of this Act and its failure to ensure morality in public life cannot really be questioned. I think it has been recognized that drastic reforms had to be made for strengthening the integrity legislation in the country.

The Green Paper was laid in Parliament and it was published for public comment and received the attention of a joint select committee which laid its report in the House in November 1997. The three Bills which comprise the package this afternoon seek to translate, not only some of the recommendations in

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the Green Paper but, also seek to translate the views of the members of the committee and the Members of Parliament.

I am very happy to announce that, in the other place, these three Bills got the unanimous support of all sides of the Senate. That is to say, the Independent, Opposition and Government Benches. I think that is a great tribute to this country and to the Parliament; to have had such unanimous support.

If I may first deal with the Constitution (Amdt.) Bill—the Integrity Commission was established by section 138 of the Constitution of Trinidad and Tobago. The Constitution states that there shall be the establishment of an Integrity Commission with the duty of receiving declarations of assets, liabilities and income from five categories of persons namely; Members of the House of Representatives, Ministers of Government, Parliamentary Secretaries, Permanent Secretaries and Chief Technical Officers. That is what is stated in the Constitution. These are the categories of persons from whom declarations have to be taken.

Section 139 of the Constitution enables Parliament to enact legislation to deal with matters of procedure and confer such powers on the commission as are necessary for the commission to carry out the purposes of section 138. Legislation to give effect to section 138 cannot extend the ambit mentioned in 138 of the categories of persons who would be subjected to the Integrity Commission. That is why section 138 also has to be amended in order to amend the categories of persons or to enlarge the categories of persons prescribed by section 138. That explains why we must also have a Constitution (Amdt.) Bill.

Any reforms with respect to the categories of persons to be affected would need the amendment of sections 138 and 139. The amendments of these sections would facilitate the widening of the range of persons who would be required to file declarations, and over whom the Integrity Commission would have jurisdiction.

The other Constitution (Amdt.) Bill deals with the service commissions. In other words, the Integrity Commission would not have any powers of discipline over the persons who fall under the service commissions. Therefore, if disciplinary action has to be taken for unethical conduct or even for unlawful conduct, it would mean that the sections dealing with the service commissions would also have to be amended in order to be able to effect the necessary reforms.

There were reforms which had been suggested to the effect that if one wants to deal with integrity in public life, although there would be different kinds of ways in dealing with this situation, public officers who fall under these commissions must be able to be disciplined, and there must be some ways and

means whereby a code of ethics could be enforced against them. That explains why we must have those two Bills to amend the Constitution.

Since the two Bills to amend the Constitution, and this Bill, require a different number of Members for the specified majority, it was necessary to have the three Bills instead of having the two Bills or one Bill.

That will explain why we have these three Bills. I will now deal with the Integrity in Public Life (No. 2) Bill. As one sees, the Integrity in Public Life (No. 2) Bill is virtually a new Bill on integrity and it will put an end to the life of the other Bill. It also needs a specified majority. What this Bill would do, and what I would try to do is to say exactly what was in the original Bill, and deal with some of the amendments which have been made.

12.35 p.m.

Mr. Speaker, whilst it would be correct to say that the main thrust of the new legislation would be like what is under the 1987 Act, which would be the submission, filing and monitoring of financial declarations with respect to the persons who are prescribed to be dealt with under the Bill, it would be correct to say that the Bill gives more teeth to the legislation. As we would see, in relation to the matters which have to be done when one deals with the question of conflict of interest, even on the basis of the amendment a declaration required under this Act shall include such particulars, as are known to the declarant, of the income, assets and liabilities of himself, his spouse and his dependent children.

So one would see that it is much wider and obviously the rationale for this, Mr. Speaker, is that it has to do with the question of, if one wants integrity legislation to be effective it must also cover a situation in which the commission would know the assets and liabilities of persons who are close to the declarant, because it is said that one of the things persons can do is put property and assets in the names of spouses and dependents. So that this is an instance in which it would be widening the scope of the integrity commission by, in effect, making the declaration that the declarant has to cover not only himself but other persons.

Mr. Speaker, under this Bill there would also be a Register of Interests. One would therefore see in clause 14:

- (1) A person in public life shall file with his declaration under section 11, an additional statement of registrable interests in the prescribed form which shall contain the information required by subsection (3).

(2) The Registrar of the Commission shall compile and cause to be entered in a Register of Interests, all information furnished pursuant to subsection (1) and shall at the request of any member of the public, permit the inspection of such Register.

(3) A statement of registrable interests filed under subsection (1) shall contain information relating to a person in public life in respect of—

- (a) particulars of any directorships held in any company or other corporate body;
- (b) particulars of any contract with the State;
- (c) the name or description of any company, partnership or association in which the person is an investor;
- (d) a concise description of any trust to which the person is a beneficiary or trustee;
- (e) beneficial interests held in any land;
- (f) any fund to which contributions are made;
- (g) particulars of any political, trade or professional association to which the person belongs;
- (h) particulars relating to sources of income; and
- (i) any other substantial interest whether of a pecuniary nature or not, which he considers may appear to raise a material conflict between his private interests and his public duty.

(4) A person in public life shall notify the Registrar of any changes which may occur in his registrable interests, within six weeks of such change occurring.

(5) Nothing in this section shall be taken to require disclosure of the actual amount or extent of any financial benefit, contribution or interests.”

So one sees, therefore, in clause 14, the additional powers which have been given under this new Bill.

Mr. Speaker, it is interesting also to see that under clause 5 of the Bill the powers of the Integrity Commission are being enhanced. So apart from carrying out the functions under the Act, receiving and examining declarations and making such enquiries as it considers necessary in order to verify and determine the accuracy of a declaration filed, the commission's powers would be to compile and

maintain a register of interests, to receive and investigate complaints regarding any alleged breaches of this Act or the commission of any suspected offence under the Prevention of Corruption Act.

So here it is, Mr. Speaker, the Integrity Commission will now have the power to receive and investigate complaints regarding any alleged breaches of Acts or in respect of any suspected offence under the Prevention of Corruption Act. So, Mr. Speaker, this is another way in which we could deal, and it is intended to deal, with allegations of corruption against a government or a minister, and the commission would have the power to investigate the conduct of any person falling under the purview of the commission which, in the opinion of the commission, may be considered dishonest or conducive to corruption.

So where, before, the Integrity Commission merely could have only received these declarations and filed them and probably sought to get some explanation with no powers or no teeth to enforce the integrity legislation, to really investigate—as people said it was like a dragon without fire—now under these measures we are giving the Integrity Commission the power to receive complaints from the public, investigate the complaints, investigate matters even if they offend the criminal law and then obviously, in doing that, we would see they would get the assistance of the police in that investigation and to consider whether any person is dishonest or conducive to corruption.

Mr. Speaker, the commission will also examine the practices and procedures of public bodies in order to facilitate the discovery of corrupt practices. So the commission will have the power to investigate the practices and the procedures at the Airports Authority, at the Ministry, InnCogen, the Ministry of Public Utilities, and any other public body. So if anybody makes any allegation, and it involves a public body, the integrity commission will have the power to examine and to determine the procedures and to determine if they are corrupt, if they are irregular, if there is a conflict of interest, to instruct and advise and assist the heads of public bodies on changes in practices or procedures which may be necessary to reduce the occurrence of corrupt practices. So here action is being taken so that the Integrity Commission would have the teeth, would have the firepower in order to do its job.

It shall have the power to carry out programmes of public education intended to foster an understanding of standards of integrity. Well, I think this is very important because corruption cannot be dealt with solely by just detecting and imprisoning people or prosecuting them. In order to be able to promote anti-corruption tendencies and morality in public life, there must be public

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education—education in the schools, to the public—showing how important it is not to be corrupt, not to be dishonest so that the public will be educated and it will become part of the psyche of the population. The commission will perform such other functions and exercise such powers as are required by the Act.

Mr. Speaker, you would see that the commission, under the new amendments, would also have the power to authorize investigations, summon witnesses, require the production of any reports, documents or other relevant information and do all such things as it considers necessary or expedient for the purpose of carrying out its functions. One would see also that in clause 9, in respect of investigating officers, the President will have the power to create such different grades of investigating officers as is considered necessary.

Then one sees that the commission shall appoint or employ on such terms and conditions as it thinks fit any such officers or employees as it thinks necessary for the proper carrying out of its functions under the Act. The appropriate Service Commission may approve the transfer of any officer in the public service to any office within the commission and any public officer so transferred shall, in relation to gratuity, pension or other allowances be treated as continuing in the service of the government. So, Mr. Speaker, one sees from the amendments—and may I say that these amendments have been done on the basis that they are subjected to the widest possible consultation and, in effect, the widest possible attempt was made to get consensus in the matter.

The original Bill had the question of a public disclosure statement but, having regard to what has been recommended, that is no longer there. If one looks at the amendments one would see that under clause 31 the commission shall report any breach of that part of the Act to the appropriate House of Parliament, Service Commission or other Authority and to the Director of Public Prosecutions setting out the details as it thinks fit. So the commission would have the power to take steps to report these matters if it considers that the criminal law was breached.

Dealing with the power of investigation in Part V of the Bill which has been amended:

“A member of the public who wishes to allege or make complaint that a person in public life or any person exercising a public function—

- (a) is in contravention of this Act; or,
- (b) in relation to the Register of Interests, has a conflict of interests, or

- (c) is committing or has committed an offence under the Prevention of Corruption Act,

may do so in writing to the Commission.

- (2) Any person who knowingly and mischievously makes or causes to be made a false report...

There is a fine for that. That was amended in the other place on the request of the Opposition—a very good proposal, Mr. Speaker. That was amended in order to ensure that people who make genuine complaints are not discouraged from doing that.

The Commission—that is the Integrity Commission—

- “(a) May on its own initiative; or

- (b) Shall upon the complaint of any member of the public,

consider and enquire into any alleged breaches of the Act or any allegations of corrupt or dishonest conduct.

- 34(1) In carrying out the functions under...

this Act:

“...the Commission may—

- (a) authorise an investigating officer to conduct an enquiry into any alleged or suspected offence;

- (b) require any person in writing to produce, within a specified time...any other documents relating to the functions of any public or private body;

- (c) require any person, within a specified time, to provide any information or to answer any question which the Commission considers necessary in connection with any inquiry or investigation which the Commission is empowered to conduct under this Act;

- (d) require that any facts, matters or documents relating to the allegations or breach be verified or otherwise ascertained by oral examination of the person making the complaint;

- (d) cause any witness to be summoned and examined upon oath.

Where, in the course of any enquiry the Commission is satisfied that there is a need to further expedite its investigations, it may exercise the following powers:

- (a) require any person to furnish a statement in writing—
 - (i) enumerating all movable or immovable property belonging to or possessed by him in Trinidad and Tobago or elsewhere, or held in trust for him, and specifying the date on which each such property was acquired and the consideration paid therefore, and explaining whether it was acquired by way of purchase, gift, inheritance or otherwise;
 - (ii) specifying any monies or other property acquired in Trinidad and Tobago or elsewhere or sent out of Trinidad and Tobago by him or on his behalf during a specified period.”

So, Mr. Speaker, I am taking the trouble to read this in order to show the kind of powers which have been given to the Integrity Commission in order to investigate corruption, conflict of interest or any breaches under the Integrity Act.

“(b) require any person to furnish, notwithstanding the provisions of any other written law to the contrary, all information in his possession relating to the affairs of any suspected person being investigated and to produce or furnish any document or true copy of any document relating to the person under investigation and which is in the possession or under the control of the person required to furnish the information:”

12.50 p.m.

- (c) “Require the manager of any bank or financial institution, in addition to furnishing information specified in paragraph (b), to furnish any information or certified copies, of the accounts or the statement of accounts at the bank or financial institution of any person being investigated.”

Where there was criticism before, that the Integrity Commission did not have teeth, that the law did not give them the powers and the attempts which we have made here, in order to try and improve the law, after it went to a Joint Select Committee and was subject to that scrutiny, it was thought that the Bills should be amended and, in its form, should not go forward. What the Government did is that it considered every submission which was made by Members of Parliament in these debates.

The Law Commission put it on a tabulated form and instead of the Bills just lapsing, what we did, is that the report required the Attorney General to take the

concerns of the Committee into consideration, and then we got the Bills amended to satisfy the concerns of the Members of Parliament.

The Special Select Committee report stated at page 3:

“Your committee recommends that the Attorney General and Minister of Legal Affairs takes the concerns expressed by a committee into consideration...”

As I would show, all the concerns were taken into account and we were able to expedite the process to get the amendments done so that the work of the Parliament would not have been wasted.

When the Bills were before the Senate, there were concerns which were raised and during the debate several concerns were raised and recommendations were made on both sides as to how the Bills could be improved. It became evident during the debate that the integrity legislation was viewed as having a dual purpose. Members felt that such legislation should not only deal with standards of conduct and conflict of interest but it should, in addition, provide anti-corruption measures and the wherewithal for fighting corruption. It was also felt that the most satisfactory means by which the public may be able to detect whether a conflict of interest does exist, would be by the establishment of a register of interest and not by the mere filing of a declaration and the issuance of a disclosure statement.

So that what would happen under this Bill, is that there would be a register of interest if the Bill is passed and persons who are subjected to having to file the declaration, the members of the public can inspect that to see, in relation to any transaction or any matter—when I say, members of the public, I mean members of the media—would be able to see whether any conflict of interest arises so that there would be openness and transparency.

Other matters raised during the debate revolved around the questions of the exclusion of Senators from the purview of the legislation. The declaration of family assets; whether persons appointed by the Judicial and Legal Service Commission should fall under the scrutiny of the integrity legislation and, obviously, the need to give more teeth to the legislation. The major criticisms leveled against these Bills were that there were no effective provisions for investigating and monitoring corruption. That now, has been dealt with by the amendments which have been given.

It would be observed that the Select Committee Report has also talked about that. So it is an attempt to address these concerns that these amendments have been made. That is why provision is made for the appointment of investigating

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officers and the Commission would be empowered under Clause 9, to employ such persons as may be necessary for carrying out these functions. The Commission has very wide powers and they can access information, call for documents; and heavy penalties are imposed for failure to comply. Very serious criticisms are levelled against the original Bill for not having these powers.

In respect of the identity of members of the public, who give information and the powers of the police and the Director of Public Prosecutions, to investigate and prosecute corruption, this calls for the implementation of whistle-blower legislation. May I say that we have drafted that legislation which would form part of the new Prevention of Corruption Act, which the Government intends to introduce in the new session of Parliament when it begins on Monday. There will be persons who give information about corruption. Their identity would be protected and they can also be part of the justice protection programme.

I would just like to refer to the report and to show how we have dealt with the matter. The Committee recommended in the report that the Bill should not be further proceeded with and wished to report that it did not make any amendments but has stated the following areas that caused a great deal of concern. When the Select Committee of the Senate looked at these three Bills, they were of the view that the Bill should not be proceeded with in their form, and they said that they would not like to make any amendments but that the Committee would like to express concern about these Bills. I am going to read the concerns and I have already shown how these concerns have been addressed, but I am going to pinpoint them further.

One, the concern was security of the identity of members of the public who give information—but I have mentioned about how we have addressed that and we intend to have special legislation dealing with whistle blower situation protection.

In respect of the concern raised in numbers two and three, the second concern is how information received from the public should be dealt with; the screening and shifting process; the standard of criteria for the initiation of an enquiry. The fourth concern is how enquiries are to be dealt with. In respect of that information relating to the manner in which information is screened and the criteria to be used for the initiation of enquiry, that would be dealt with by regulations and this is provided in the list of amendments that have been made in the new clause 40. So in the new clause 40 of the Bill, one would see those amendments.

The amendments have been proposed to accommodate the register of interest, which was called for during the debate and also for the commission to investigate individuals. It says:

“The power of the Commission to make request for external Governments to provide information from bank records and accounts of local persons in foreign territories; the lack of power of the police and the DPP to access persons income tax returns, bank accounts and new accounts; availability and access of funds for investigation which should be carried out by experts to operate both in Trinidad and Tobago and abroad. The application of sanctions in cases where persons who have been requested to provide information in accordance with the provision of the integrity legislation fail to provide that information; and the ability of the police or any other authority to deal with high level corruption which may need forensic expertise.”

1.00 p.m.

Mr. Speaker, with respect to the amendments which we have provided, therefore, to the Senate, they said that the Bill should not be proceeded with unless the Government looked at their concern. Therefore, instead of the Bills lapsing, we decided to do the necessary amendments and go to Senate again. The Bills were recommitted to the Senate and when they were discussed there, as I said, the Senators who were present, Opposition, Independent and Government, were unanimously in support of the measure.

I want to say, in addition, that it is recognized that one of the ways in which countries cannot deal with corruption is if there is the absence of legal machinery. That is why these amendments are necessary to provide the machinery for greater investigation. I take the point also that our corruption laws are outdated and they are linked to what is happening with respect to the reform of the integrity legislation. What we did is that we were working hand in hand; we were waiting to see what would happen with these pieces of legislation.

The Law Commission under this administration did a paper on strengthening the corruption laws. As I said, an anti-corruption Bill, a new Bill, dealing with criminal matters, would, in effect, be introduced on Monday. The Bill would set up an anti-corruption agency in which the police and the Director of Public Prosecutions would be given all the necessary resources and the anti-corruption agency would have the powers to look and see whether there is, what is called, illicit enrichment. That is to say, there are situations where you may not have evidence that a person is corrupt, but if, for example, one sees that a person in public office suddenly becomes rich; he has a motor car, house, shares, jewellery, many things, that would be a situation where questions could be asked. If he cannot give an appropriate answer there would be a presumption that he or she is corrupt and the court can use that presumption as the basis of evidence.

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Mr. Speaker, these are new offences which Trinidad and Tobago agreed to have as part of its laws, because in 1997, as Attorney General, I recommended that we accede to the Inter-American Convention on anti-corruption and also the Lima Declaration on corruption. These two conventions require us to have these kinds of laws in order to detect corruption.

The new law would also give protection to whistle blowers, that is to say, persons who expose corruption, to protect their identity and to ensure that they are not victimized or they are not subjected to any other form of injustice or pressure.

Mr. Speaker, apart from passing laws, the police service has to be equipped, as the select committee recognized, and given the resources, and it has to be provided with the necessary forensic assistance. As this country knows, having regard to the allegations which have been made by the Opposition and having regard to the concerns which have been raised, the police has set up an anti-corruption squad which is headed by a very distinguished person. The police has available to it a gentleman of international repute as a forensic expert, Mr. Bob Linquist who in 1988 to 1990 was retained by the NAR administration to check on public corruption. He conducted an investigation of alleged bribery of government ministers and a paper trail was developed by him and he located people who assisted him and he brought to light transactions as old as 1968. In July of 1990, the government, through a law firm, recovered \$7 million. The case represented the first time a foreign country was successful in any action of bribery against a US company in US courts.

So we have Mr. Bob Linquist with this anti-corruption squad. May I say that the allegations which have been raised: the Airports Authority, the InnCogen transaction, the Desalination Plant, the allegations of Sen. Montano in which he said some Minister has \$12 million, and all the allegations of corruption made against municipalities in this House, those have been sent. Additionally, there have been complaints made to me against some boards and members of boards and I intend to send all of that to the anti-corruption squad. As we know in Trinidad and Tobago, the laws state that Ministers do not investigate, police investigate.

Miss Nicholson: Too late!

Hon. R. L. Maharaj: So here it is, the Parliament is not only getting an opportunity to provide the legal infrastructure, but there is action being taken in order to provide the machinery and actually investigate these matters. The Opposition Chief Whip has indicated to me that he has a little problem with one or two areas because it seems as though there were errors in the other place. I did

indicate to him that I could not look at it at that time, but I want to give him the assurance that if there is an error we would check with the draft persons, and we give the undertaking that if the Opposition supports the Bill we would have an amendment filed by Monday so that the work on the Bills would not be a waste of time.

Mr. Speaker, I beg to move.

Question proposed.

Mr. Speaker: May I just add, for the avoidance of doubt, that in discussing this Bill it is quite proper for the inclusion of Bills Nos. 2 and 3 on the Order Paper at the same time.

Mr. Kenneth Valley (*Diego Martin Central*): Mr. Speaker, if any citizen of Trinidad and Tobago had any doubt concerning the lack of priority that this Government places on integrity in public life, I think what is happening today would put that doubt to rest.

We are on the last day of the fifth session of Parliament. Normally, Parliament would only have five sessions, but, again, this is something new that we are hearing from this Government, that there would be a sixth session of Parliament. Here we are, the last day of the fifth session of Parliament, talking about integrity in public life. After five years of corruption this Bill came to us on Wednesday from the other place, and the Member for Couva South now tells us that there was a committee studying this and so on.

I need to remind the House that it was on July 30, 1996 that the Joint Select Committee met for the first time to consider the Green Paper on integrity legislation; July 30, 1996. The life of that committee lapsed when the Parliament was prorogued in 1996. Then, of course, a new committee was appointed in February 1997, and that committee reported in November 1997.

I think we should note the date, July 30, 1996, because you would recall that that was the same day that while the Minister of Trade and Industry, the Member for St. Joseph, was convening a committee—you were at that committee, Mr. Speaker, you chaired the meeting and the meeting elected the Member for St. Joseph as the Chairman of that committee. While the committee was there doing its work, the Minister of Finance—the same day, July 30, 1996—was writing the Prime Minister informing him that based on some conversation they had last week after Cabinet, he was going to visit Birk Hillman, unofficially—secret, private meeting—because he understood Birk Hillman, whom, of course, he knew for quite some time, had some knowledge of construction. And the rest is history. But

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here you have a committee established since July 1996, or a committee that has reported since November 1997, and the legislation is now coming to the Parliament.

The Government may claim that it had a busy legislative agenda. We hear that from time to time, that from day one there had been complaints that it is working too hard. Let us review the record, because in the last two weeks we have seen a flurry of activity. No longer any daughter has to get married; no longer has he got to run away to England, to Malaysia and all these places. He is here in Trinidad so we are meeting 2.00 a.m., 3.00 a.m. and what have you. As I am on that, let me correct another matter.

The last PNM government—according to my recollection—there was one occasion, and that was simply to facilitate the Opposition at that time, when they brought a no-confidence Motion against the Government, we considered it extremely important, we brought the matter forward and discussed the issue and we went through the night. That was the only occasion that we went through the night. We went until the next morning. In some cases for budget debates, we have seen it; the first budget we went, I think, until 8 o'clock the next morning. We are not complaining, we have been elected to Parliament to do the people's business. If they want to meet Sunday, Monday, Tuesday, Wednesday, or whatever time, we are here to do the people's business.

1.15 p.m.

What we say however, is that when you get five sessions of the Parliament then you must close the Parliament. Do not hide in the Parliament. Let us go out on the street and meet the people because there people want you to account for what you have done over the five-year period. *[Desk thumping]* That is why we are saying that now you are coming to the end of the Fifth Session of the Parliament, let us go out there, let us meet the people, let us account to the people.

Mr. Speaker, let us look at their records. In 1994—1995, the last session of the PNM Parliament 47 Acts were passed; 1995—1996, their first session, 35 Acts; 1996—1997, 34; 1997—1998, 18.

Dr. Job: You said 37 Acts, were laid, should you not say Bills?

Mr. K. Valley: Thirty-seven Acts were passed, 37 Bills assented to. In 1994—1995, 47; 1995—1996, 35; 1996—1997, 34; 1997—1998, 18; 1998—1999, 20 and to date 32 Bills have been assented to. Understand, that is against 47 in the last session of the PNM's life. Remember that in that last session we did not go to the end of the session, the election was called, and that is the performance.

When you look at the Bills they brought you would see they were one-liners, two-liners against the critical legislation.

I want to give you an indication of some of the legislation passed in the last session by the PNM. This as an example, because in this last two weeks we are seeing the flurry of activity because election is in the air. They have not been doing anything for five years and suddenly they are busy now. The Venture Capital (Amdt) Act; the Central Bank (Amdt.) Act; Regional Health Authority (Amdt) Act; Trinidad and Tobago Electricity Commission; BWIA Vesting Order; Environmental Management Act; Tourism and Industrial Development Company Vesting Act; Agricultural Development Bank (Amdt) Act; Anti-Dumping and Countervailing Duties, under the type of legislation. The Companies Act of 1995; Securities Industries Act, Trinidad and Tobago Free Zone (Amdt.) Act. Have we seen anything of the like in this period? So that we have to debunk this idea, this concept, this notion, that they have been busy for the whole five-year period. They have been gallerying, they have been running hither thither, they have been emptying the Treasury.

When we look at the Committee's report, the first thing we notice is that the report was unanimous. I was a Member of that Committee, with my colleague, the Member for Arouca South as well as Sen. Nafeesa Mohammed and you would see our signatures on the report. This was in November, 1997. Much has happened since, and I wonder whether we ought not to consider some of the issues since the committee's report in November 1997 and ensure that a Bill dealing with Integrity in Public Life has sufficient depth to cover it.

Mr. Speaker, in February 1998, we had the first crossing of the floor. Rumours are that there was inducement. Does this Bill cover that? If a Member is induced after being elected to the Parliament to cross the floor, should that be covered with a Bill dealing with Integrity in Public Life? Should it? Look at what has happened in Peru. Should that be covered? Yesterday, I got a call that a particular candidate running in this election received a \$3 million inducement. Mr. Speaker, should we make provision in a bill dealing with integrity in public life to cover that? Let us understand what is happening.

Mr. Speaker, the Government, I understand, is about to give a former teacher of mine, a person who taught me for one term, but he tells everybody he was my teacher, no problem. Anybody who wants to take fame, that is fine, he taught me. I understand they were about to give a former teacher of mine a gas station at Piarco without any tender. How do we cover that in the integrity legislation? Should it be covered? I do not know. Should it be? Since the Committee reported

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in 1997 we have had the situation with the Airports Authority and I draw your attention to clause 29 of the Bill which says:

29 (1) "For the purposes of this Act, a conflict of interest is deemed to arise if a person in public life or any person exercising a public function were to make or participate in the making of a decision in the execution of his office and at the same time knows or ought reasonably to have known, that in the making of the decision, there is an opportunity either directly or indirectly to further his private interest or that of a member of his family or of any other person."

Mr. Speaker, the Airports Authority. The Minister spoke with Birk Hillman; the chairman of Tidco at that time—the Deyalsingh Report reported—sat on the committee that selected Birk Hillman, voted for Birk Hillman to get the contract, Birk Hillman comes around and awards a company of which the former chairman of Tidco is either 100 per cent shareholder or majority shareholder in the contract.

Mr. Speaker, is that caught under this legislation? We have to remember that we are now bringing legislation to deal with integrity in public life when the horses have all bolted from the stable, and that is what it is. It is not going to deal with the corruption that we have seen in Trinidad and Tobago, or the perception we have had over the last five years. How is it going to deal with that situation? *[Interruption]* The Gods also are mad at your behaviour. The earthquake and the storm, the creator is simply saying if—God forbid—the people of Trinidad and Tobago were to make the mistake and put you back this is what you are going to get. It is just a warning. It is just showing you what can happen if the people of Trinidad and Tobago—but they would not, they are just waiting to vote you out. That is why you do not want to call the election. You are hiding in the Parliament but as a fact, you can run but you cannot hide.

The former chairman of Tidco is no longer a person in public life. He has resigned his chairmanship so he is not caught under this legislation, so he is off scot-free. He is finding moneys to give Carville and poor Carville takes the money and says he is an amazing man. After doing all of this for over five years he wants me somehow to tell the people of Trinidad and Tobago that those things did not happen so he takes the money and goes back to the United States of America laughing, leaving them. The faster you all get rid of that guy who calls himself Rodney Charles the better you all would be, but that is your business.

Mr. Speaker, the Maritime Affair. How will this Bill, Integrity in Public Life, deal with the perception of corruption that surrounds that Maritime affair? The

payment of some \$69 million for thin air. A whole package of lapsed policies that the actuary says the excess will fall to us. The Member for Barataria/San Juan and I as Members on the Committee were amazed. The excess would fall to surplus and that is when it was \$52 million. They increased it to \$69 million. How will this Bill deal with that, Mr. Speaker? Another horse bolted.

We are here on the last day of the Fifth Session of Parliament trying to fool the people of Trinidad and Tobago. [*Desk thumping*] We were talking about this since July 30, 1996 and it now comes here.

1.30 p.m.

Mr. Speaker, what about the National Flour Mills matter? Will this Bill help us get our rice back from Brazil or wherever it is? Another horse has bolted! The Chief Executive Officer is somewhere in London; will this Bill be able to deal with him? Another horse somewhere in London—as I talk about London I understand there are about how many houses in London? One or two! Will this Bill be able to track it down? What about the Soodhoo Report? The Prime Minister talks about his Government investigating every issue of corruption. I mean that is a joke! I sat here and the Member sat there and the Minister of Energy and Energy Industries brought the report for the Member for Couva South and he looks at it and says if the Member really expects him to read this and he puts it aside. The Member never came to the Parliament—

[Mr. Valley was about to take his seat]

Mr. Speaker: Just finish the sentence.

Mr. K. Valley: Will this Bill be able to deal with that issue?

Mr. Speaker: Hon. Members, the sitting is suspended for one hour for lunch.

1.32 p.m.: *Sitting suspended.*

2.30 p.m.: *Sitting resumed.*

Mr. K. Valley: Mr. Speaker, when we took the lunch break I was at the point suggesting that we may need to have further amendments to this legislation to deal with happenings since the report of the committee. I have listed two or three of those occurrences and I was making the point that the Soodhoo matter is one, or situations such as that should be provided for in integrity legislation. While there as a committee looking into that matter—there were two big volumes—the Parliament on a motion made by the hon. Prime Minister established a committee to look into the matter. In accordance with the parliamentary system the report

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should have been laid in this House. That has not been done and we are still no wiser concerning that matter.

Mr. Speaker, then there was the matter of the \$200 million NP development gas station expansion with all types of insinuations and allegations that are not covered, or situations like that are not covered under this legislation. And one can go on and on. The InnCogen matter was debated in this House and the Prime Minister was implicated in that matter but we did not hear a word from him during the debate. Now, given that this legislation is coming today, can we go back and look into that InnCogen matter? We do not even know what Members, in fact, declared when they came into office and what they would be declaring when they leave office. It would be rather interesting to see some of those declarations.

Mr. Speaker, I want to point you to clause 2 of the Bill on page 6; under definition it says:

“In this Act

‘assets’ means all property, including money, beneficially held in
Trinidad and Tobago or elsewhere and all rights and benefits
enjoyed on a continuing basis;”

Mr. Speaker, that seems to suggest that if one were to arrange a transaction such that one would receive an annuity over the life of the transaction—over a 30-year period in the transaction—that must be included as part of one’s assets in the declaration to be filed by the commission.

2.35 p.m.

Now, the question is: How is that to be brought into one's assets? Is it going to be on some present value basis? If so, what rate of interest are we going to assume? Are we going to simply sum the amounts to be received? I ask these questions, because on that InnCogen matter the Government directed the Trinidad and Tobago Electricity Commission to award a 30-year contract to Narinesingh and his friends, or to put it another way, the Prime Minister's friend, Narinesingh, and some of his colleagues, and there are allegations that a person or persons would be receiving income on a continuing basis over that 30-year period. Will that form part of the assets of the person or those persons and, on what basis? How is that covered here, Mr. Speaker?

So that while the committee spent a long time considering the issue of integrity and making arrangements to protect the society against corruption by public officers, we were concerned with the situation as we knew it then and what we expected, given our understanding of the norms of behaviour in Trinidad and Tobago at that time. Since that time, however, norms seem to be changing. Therefore, there is need to have additional protection for the benefit of the society. In other words, in the public interest, Mr. Speaker.

The Member for Couva South informs us that given the amendments, the Airports Authority can be investigated. I am saying that is not so, given that some of the main players are not persons in public life as defined in this Bill.

I want to examine a few clauses in this Bill and I will just quickly go through the Bill. I have mentioned the first one already, that is, the issue of assets and how they will be defined.

Secondly, Mr. Speaker, again under the definition of "income", it says:

"'income' means all income, from whatever source derived acquired in or out of Trinidad and Tobago, whether directly or indirectly..."

My query here is: What happens if that income is paid to a company that is owned solely, or by majority, by one individual? The concept of "indirectly" there, does it take it in, or ought we to make it clear that if one owns a company that receives income from a corrupt source, that also is deemed to have been received by the individual? I think we need some clarification to make sure that is so.

One other small issue that we may have missed at the committee stage—clause 4 of the Bill establishes the Integrity Commission and it says in subclause (1) that the Commission's members:

"...shall be persons of integrity and high standing."

Those are very nice words, Mr. Speaker.

"...persons of integrity and high standing."

I have just had the privilege of listening to a tape that caused me to wonder what yardstick one is going to use to determine who are:

"...persons of integrity and high standing."

Do you know, Mr. Speaker? It is not defined anywhere. I am aware that the Commission is to be appointed by the President, after consultation with the Prime Minister and the Leader of the Opposition. But, if these persons, the commissioners,

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are to receive declarations by persons in public life, would they also be required to file declarations? Should they file declarations to the President?

Miss Nicholson: Certainly.

Mr. K. Valley: What assurance do we have? Simply by how they look, or how they walk? What assurance would we have that, in fact, the persons so chosen are, in fact, persons of integrity and high standing? What assurance would the President have unless the commissioners, also, were to file declarations to the President? The question is really: Who will guard the guards, Mr. Speaker?

The other issue is on clause 8(b) of the Bill which talks about a member deemed to have resigned from the commission if he were to be absent.

"...from three consecutive meetings of the Commission..."

But, nowhere in the Bill does it say how often the commission ought to meet. I do not know whether I have missed it, but nowhere in this Bill does it say that the commission ought to meet once a year, twice a year, three times a year, or what have you; how meetings are to be called or simple things like that. I do not know how that clause is going to be effected.

Issue number five, Mr. Speaker, concerns what I would call the real boo-boo in the legislation which may, in fact, cause this legislation to lapse. I think this is what Sen. Daly had in mind when, in the other place, he made the point that perhaps we were rushing legislation and, therefore, things may slip through, given that there is insufficient time to consider the legislation carefully.

Mr. Speaker, if you look at page 12, clause 12 of the legislation, an amendment was approved in the Senate deleting subclause (1) and substituting another subclause (1) but then it went on and said:

"Renumber subclauses (2) to (4) as (3) to (5) and insert after subclause (12)..."

I take that to be a typo. There is no subclause (12). I assume that is after subclause (1):

"...the following:"

Mr. Speaker, before I continue, I think we ought to note that in the Bill, there are five subclauses. This amendment, therefore, is asking us to renumber subclauses (2) to (4) as (3) to (5) and it says nothing about the original (5) in the Bill on page 13, so one is unaware of what is going to happen with subclause (5) in the original Bill. But, more than that, Mr. Speaker, it says:

"...insert a new subclause (2)"

The new subclause (2) simply repeats what the original subclause (2) said, which is now to be renumbered as subclause (3). So that the whole of clause 12 is all mixed up and, obviously, there needs to be cleaning up which will require this Bill returning to the Senate sometime before midnight tomorrow, otherwise this Bill would lapse, obviously. But that is what happens when one attempts to rush important legislation, simply to say they have done something on this matter.

As I am on that, Mr. Speaker, I come back to the point, because at the break I got some additional information with respect to this Government. I made a point with respect to legislation passed. I want to spend a minute or two with respect to the breaks or recesses that we were on from time to time. I have before me the parliamentary record for breaks/recesses. It goes back to 1981. I will just go through it rather quickly.

For the period 1992—1995, up to, in other words, the PNM's term in office. Over that period, the breaks were 23 weeks, for the three years and 10 months—some 23 weeks. Would you believe, Mr. Speaker, for the period since the Government came in, from the first sitting of the Parliament in 1995—27/11/1995—to the end of the last session of Parliament in 1999, we were on breaks and recesses for 46 weeks—almost one year. I do not have the information for October 8 of last year to the current time. As a matter of fact, the information here is up to May 14, 1999—46 weeks.

So that for almost one year, the Parliament was not sitting and, lo and behold, in the last two weeks, we are sitting as nobody's business. Suddenly, there is action. Too little, too late, Mr. Speaker.

Now the issue is, given that we are trying to rush this Bill, given that there is a major problem with clause 12, given that we are not covering situations which arose after the committee looked at the issue of integrity, the question is: Do we have sufficient time to do the amendments?

2.50 p.m.

I think most of us would agree that we needed a strengthened integrity legislation Bill. Should we pass this Bill as it is? Is it merely a sham for the election or, perhaps, to allow the Government to make the claim that it has satisfied the major precondition established by the Opposition for getting their salary increase? Is that what it is, Mr. Speaker?

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You would recall that, in the response of the Leader of the Opposition, it was stated quite clearly that there ought to be no salary increase until we have strengthened integrity legislation. Is that what it is about? Is it merely to say we have satisfied that precondition, so that now we are going out, we can get our “backpay” or what have you? That is the position we in the Opposition are in. While we want integrity legislation, we know it, should we pass this legislation knowing that one of our first acts in the new term would be to amend, suitably, this legislation? Perhaps, making it even retroactive to 1996, so that we can capture some of the important issues, that we can bring back CEOs who are now in London or what have you?

This Bill requires a special majority, and on the balance of the evidence, I want to suggest to the hon. Attorney General—since they are already bold enough to go for a Sixth Session of Parliament—to have this Bill suitably amended and bring it back as a matter of priority on Monday, Tuesday, Wednesday, Thursday, Saturday, or even Sunday of next week: to ensure that those who cannot stay away from the public purse would be dealt with adequately.

Most importantly, Mr. Speaker, I want to repeat that any Bill dealing with integrity in public life must deal with the issue of inducement to Members of Parliament to act arbitrarily with the suffrage of the people. One cannot, in an enlightened democracy, stand for a Parliament under one party symbol and no sooner the people put their confidence in you and vote for that party, you take that mandate, because of some inducement, and go on the other side.

Similarly, there must be some clause in any bill dealing with integrity, to protect the public against those who may accept inducement and those who may offer inducement to persons to stand for a particular, or any, political party. If we are talking about integrity, we need to be serious.

We believe that this issue is too important to be rushed through this Parliament on the last day of the last session of the Parliament. The Government did not do it in 1996, 1997, 1998, 1999 or the whole of 2000. This is the last day of the session. Even if the Attorney General wants us to work over the weekend, let us ensure that there are clauses in this Bill—one can see in the Senate there are 12 pages of amendments.

As you know, we got this Bill on Wednesday, today is Friday. We need some time to ensure that we get it correct. Airport Authority, Soodhoo, and InnCogen must be covered. We need to ensure that, Mr. Speaker.

I thank you. [*Desk thumping*]

The Minister of Trade & Industry and Minister of Consumer Affairs (Hon. Mervyn Assam): Mr. Speaker, thank you for giving me an opportunity to join in this debate on a Bill to provide for the establishment of the Integrity Commission; to make new provisions for the prevention of corruption of persons in public life by providing for public disclosure; to regulate the conduct of persons exercising public functions; to preserve and promote the integrity of public officials and institutions, and for matters incidental thereto.

I think I have some kind of *locus standi* in entering into this debate, because, as you are aware of the chronology of this piece of legislation, I was named chairman of a joint select committee of Parliament in 1997, to study the existing legislation, and other recommendations and documents, pertaining to integrity in public life.

The joint select committee comprised both Members of this House: Opposition and Government Members; and similarly, Members in the other place, Government, Opposition and Independent. We came up with a report that did not find favour with a number of Members of Parliament in either House.

I was a bit surprised when the distinguished Member, and my good friend, the Member for Diego Martin Central, got up very excitedly before we took the luncheon adjournment and, was suggesting that we were trying to push this important piece of legislation on the very eve of the dissolution of this Parliament when, in fact, this piece of legislation has had a very tortuous history. It is tortuous in the sense that in Act 4 of 1976, which is the Republican Constitution of Trinidad and Tobago, there is provision for the setting up of integrity legislation and the establishment of an Integrity Commission. In 1976 you will remember, it was the People's National Movement that was in office and it did absolutely nothing between 1976 to 1986—10 years while they held office, they were the Government—to address the question of integrity in public life. That was a requirement of Act 4, 1976, which was the Republican Constitution of Trinidad and Tobago, which was ushered into the Parliament by the then PNM, under the leadership of Dr. Williams. Notwithstanding the fact that there was an enormous amount of allegations and suspicions about corruption on that side, that was further proved to be correct—we had determined in 1986 that there was enormous corruption during the PNM's administration.

Mr. Valley: What was the determination?

Hon. M. Assam: Mr. Speaker, when the Member for Diego Martin Central was making his contribution I did not even interrupt, I sat and listened to him. I

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thought this was too serious a debate to interrupt him. Now that I am on my legs he is seeking to interrupt me, with a view to distracting me from my argumentation.

Mr. Valley: I am just asking an explanation.

Hon. M. Assam: Why? Why is the Member doing that? Give me a chance to make my contribution, and Members opposite would have an opportunity to respond to me. That is how the parliamentary system works, I believe.

3.00 p.m.

Mr. Speaker: Order! Order, please!

Hon. M. Assam: I do not know why the Member for Arouca South is assailing me. I have done her nothing. I do not know why the pretty little lady does not keep quiet in a demure fashion, rather than become so aggressive.

I was saying that they had the opportunity, notwithstanding the fact that there was an enormous amount of suspicion and allegation of corruption which was proved and determined some time in 1986. So when we came into office and decided that we would ensure that we have integrity in public life, steps were taken in order to put some kind of bill on the statute books that had teeth and that would empower the Integrity Commission to undertake the necessary investigations to ensure that where any violations are committed, they would be able to prosecute public officials for acts of corruption.

I was also surprised when the Member for Diego Martin Central got up and read a record of the number of bills that he said his Government had passed in their last year. I was amazed that he made the comparison between what they passed and what he said we passed during the last four years. You know, one of the accusations that I hear, not only from this House but in the other place, is that we are only passing bills, bills, and more bills and they even tried to nickname the Attorney General, "Bill." [*Laughter*]

I was amazed, astounded, astonished and surprised that we passed, according to his record, so many less bills than the People's National Movement administration passed. So who was passing bills, bills, and more bills? So you are Mr. Bill! Your government is the "bill" government, then, and not this Government. The point is, one of the reasons their numbers are superior to ours, is that on a number of occasions because of the democratic nature of this side, we actually relinquished our governmental superiority in numbers and gave way to the Opposition, in a number of ways accommodating them, delaying legislation,

postponing legislation, putting legislation into abeyance, sending it back to joint select committees, and all sorts of things, in order to give the distinct impression not only to Members opposite but to the national community, that they were, indeed, dealing with a democratic government. We gave them every opportunity. We listened to them; we consulted with them, and that is why, perhaps, we passed fewer bills than they. That is the logic of it and that is the fact of it. So he amazed me on that count also.

He also amazed me on the ignorance that he demonstrated with respect to what the Bill consists of. He said, of course, in his usual tirade, going through all these allegations of corruption which we hear in the budget debate, in the Variation of Appropriation, in the Supplementation of Appropriation, in the Private Members' Day every Friday—it reminds me when I was little boy we had a phonograph and it had H.M.V. on it, "His Master's Voice"; it is the same record every day, except that it is a scratched record because the needle is worn.

I thought we were talking about a serious piece of legislation. That side has accused this side, for almost five years, of all heinous acts and violations of the public trust. He said that he has been living with corruption for five years on this side, and whenever we bring legislation to this Parliament to put the mechanisms in place whereby we can, in fact, not only deal with corruption but also punish those who are corrupt, whether they are the corruptors or the corruptees, because it takes two to tango—and whenever a public official is corrupt, there must be some private individual who is involved in that act of corruption. That is true; that is a fact.

They call all kinds of names in this Parliament because, unfortunately, they use the cloak of parliamentary immunity to sully the characters of people outside of this Parliament who do not have a right of audience, which is most unfortunate. And they want to call themselves honourable men, as Brutus was an "honourable man": the guy who put the knife into Caesar's back.

We have a Prevention of Corruption Act and clause 4 states very, very clearly all the instances that the Member for Diego Martin Central alluded to: Could you lock them up on this? Does the Bill provide for this? Can you handle this? All of these instances which he quoted you have here in clause 4, and I quote:

"Any person who—

- (a) being an agent, corruptly accepts or obtains, or agrees to accept or attempts to obtain, from any person, for himself or for any other person, any gift or consideration as an inducement..."

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The same \$3 million inducement he spoke about this morning, whether it is true or false. Like his colleague in the Upper House who is attempting to create one of the most dangerous situations in this country by accusing his dead son of being a hacker, which is an international crime—

Mr. Valley: Do not kill the messenger, you know.

Hon. M. Assam: But dead men tell no tales. It reminds me of Sorob and Roson:

“Truth sits upon the lips of dying men and counsel while I live was far from mine;

I tell thee picked upon this arm I bear...”

And I can go on. But, because his son is dead he uses Parliament to implicate his son in a most dangerous criminal activity, and as a consequence of which, implicated the financial system which could have dangerous consequences in terms of confidence in our financial system and our commercial banking system. He goes on to say he knows that it is a rural branch but he does not know the bank. Mr. Speaker, you are a lawyer by profession, and it is almost like a lawyer reading from a judgment and saying that he does not know the name of the judge who made the judgment. Could you imagine that? He knows that it is a rural branch but he does not know the bank.

Mr. Hinds: In due time.

Hon. M. Assam: I would imagine one must put a big question mark on the credibility of that individual.

But I go on to quote:

“...from any person, for himself or for any other person, any gift or consideration as an inducement or reward for doing or forbearing to do, or for having after the commencement of this Act done or forborne to do, any act in relation to his principal’s affairs or business, or for showing or forbearing to show favour or disfavour to any person in relation to his principal’s affairs or business;

- (b) corruptly gives or agrees to give or offers any gift or consideration to any agent as an inducement or reward for doing or forbearing to do, or for having after the commencement of this Act done or forborne to do, any act in relation to his principal’s affairs or business, or for showing or forbearing to show favour or disfavour to any person in relation to his principal’s affairs or business; or

- (c) knowingly gives to an agent, or being an agent knowingly uses, with intent to deceive his principal, any receipt, account, or other document, in respect of which the principal is interested, and which contains any statement which is false or erroneous or defective in any material particular, and which to his knowledge is intended to mislead the principal,

is guilty of an offence.

5. (1) Any person who being an agent—
 (a) corruptly uses official information...”

That is the same point he made this morning:

“...for the purpose of obtaining any gift, loan, fee, reward or advantage whatsoever for himself or any other person, or

- (b) corruptly communicates official information...”

Which they have been doing. That is what has been happening on that side. People have been corruptly communicating official information. They are all guilty of an offence and they do not even know it, as Members of Parliament and lawmakers; guilty of an offence!

“...to any other person with a view to enabling any person to obtain any gift, loan, fee, reward or advantage whatsoever,

is guilty of an offence.”

Mrs. Robinson-Regis: Through you, Mr. Speaker, I wanted to ask if in circumstances where a Minister indicates that there would be a report on the rice scandal brought to the House and it never comes, if that would be taken up by that clause.

Hon. M. Assam : I would not worry to answer that. That is a nonsensical question. I am fed up with the foolishness, the nonsensicality emanating from the mouths on that side. Everything is the rice and the InnCogen. Come and talk sense nuh! Have you ever spoken anything about representing the people of Arouca South in your five years here? Come and talk about that! Come and talk about health policy; educational policy, social policy, industrial policy, generating jobs, trade policy! Talk about that here and not that set of foolishness all the time! You had the opportunity when you were Minister of Consumer Affairs and you did nothing!

Mrs. Robinson Regis: That is why Sen. Carlos John now has your seat.

Hon. M. Assam: I could not care less, whether he has mine or anybody else’s seat!

Mr. Speaker: Order please! Hon. Members, in the dying stages of this session, I would certainly appreciate if we turn a slightly different leaf and we

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stick a little more closely to the Standing Orders. A Member is to be permitted to make his contribution uninterrupted and where one seeks his leave to intervene and he gives way, a question is permitted. But to get an answer which one perhaps may not like and then continue the crosstalk, is not on. Please, I ask us to hold our peace until such time as we could make our contribution and allow Members to make their contribution uninterrupted and not harassed. Please continue.

Hon. M. Assam: Thank you, Mr. Speaker. As I was saying, I thought that all Members of this honourable House would have treated this Bill with the utmost seriousness, because this is what they have been clamouring for. They say for five years that we failed to do this and that we failed to do that and we failed to do the other, including integrity legislation. When we brought the report of the joint select committee, they were dissatisfied with it. They said it was not good enough; it was not strong enough; it was meaningless; the commission would have had no teeth. And we followed their advice. But I will give you a chronology before I move on, because I think the Member for Diego Martin Central is confusing the joint select committee of both Houses of Parliament and the select committee of the Senate, and I shall make the distinction in a little while.

3.15 p.m.

Let us get the chronology: August of 1994 the Senate resolution calling for the reform and review of integrity legislation. That was done by the Opposition in the Senate in 1994.

April 1995, Attorney General and Minister of Legal Affairs of that administration appointed a working team to prepare a Green Paper for presentation to Parliament. So on the instigation of a motion in the Upper House, the Attorney General in the Lower House commissioned a Green Paper.

December 1995, Green Paper submitted to the Attorney General who was the new Attorney General of this administration.

March 1996, Green Paper laid in both Houses of Parliament and a Joint Select Committee established on the recommendation of the Attorney General.

April 1996, Green Paper published for public comment; May 1996, three Draft Bills giving effect to the recommendations of the Green Paper were submitted to the Joint Select Committee for its consideration. That was the committee that I had the honour to chair.

November 1997, report of the Joint Select Committee laid in Parliament along with amended Draft Bills.

January 1998, the Attorney General recommends to Cabinet that Draft Bills be amended to reflect the recommendations of the Joint Select Committee and these Bills were laid in Parliament to be debated.

September 1998, report of Joint Select Committee debated in the House of Representatives on a motion moved by myself, the Minister of Trade & Industry and Consumer Affairs. Parliament noted the recommendations of the Joint Select Committee.

June 1999, Integrity in Public Life Bill accompanied by two Constitution (Amdt.) Bills and which Bills reflected all the recommendations of the Joint Select Committee were introduced and debated in the Senate. The Senate resolved that the Bills be forwarded to a Special Select Committee. That is the evolution of this piece of legislation.

December 1999, report of Special Select Committee laid in the Senate which lists a number of concerns and recommends that bills should not be proceeded with further.

May 2000, the Attorney General submits to Cabinet a status report on the matter and requests Cabinet to make recommendations in respect of the reform of integrity laws.

August 2000, report of the Special Select Committee together with draft amendments to the Bill seeking to address concerns of select committee before the legislation on parliamentary committee. That is the historical and chronological sequence. So this has been in gestation for well over five years, and for the Member for Diego Martin Central to stand in this House before the innocent children of Newtown Girls' RC School and mislead, not only the House, but these young minds and, by extension, the national community is a travesty of his office as a Member of Parliament. This has been going on for five years and we are not sneaking it through because, as you are saying, the Parliament is in its dying days. It is not true.

It is because of the kind of democratic process that this particular Government has been subjecting legislation to, in order to accommodate every shade of opinion, particularly Members of the Opposition, particularly the Independents and Opposition Members of the other House that we have had to delay the passage of this Bill until now, that is the reason, and that is a fact. It is not fabricated, it is a fact.

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There is an expression: “Hurry bird don’t build good nest,” and that is what you did. In many cases you did not build good nest, that is why you are in Opposition from 1986—1991; 1991—1995; and 1995—2000 and you will be in Opposition thereafter. *[Interruption]*

Mr. Speaker: If you want to speak again, perhaps the House can consider doing something with the Standing Orders to enable you to do it. Please.

Hon. M. Assam: Thank you, Mr. Speaker. I was trying to debunk the misleading statement of the Member for Diego Martin Central who is attempting to suggest that we are trying to accelerate passage of this important piece of legislation at the end of the parliamentary term. We have been trying to do it from the very beginning of the parliamentary term and got enormous obstruction from that side, but we are patient, we are determined, and we use every democratic process to ensure that when we bring the Bill to Parliament we have consensus from both Houses. And, therefore, by having consensus, the members of the public will see that this is good law and a piece of legislation intended to ensure integrity in public life in a meaningful way, and that we have a commission that really has the power through the courts to enforce the legislation and the penalties and sanctions are very severe.

When we in the Joint Select Committee—Members of this Government—decided to introduce these severe penalties, we got much objection from Members of the Joint Select Committee on that side. It is a fact, the records are there. There are all kinds of scurrilous, sometimes very unfair allegations against members in public life, so one has to be very careful in assessing, analyzing and eventually accepting information from certain sources so the security of the identity of the people who give information must be protected in the final analysis.

How information is received from the public should be dealt with, that is the screening and sifting process. It is almost like when you are an ambassador, you have to be able to gather intelligence. Even critical, is how you assess the intelligence and finally, how it is transmitted if you are going to be a good ambassador. It is very similar here.

The third thing is the standard of criteria for the initiation into an enquiry. These are critical elements in ensuring that you have proper information, well-sanitized information, reliable information upon which to proceed with an enquiry. However enquiries are dealt with, the whole procedure must be transparent,

fair, just and equitable. The powers of investigation of the commission and the investigative process are areas which had to be dealt with in a proper fashion.

The power of the commission to make requests of external governments to provide information from the bank records and accounts of local persons in foreign countries. A very sensitive, delicate matter, but you have to put the mechanisms in place.

Mr. Speaker, I get on my desk every week reports on corruption sent by the United States Information Service and you will be surprised that the public in this country, through the Opposition, has been fed the mischievous, misleading and erroneous impression that the UNC created corruption. In fact, corruption started from 1956 in the PNM. The very thing they came into office on: “Morality in Public Affairs” turned very swiftly into “Immorality in Public Affairs” because there was a string of corrupt acts and practices from the very 1956 administration of the PNM and it went throughout for the 30 years they were in office. It never stopped.

In these reports that I receive, there is corruption in every country of the world: China; Russia; France; England; United States of America; Canada; Germany; New Zealand; India; Pakistan; Indonesia; Brazil; Chile, everywhere. What is important is not merely discovering acts of corruption, you must have the mechanisms in place to unearth it, but when you do it, the mechanisms must be in place to deal with it, and deal with it effectively. This is precisely what this Bill is attempting to do. Not only to discover it through investigation, but to deal harshly with the offenders, the people who had the public trust reposed in them as Members of Parliament or public officials and have betrayed that trust in public office. That is what we are trying to do.

How could the Member for Diego Martin Central, or anyone opposite deny that this is exactly what this Bill is intended to do? And what is good for the goose, is also good for the gander, because, God forbid that one day you return to office, you may want to return to your old ways because it is said that a dog who sucks eggs cannot stop sucking eggs, so you may want to return to your old ways.

Mr. Valley: Mr. Speaker, section 135(6), unless he is using “you” in a very, very general sense...

Mr. Speaker: I interpret that as being very broad. When one does something—*[Interruption]*

Hon. M. Assam: When I say “you” I do not mean the Member for Diego Martin Central, I mean the People’s National Movement, the party to which he belongs and the party which has been found guilty, over the 30 years it has been

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in office, of corruption. I can enumerate a whole litany of corrupt practices and actions, and I mean “you” meaning the People’s National Movement, not the Member for Diego Martin Central, so do not get up on a spurious point of order.

What I was saying Sir, it is all well and good to detect corruption, but you must have the mechanisms to deal with it, and deal with it severely and harshly when corrupt public officials are discovered.

The next one is the lack of the power of the Director of Public Prosecutions and the police to access persons’ income tax returns, bank records and accounts. These things hitherto have been very sacrosanct and there were no laws for the police and the Director of Public Prosecutions to access these records.

Mr. Speaker, you would know that long ago people thought they were protected when they had money in Swiss accounts. This is no longer so because there is international legislation to allow governments to access (from Swiss accounts) the records of people who have been found guilty of engaging in illicit corrupt practices while they were discharging their duties as public officials.

The application of sanctions in cases where persons have been requested to provide information in accordance with the provision of the integrity legislation failing to provide the information. That is another important provision which hitherto did not exist in the current legislation.

Lastly, the ability of the police or any other authority to deal with high levels of corruption which may need forensic expertise. The Member was “pooh poohing” in his contribution and elsewhere the services of Mr. Linquist, a forensic accountant, the same forensic accountant who caught the PNM with their hands in the till, with their fingers in the cookie jar. That same person, and because Linquist is coming, the Member is saying it is a smokescreen.

Who is in office now? The PNM is not in office, so this same man who caught you with your hand in the cookie jar will catch us if we had put our fingers into the cookie jar, we will be caught too. You have been accusing us of that for five years every Friday, and as often as you can, on the public platform, when you go to your news conferences accommodated by the entire media as if you are the Government. You have six television stations around you and so forth.

Mr. Speaker, I am amazed that the Member for Diego Martin Central will give the impression that his side may not wish to support this piece of legislation, a piece of legislation which we brought here and which was unanimously supported in the other place.

Mr. Maharaj: I thank the hon. Member for giving way. Mr. Speaker, could we go back to the item on the agenda to which we had agreed, the statement by the hon. Prime Minister?

Mr. Speaker: Yes, please. [*Desk thumping*]

3.30 p.m.

**COMMISSION OF ENQUIRY INTO THE ADMINISTRATION OF JUSTICE
IN THE REPUBLIC OF TRINIDAD AND TOBAGO**

The Prime Minister (Hon. Basdeo Panday): Mr. Speaker, I am most grateful to you for accommodating me to make this important statement to this honourable House. It is my duty to lay in this honourable House the Report of the Commission of Enquiry into the Administration of Justice in the Republic of Trinidad and Tobago.

On February 29, 2000, the President of the Republic of Trinidad and Tobago appointed Lord MacKay of Clashfern; Justice Austin Amissar and Dr. L. M. Singhvi as Commissioners to conduct an enquiry into, and make recommendations covering the administration of justice and matters touching upon the independence of the Judiciary.

In its terms of reference, the Commission was instructed to direct particular attention to allegations of attempts by the Executive Branch of the state to undermine the independence of the Judiciary. The Commission received over 300 written submissions, some of them very lengthy. The Commission held televised hearings in Port of Spain, Tobago and San Fernando and studied previous reports and other relevant publications.

Mr. Speaker, after deliberating at meetings in London in August, the Commission agreed upon and signed their report, which the Chairman of the Commission handed to the President of the Republic of Trinidad and Tobago on the morning of Tuesday October 03, 2000.

Within hours of receiving it, President Arthur N.R. Robinson forwarded it to the Prime Minister. I acknowledge and appreciate the dispatch with which His Excellency, the President, transmitted the report to me.

Mr. Speaker, because of the public interest in the matters that were the subject of the enquiry, and because of the impact that the Commissioner's findings and recommendations can have on the administration of justice in our Republic, I thought it appropriate to present the Report to the Parliament forthwith. The

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report would be discussed by Cabinet at its next meeting. Thereafter, the Report would be tabled for debate in the Parliament in the next session.

The Commission's most extensive study focuses on the management and on the adequacy of the existing court system. The Commission noted some improvements in recent years, after the then Attorney General alerted Parliament to the crisis in the justice system and Cabinet set up the Gurley Committee in 1992. The Commission notes that since 1996, valuable legislative work had been undertaken by the current Attorney General to implement the *Gurley Report*.

However, the Commission found that systematic failings continue to impede the provision of speedy and effective justice to all classes of citizens. These failings were found to be particularly debilitating at the level of the Magistrates' Court, which does the vast bulk of court work in the country. The Commission urges that reforms to the system be given urgent priority. Among the Commission's recommendations to reduce the inefficiency and delays are:

- (1) Regular court remands of prisoners should move from a court head to the prisoner in remand.
- (2) Parties and witnesses need not attend court until the actual date of trial.
- (3) Clerks of the Peace to have more effective powers to fix trial dates.
- (4) Elimination of note-taking by hand, and introduction of digital and tape recording.
- (5) Modifications to the system of bail.
- (6) Greater use of guilty pleas by letter for minors and non-custodial offences.
- (7) Removal of unchallenged ticket offences from the Magistrates' Court to an administrative agency.
- (8) Automatic renewal of liquor licences in the absence of any objection.
- (9) Urgent improvement to the country's forensic science services, where wholly unacceptable delays are occurring through lack of staff and facilities.
- (10) Phasing out of "old style committals" that is preliminary enquiries, by the greater use of paper committals, initially.
- (11) Phasing out of police prosecutors to be gradually replaced by a team from the DPP's office.

- (12) Some magistrates assigned to specialize in family matters.
- (13) Immediate implementation of new civil procedure rules for dealing with small claims.

The Commission found that the Supreme Court is also beset by delays and has made a number of recommendations geared to the improvement of the system. Among those recommendations are:

1. Overhaul of note-taking systems to eliminate the need for longhand and to move to a modern recording system, with CAT to be supported, where appropriate.
2. Creation of a special criminal division of the Court of Appeal.
3. A practice direction should be issued requiring judges at the conclusion of a case to fix and publicly announce a date for giving judgment.
4. If judgment is not delivered on or before the scheduled date, the judge to publicly explain the reasons for the delay.
5. The annual report of the Judiciary at the opening of the legal year should, from 2001, contain a list of all cases—including those of the Court of Appeal—where judgment has been delayed for more than six months; together with explanations for the delay offered by the judges concerned.
6. In cases where the prosecution indicates an intention to appeal, courts should be granted power to remand in custody defendants they have acquitted on the basis of no case to answer.
7. Subsection 16 of the Supreme Court of Judicature Act should be given full force, accompanied, in every case, by insistence that counsel produces skeleton arguments and adheres to agreed time estimates.
8. Registrars should be given powers to order the arrest of disobedient judgment debtors.
9. The Commission has made a number of recommendations related specifically to legal practitioners. Among those recommendations are:
 - a. Parliament should give consideration to approving and regulating conditional fee arrangements.
 - b. The Law Association must put in place a system which ensures that only competent practitioners advise and represent clients.

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- c. It should be mandatory that attorneys give receipts to clients for money received.
- d. The Law Association's compensation fund should be advertised to the public and information about claim procedures should be given to all clients of attorneys.
- e. There should be an insurance scheme for all attorneys so that their clients can receive compensation if attorneys are negligent or if their employees default.
- f. A proper system of complaints against lawyers should be established.
- g. A disciplinary body should be appointed and should be headed by a retired judge, and should include at least two members of the public, appointed by the Attorney General.
- h. A disciplinary body should have power to strike off incompetent attorneys.
- i. Practising lawyers should be required to undertake courses of further legal education.
- j. There should be established a cheap and simple system of alternative dispute resolution, especially for small claims.

A number of recommendations are Tobago-specific. The Commission recommends that there should be a suitable residence provided in Tobago for visiting judges. Bail appeals should be heard in Tobago rather than in Port of Spain. The Court of Appeal should be given specific powers to sit in Tobago; and in San Fernando as well.

The Commission received many submissions about defects in the constitution of the Judicial and Legal Service Commission. The Commission considers that any change—which would require constitutional amendment—should be a matter for the Parliament and the people.

However, the Commission suggests that in the event of such change, membership might include three lay persons, as well as the Senior Justice of the Court of Appeal, the Senior Puisne Judge and the Chairman of the Law Association. Criteria for the appointment of judges should be widely published.

The Judicial and Legal Service Commission should set up a more satisfactory system for handling complaints against judges and magistrates. Complaints

against the Chief Justice should be dealt with by the JLSC, with the Chief Justice standing aside from membership during the consideration of such complaints.

3 40 p.m.

Mr. Speaker, the commission considers that to ensure judicial independence, the judge should not be subjected to any influence on his judgment, except his view of what is right in the light of representations made to him in the course of the judicial process of which his judgment is the culmination. Related to the submission on the Executive's concern with the obligation of accountability, the commission points out that a constitutional principle of cardinal importance is that the use of funds raised for public service are for Parliament to determine. This is anchored in the core principle of our democracy that there should be no taxation without representation.

The commission submits that the Judiciary should not have a right to decide or insist upon allocations of funds and resources for judicial business, as this must remain entirely the responsibility of the Government through annual budgetary allocations. The commission considers that the Constitution expressly makes the Attorney General responsible for the administration of legal affairs, and this includes responsibility for communication between the Judiciary and the Executive Government. The commission rejects, for reasons both of practicality and constitutional interpretation, Justice Telford Georges' recommendation that the Prime Minister should shoulder this responsibility. At page 47 of this report the commission defines in conclusion on this recommendation, and I quote:

“In terms of the constitutional arrangements as they presently exist the Attorney General, who is the only Minister apart from the Prime Minister, mentioned in the Constitution is the person responsible for the administration of legal affairs in Trinidad and Tobago and legal proceedings for and against the State are to be taken in the case of civil proceedings in his name”.

Continuing, they quote:

“While representing the State in litigation is part of the administration of legal affairs, we consider that administration is considerably more extensive than the representation of the State in litigation and that the natural reading of the Constitution is that so far as legal administration is properly the sphere of the Executive Government, unless a different arrangement is made, the Attorney General will be responsible for it and this would include in our judgement communication between the Judiciary and the Executive Government. It has been...”

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I am continuing the quote, Mr. Speaker:

“...the practice, as we understand, since Independence, for the Attorney General to have this role and we consider that it is in accordance with the Constitution as presently operated.

In his report which we have studied, Chief Justice Telford Georges recommended that the channel of communication between the Judiciary and the Executive should be the Prime Minister.

For the reasons we have given this does not appear to us to accord with the present constitutional arrangements, and in any event, we consider that the Chairman of the Cabinet is not well placed to press the case for the Judiciary in matters that might come before the Cabinet for decision”.

Mr. Speaker, the commission concludes that the present system of allocation of funds to the Judiciary through the budget in no way undermines the independence of the Judiciary. The commission views the area of judges’ travel as delicate and draws a distinction between approval of travel involving public servants employed in the courts , for example, librarians, and by judges. In the case of the judges, the judge to go on the trip should be decided by the Chief Justice, preferably after consultation with the senior puisne judge and the senior Court of Appeal judge. However, where the judge is to attend an international conference in a capacity where he represents Trinidad and Tobago, then the Chief Justice should consult the Attorney General about that selection.

The commission recommends that the Department of Court Administration supply to the Attorney General any information he requests. The commission does not see this as a breach of judicial independence and submits that the Attorney General needs full information about the Judiciary to discharge his constitutional duty to Parliament. The commission explains that the Attorney General is entitled to full information from the Judiciary, not on the basis that the Judiciary is accountable to the Attorney General, but on the basis that the Parliament and the public are entitled to full information about the standard attained by the administration of justice in the Republic. Mr. Speaker, this is vital to every citizen and to the success of the economy and the overall economic development as well.

The commission recommends a code of ethics for the Judiciary which should include a rule that judgments should be given within reasonable time. Speaking to this issue, the commission on page 55 of this report observes, and I quote:

“An important aspect of judicial performance has been highlighted both in the representations to us and in public statements that have been made in the last few months, namely, delay in giving judgement.

For example, in the latest statistics provided by the Court Administration, there is a case SO249/85, launched in 1985, in which judgement has been reserved since 24th March, 1997; two cases in which judgement has been reserved since 1998 and a number since 1999.

These statistics were prepared as of May 31 and lodged on July 5, 2000.

This is a serious matter and when it happens it undermines the public confidence in the administration of justice.

Each judge carries individually the vital responsibility to give judgement in a reasonable time.

Where a particular judge fails in this connection, he or she is at fault.

We see no reason why the name of the defaulting judge should be withheld from the public.

If the name of the particular judge is withheld from the public, but the fact that a judgement has been unreasonably delayed is known, this tends to put blame on the Judiciary as a whole, from which those judges who give judgement promptly are entitled to be protected.

We recommend that from 2001 onwards the report of the Judiciary at the opening of the law term should contain a list of cases in which judgement has been reserved for more than six months, with a note of the explanations given by the judge when the case has been called. The general public cannot be expected to make a fair assessment of the quality of judgements but they certainly can of their promptitude.

We consider that the time-honoured method by which the Attorney General acts as the channel of communication between the Judiciary and the Executive and Parliament should continue.

If, as we hope, our report helps to bring to an end the current dispute between the Chief Justice and the Attorney General we see no reason why the success that attended their relationship at the beginning of their joint terms of office should not resume.”

Commission of Enquiry
[HON. B. PANDAY]

Friday, October 6, 2000

Mr. Speaker, at the opening of the law term last year, the Chief Justice expressed the view that a number of actions and words of the Attorney General had tended to erode the independence of the Judiciary. The commission concluded that, on the evidence presented, those words and actions were not intended to undermine the independence of the Judiciary, but were conscientiously intended to discharge duties in respect of public expenditure to ensure fairness across various branches of the public service and to promote the efficient administration of justice. The commission noted some inflammatory comments had been made on all sides of the dispute which followed the Chief Justice's complaints producing an unhappy spiral of anxiety and distrust.

Rather than rake over this past, the commission took the decision to record and recommend the Government's pledged support for the independence of the Judiciary. Mr. Speaker the commission says, and I quote:

"The extent to which the budget for the Judiciary, that is to say, the judges, the magistrates, their supporting buildings, equipment and staff, should be detailed, is a matter for the judgement of the Executive and ultimately of Parliament in approving the budget".

In a key conclusion, the commission states as follows:

"After considering the representations made to us and the documents referred to in support of them, we have reached the conclusion that the words and actions of the Attorney General referred to were not attempts to undermine the independence of the Judiciary but were intended by him to be in conscientious discharge of his duty in respect of public expenditure to ensure fairness across the various branches of the public service and to promote the efficient administration of justice."

I am convinced that the report of the Commission of Enquiry into the Administration of Justice, Mr. Speaker, in the Republic of Trinidad and Tobago will ultimately be to the benefit of all stakeholders in our republic. To ensure that this report is not read and filed away, as has been the case with various reports, the Government shall seek its adoption before the dissolution of this Parliament. In any event, Mr. Speaker, given the wide interest in the matters precedent to the appointment of the commission, copies of the report will be distributed to the nation and throughout the Commonwealth.

Mr. Speaker, I beg to lay the report of the commission to enquire into and make recommendations on the administration of justice in the Republic of Trinidad and Tobago. Thank you. [*Desk thumping*]

INTEGRITY IN PUBLIC LIFE (No. 2) BILL

Hon. M. Assam: Thank you very much, Mr. Speaker. After listening to the good news of the report on the administration of justice, let me continue with the good news of the legislation with respect to integrity in public life. I was attempting, before the Prime Minister's statement, to indicate the Senate report on this Bill and to give Members the benefit of the 10 recommendations which they made in order to ensure that the Bill had the necessary requirements for enforcement, both at the commission level and at the level of the courts.

Mr. Speaker, I want you to know that each one of the 10 recommendations which I read out and attempted to dilate upon have been accepted in the other place unanimously and, therefore, I am expecting that this honourable House will do the same as Members of the other House in accepting these recommendations which have been incorporated into a new Bill which is seeking to repeal the existing Act which is the Integrity in Public Life Act, 1987. This Bill seeks to replace it and to repeal it in its entirety.

What is interesting about this Act is, there is a deviation from the existing Act in that the First Schedule says which are the persons designated as persons in public life. They are: Members of the House of Representatives—meaning all of us—Ministers of Government; Parliamentary Secretaries; members of the Tobago House of Assembly; members of the municipalities; members of local government authorities; members of the boards of statutory bodies and state enterprises as prescribed. Each one is required, on an annual basis, to make a public disclosure statement and all of the requirements of these public disclosure statements are contained in the Act.

What is further interesting, Mr. Speaker, is that under clause 30 of this Act it says:

“A person holding office under the Public Service, Police Service, Teaching Service or Statutory Authorities Service Commission, shall upon his appointment, and from time to time as may be required declare to the appropriate Commission in such form as may be prescribed—

- (a) all business, commercial and financial interests and activities in which he is engaged; and,
- (b) all personal property, assets and liabilities in respect of himself, his spouse and dependent children;

provided that all information so given shall be treated as confidential.”

3.55 p.m.

Mr. Speaker, this also applies to persons in public life because you have to make a declaration in respect of your spouse and dependent children. No one would be able to use a device whereby you can get ill-gotten gains and pass it on to your spouse or dependent children, so that you would be exculpated from your disclosure in terms of your true assets and liabilities.

Mr. Speaker, this gives the Bill real meaning. The investigative powers of the commission are also immense and, therefore, at this point in time, all they do is to verify. The verification process is a very simple one, whether your asset side or your liability side is added up properly; what is your net worth; and whether you can provide them with information with respect to your source of income and so on.

Mr. Speaker, but now if it is suspected, through information and through investigation, that you have had a certain amount of assets for which you cannot account, they can now go deeper in terms of your bank account; in terms of your income tax return; and in terms of any financial information, that would assist the commission in determining whether the allegations or the information received is correct, so that you would be given an opportunity to explain how you achieve this particular financial status.

We have gone through this Bill in a certain way on previous occasions by virtue of all the debates and discussions we have had in this House; in the other place; in the joint select committee; in the special select committee in the other House and so forth. Therefore it is not necessary for me—in fact, the Attorney General did so in his presentation—to go through all these clauses, although each clause is extremely important in making this Bill a very important Bill.

I would like to exhort Members on the opposite side to give their total support to this Bill. If they have been serious for the last five years, in terms of their accusations and their allegations; and if they are serious about integrity in public life—although they have not demonstrated the seriousness when they were in office between 1976 and 1986, when they had an opportunity to introduce integrity legislation, and even when they came back in office from 1991 to 1995, they had the opportunity to strengthen the 1987 Act—I urge them today; I beseech them today; to put aside partisan considerations; forget about the impending elections; search their consciences and admit that this Government is not sneaking through this piece of legislation at the eleventh hour, but that it has gone through a very long gestation period of enormous consultation with both

Houses, joint select committee and so on, and we have arrived at the stage where this piece of legislation should be passed.

Mr. Speaker, I hope when we come to the voting on this—I believe it requires a special majority—we will get the total support of both sides of the House.

I thank you very much, Mr. Speaker.

Mr. Colm Imbert (*Diego Martin East*): Mr. Speaker, I see the Member for St. Joseph thought that he would catch me outside of the Chamber. It is interesting. I must reinforce the points made by my colleague from Diego Martin Central that this Government has had five years to deal with this issue and when one looks at the parliamentary record, one sees that the Constitution (Amdt.) (No. 3) Bill 1999, regarding the Integrity Commission, lapsed in the Fourth Session—the Government allowed it to lapse in the last parliamentary session, not this one. They allowed the Integrity in Public Life Act to lapse. I have heard some elaborate explanation coming from the Member for St. Joseph, saying that it went to this committee and that committee. What I find interesting is that the amendments before us have been put together by Government Senators in the other place. It is so intriguing that there are senators appointed by the Government—Members of the other place—who have been the beneficiaries of state contracts and there is no doubt about this whatsoever. They have been in receipt of legal briefs; they have been lobbyists and so on. Mr. Speaker, Government Senators have received consultancy contracts.

As a matter of fact there is a government Senator right now who, I believe, is in charge of the rehabilitation of Government's vehicles. Is this not so? A newly appointed Government Senator, Sen. John, has been given a job—[*Interruption*] How much? Eighty eight thousand dollars. As I said, there is a Government Senator, right now, who has been hired by the Government, in some *quasi* state organization, to repair vehicles and so on, receiving income from the Government. These are the types of people—these Government Senators, in the other place, who very easily took themselves out of the legislation. It is so interesting.

In the Joint Select Committee Report there is a minority report and, this Government is so concerned about the administration of justice, but when one looks in the verbatim report and the minority report one sees recommendations that judges and magistrates should come within the purview of the Integrity Commission.

One sees recommendations in the verbatim report that Senators should come within the purview of the Integrity Commission.

We also see a very curious situation where permanent secretaries and chief technical officers have now been taken out. There is a situation where, under this

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administration, there are permanent secretaries, for example, who have the authority to award contracts up to \$100,000.00 using their own powers. There is a ministerial tenders committee where the permanent secretary is either the chairman or the senior member of that tenders committee which has the authority to award contracts up to \$500,000.00, without requiring the approval of the Central Tenders Board, at any one time.

There are situations where, as I said, permanent secretaries could award contracts for \$100,000.00 at a time—so they could award a \$100,000.00 in contracts every day—it just has to be a different item—without the approval of the Central Tenders Board. This Government, however, decides it is going to take permanent secretaries out of the range of persons that fall within the integrity commission. Mr. Speaker, one has to wonder what is really going on. Why have they taken permanent secretaries and chief technical officers out? Why are government Senators—remember this was a select committee of the other place which would have had a majority of Government Senators on it.

These amendments here come from the other place from a committee with a majority of government Senators on it and yet we see the Senators have suddenly disappeared from this matter. I have heard of senior Government Senators receiving legal briefs exceeding millions of dollars and when one goes into the verbatim report, one sees that it was a Government Senator, I believe—Sen. Gangar, the Minister of Energy and Energy Industries, who was most vociferous in arguing that Government Senators, as well, should be excluded—[*Interruption*] No, no, we are not talking about Ministers. It was a Senator who was most vociferous in arguing that Government Senators should be excluded from the purview of the Integrity Commission.

4.05 p.m.

But these same Government Senators, look at who they bring in, Mr. Speaker. Members of the municipalities; members of local government authorities. The little councillor who is getting \$2,000 a month who has, effectively, no power whatsoever to do anything. The little councillor who is getting \$2,000 a month who can hardly do anything. They put them in. [*Desk thumping*] You have to wonder what is going on. They put these poor little councillors who do not even get a salary. I think it is a stipend they get and some kind of remuneration for travelling—\$1,000 or something. They must come within the scrutiny of the Integrity Commission.

But, these Government Senators who have moved out of their modest dwellings and have built palatial mansions in one year at \$12,000 a month. I do not want to say the words "Mercedes Benz" again, but I have to. It just happens to be the car of choice of Government Ministers, but these Senators who have moved out of their modest dwellings and built palatial homes—we have seen them on the front pages of newspapers—and are now driving the most expensive cars after working in modest circumstances prior to being made Senators. These are the guys who—or persons, sorry. Do not let me use any particular gender. These are the persons who want to remain unscathed.

We must not determine the assets of these Government Senators. We must not determine the assets of the Government Senator who has been given this very high paying job to repair the Government's fleet of vehicles—the police service and so forth. They must not declare their assets. This Government carried on against the Judiciary—one set of noise—had a Commission of Enquiry. I just heard the Prime Minister talk about it—300 written memoranda; all sorts of hearings; witnesses and all kinds of things. This Government, after all that *bravé danger*, excludes members of the Judiciary from the group of persons who have to declare their assets. It makes you wonder if you are living in Wonderland.

Look at the situation with that poor unfortunate magistrate who was caught many years ago. Let me not call any names. You have to wonder if this Government is really serious. Is it serious?

On the last occasion, we made the point that they wanted to bring legislation that would allow a committee of Parliament with a built-in majority of Government Members to take action against Opposition Members, declare Opposition seats vacant; expel us from the House and so forth. We made that point on the last occasion and it came back. These Government Senators in the other place who are enjoying the state's largesse, getting legal briefs of \$2 million and \$3 million, but not declaring their assets. Look at what they put in here at clause 31:

- "(1) The Commission shall report any breach of this Part to the appropriate House of Parliament...
- (2) The appropriate House of Parliament...may take such disciplinary action in relation to a report...as it thinks appropriate in any particular case."

I mean, what language. So that this Parliament, which has a majority of Members on the other side, can take any disciplinary action that it deems to be

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appropriate against Members on our side. You have to wonder if these people are serious. This is not the way that things are done in other countries.

In the United States, for example, there is the Grand Jury system where hearings are held in private, with persons who wish to make a complaint or whatever against a US Congressman, or Senator, or the President of the United States for that matter; there is a Grand Jury hearing where the Grand Jury first determines if the complaint is relevant. If the Grand Jury determines that there is a *prima facie* case, or there is an arguable case to be determined, it is only then that a special prosecutor comes in and so forth. That is the American system. The matters that are discussed in the Grand Jury have to be secret.

But this Government wants to put a system in place where one of their supporters from Siparia, probably a pipe layer or somebody like that, could make an allegation against someone on this side. You have an enquiry. The report goes to a committee chaired by the Attorney General, who then decides that the seat of the Member for Diego Martin Central will be declared vacant forthwith. Remember, this is the same person, the same Attorney General who tried to bring up the Member for Diego Martin Central on a question of privileges. The same Attorney General and we have to wonder: the point we are making is that they have taken five years.

All the "tiefing" has taken place already. They done "tief" it out already. They are coming on the last day of the Parliament. They have gone with everything already. Whatever files that are required for any investigation have been shredded a long time. Whatever evidence—I understand that is happening in NIPDEC, you know. I understand there are people shredding files right now at NIPDEC, every day. That is my understanding.

It is interesting to note they have waited until the last day of the parliamentary session and they know they have the power to dissolve Parliament tomorrow, Monday, Tuesday or whatever, and they bring this piece of nonsense which has been orchestrated, as I said, by Government Senators in the other place who are enriching themselves—I am not saying illegally or anything like that. Their asset bases are growing substantially.

We hear all sorts of things about these Government Senators. There are some representatives of the labour movement who are Government Senators and we hear all sorts of things about their changed lifestyles and so forth. We must not enquire into them. I would like the Attorney General to tell me, when he is speaking: Why has he excluded Government Senators from this legislation? I

wish to know. Is it that they are arranging their affairs in such a way that they are going to divert whatever "ratchiffee" is taking place, into these persons who will not be subject to scrutiny from the Integrity Commission? We have to wonder what is going on with this. You see, this Government is very, very clever.

I heard the tape, too. I listened to the tape just now. A reporter played the tape and you heard all these stories on the tape about this Government Minister received US \$7 million; that other one got US \$10 million; this one got a house in London for \$3.5 million and so on. All the names. I just listened to it. A reporter just played the tape for us and it is a friend of theirs. A friend of the UNC. A big lawyer in the employ of the state. An insider in the inner Cabinet of the UNC. I use that term loosely, Mr. Speaker. A big time lawyer in the employ of the state. It is so intriguing and you hear details. Apparently, there is some large sum of money, Mr. Speaker, an inheritance or a trust fund.

Mr. Partap: A suitcase of money.

Mr. C. Imbert: No. We are talking about this and we hear these details about who did what, who spent money on what, who buy what for what, who buy this cash and all that sort of thing. That is why we question the Government's seriousness.

For five years, they have been coming and saying that corruption is not an issue in this country. Every one of them tells me that, inside and outside of the Parliament. Corruption is not an issue. People do not care about corruption in this country.

I understand there is some article in the *Bomb* written by the Member for Tobago East who says that all these allegations of corruption are without any foundation whatsoever; they are motivated for other reasons and so forth. You have to wonder if someone could make a comment like that. In the face of what we read in the papers and hear about every day, when we hear the Minister of Agriculture—sorry—of the Environment, or someone sounding like the Minister of the Environment, could be, according to the—

Mr. Speaker: A Member has to be very careful where he himself cannot make an allegation against a Member of the House which would be off colour and which would offend. He has to be very careful that because he cannot do it, he could put it into the mouth of somebody else and say somebody else said that. So that, I think you are skirting around rather slippery ground and I would prefer if you do not repeat in this House an allegation that may be made against a Member which is uncomplimentary and contrary to these. By saying I did not say it, I have heard it said by somebody on a tape, that would be inadmissible.

Mr. C. Imbert: Certainly, Mr. Speaker. It was not my intention to do that at all. In fact, the instance I am referring to does not cast any aspersions on the

Member for Princes Town at all. I am not casting aspersions on him and the incident in question does not implicate him.

What this tape is all about is that there is a person on the tape who sounds very much like the Member for Princes Town. He has said it could be me or it could not be me. Those are his words. But the recorded conversation is a complaint allegedly made by this person who sounds like the Member for Princes Town that the Caroni rum stocks are worth a billion dollars and that we are giving it away for \$33 million.

Mr. Hinds: That is the point.

Mr. C. Imbert: There is no aspersion cast against the Member for Princes Town. As a matter of fact, if, in fact, he made those statements, I wish to compliment him for having the conscience and the strength of character, to recognize that the issues raised by the Leader of the Opposition at a public meeting in St. Augustine, I think, about three weeks ago, where he read out a list of the value of the stocks of rum at Caroni and it totalled some \$900 million. We hear that efforts are being made by a particular group to acquire these stocks for \$33 million. That is in the public domain and there is argument about whether the stocks are really worth \$900 million, \$33 million, \$200 million or \$500 million. There are arguments and there are various experts—some saying it is \$50 million; some saying it is \$100 million and so forth.

4.20 p.m.

What is interesting about this tape that I am referring to, is that there is someone who, it is reported, is a Government Minister saying: "If that happens, if \$900 million in rum stock is given away for \$33 million, then that is a scandalous state of affairs."

Mr. Speaker, there are all sorts of things that are going on in this country. I question the Government's motives. I got these amendments only this morning as a matter of fact. It is very interesting that the Government, on the last day, is coming with this Bill which has fifteen pages of amendments. As I said before, they are leaving out themselves.

There are so many famous cases—the Attorney General would be familiar with them: cases in the House of Lords and the House of Commons in other countries—where MPs have been bribed to vote in a particular way on particular bits of legislation. Lobbyists in other countries have paid elected and appointed Members large sums of money to either vote against, or in favour of, particular Acts of Parliament. I have a grave difficulty when someone in the other place—

someone who could decide whether public servants' salaries should be cut by 10 per cent or not, or whether things should be done in a particular manner in this country—is going to be excluded from integrity legislation. It is nonsense! I am calling on the Government to include all Senators within the purview of the Integrity Commission, and the Government must say why not. [*Desk thumping*]

Recently we had a situation where the former Prime Minister of India, Rao, was found guilty of inducing members of another party to vote in a particular way on a no-confidence Motion. I think he was convicted. It may be before the appeal court, but that is my understanding. I am subject to correction. There are situations in several other countries where a parallel can be drawn to the reported inducements offered by the leader of the party on the other side, to Members on this side, Mr. Speaker. Where is that within this integrity legislation? In other Parliaments and other jurisdictions they have seen it fit, as I said, to convict a former Prime Minister for trying to induce members of the other side to cross the floor to vote against a Motion of no-confidence.

We have seen a situation in our own Parliament, where persons have crossed to the other side. Where in this legislation is there any procedure for investigating offences of that nature, Mr. Speaker? Was there a consideration given for persons to cross the floor? Who received the consideration?

When we are dealing with integrity, let us deal with all aspects of it. Why do we have this piecemeal, arbitrary approach on the eve of an election? Is it just to give the appearance to the country that the Government is serious about fighting corruption? I would love to know.

We are going to be very serious about this piece of legislation. We are going to look at every single aspect of it, despite the fact that we have received it very late. We need to look at it to see whether it deals with the issues that we have been talking about for the last five years. As my friend, the Member for Diego Martin Central, said: "What about persons who would soon be leaving us; will they be subject to this piece of legislation?" Will the Members on the other side; who may soon be leaving ministerial office, be subject to this legislation? [*Interruption*]

That is no problem; make it retroactive to 1956, I do not care. If the Government wishes, it can go back to 1940, I do not care. [*Desk thumping*] That is the first sensible thing I have heard from the other side. The Government can make it retroactive, go all the way back, I do not care. The Government could make it retroactive all over the world, in London too, I do not care. Mr. Speaker, we will check the property register in Kensington, London.

Mr. Valley: We will also be checking bank accounts for \$12 million.

Mr. C. Imbert: I really wonder what this Government is up to. We, on this side, are requesting that this legislation be amended in a way that will allow us to go right back to the commencement of the term of office of this regime on the other side. The Government can go as far back as it wants. As I said, the Government can go all the way back to 1956, I do not care. But, I definitely want it to go back to 1995, when these hon. Members on the other side came into government. As I said, I want it to apply to Government Senators.

Government Senators must be able to explain how, in 1995, they had nothing: no house, no car, nothing! They had no appreciable source of income. Government Senators must be able to come here and explain what their asset base was in 1995, and what their asset base is in 2000. I am not talking about Ministers; I am talking about Senators who are not Ministers. Does the Government think that we are stupid? What about the chief executive officers of state corporations over the last five years? The Government has used chief executive officers and members of state corporations to do its dirty work over the last five years. The Government thinks that we are stupid.

This is the last day. Parliament would be prorogued tomorrow. We want this legislation to be retroactive, and bring all chairmen of state enterprises, since the assumption of office of the UNC, all CEOs and so forth, that they have appointed in state enterprises from 1995—2000. The Government should put all of them under the purview of the Integrity Commission. Then, and only then, I will believe that the Government is serious.

A lot of “ratchiffee” and racket has taken place over the last five years, and has been done by minions, activists, appointees in quasi state organizations. This is why the Government does not want contracts to go through the Central Tenders Board. This is why the Government uses state agencies such as Tidco. Right now there are persons who are from the Government who are holding office and are chairmen of state enterprises. One example is Tidco paving roads. That is what is going on in this country now.

I just saw an answer to a question; UDeCott, MTS, Tidco and all sorts of strange state enterprises are being given \$200 million and \$300 million. The Government is awarding contracts for asphalt work, at prices double the prices that were tendered in this country just six months ago. In July 2000, the price of asphalt in this country was—*[Interruption]*

Mr. Speaker: Thank you. Hon. Members, the sitting is suspended for half of an hour.

4:31p.m.: *Sitting suspended.*

5.00 p.m.: *Sitting resumed.*

Mr. Speaker: I think that once the meeting has started, if there has just been a suspension, it does not matter if you have a quorum at that stage.

Mr. C. Imbert: Mr. Speaker, before we took the break, I had indicated that there was a certain article in the *Bomb* written by the Member for Tobago East who astonishingly alleged that the allegations of corruption against the Government were motivated by racial considerations. That, in my opinion, is a very weak and feeble response to the current issues. It is symptomatic of this Government that they do not want to deal with anything seriously. It is intriguing, as we have said, that on the last day of the current session, or the fifth session—it is highly irregular, by the way—for a Parliament to go into a sixth session.

In fact, I have the records of this Parliament from Independence to now. The first Parliament of the independent era, 1961—1966, there were five sessions; the second Parliament, 1966—1971, five sessions; third Parliament 1971—1976, five sessions. Then we have the Republican era: first Parliament 1976—1981, five sessions; second Parliament, Republican era, 1981—1986, five sessions; third Parliament, 1986—1991, five sessions; fourth Parliament, 1991—1995, four sessions; and now we have the UNC breaking new ground—

Mr. Assam: Great!

Mr. C. Imbert: —for the first time in 30 years, going into a sixth session of Parliament. I put it to them that they are cowards, and by that I mean, political cowards. Because they have had five years already to demonstrate to the population whether they are deserving of another chance or not, and the only logical conclusion one can come to when a government decides to go into its sixth session and tries to hustle legislation, is that it lacks confidence. Because if it has done so well and if it is going to be returned with an overwhelming majority, then all these Bills that are being discussed now would certainly be reintroduced by it on the next occasion. So there is no need for all of this.

As my colleague from Diego Martin West has said, it is time to dissolve this Parliament and call elections. It is time for us to get a fresh mandate from the population. It is time to determine who is going to be the next government of Trinidad and Tobago. We are very, very serious about the matter which engages

our attention today. We have asked for certain things and we shall insist on them. We wish all Senators to be included within this legislation. There is no valid reason for them to be excluded. All Senators should declare their assets. Senators are involved in decision-making and can have a tremendous impact on national life. We ask that the chairman, the board members and the chief executive officers of every state enterprise be required to declare their assets with the Integrity Commission.

We ask for that. There should be no discretion in this matter. Once you are willing to take the chairmanship of a state enterprise, why would you be afraid to declare your assets? You have state enterprises like Petrotrin, BWIA—well that is no longer a state enterprise, I believe. But there are state enterprises that have revenues exceeding \$1 billion per annum. Take Petrotrin, for example, the revenues of Petrotrin exceed \$1 billion, whereas you have ministries who have allocations that might be as small as \$20 to \$30 million. Yet you require a Minister who does not have the flexibility, the powers and control that a chairman or a CEO of a state enterprise has; you require a minister or even a Member of Parliament, for example, who has no government departments under his jurisdiction, such as the Member for Barataria/San Juan; he has no government department under his jurisdiction; he does not deal with the budgetary allocations [*Crosstalk*] Yes, but I am just saying, you have a situation where it has been recognized that Members of Parliament should declare their assets and yet you have Members of Parliament without any control over government departments declaring their assets and chairmen of state enterprises, such as NIPDEC; why should the Chairman of NIPDEC, the agency in charge of the billion dollar airport, not be required to declare his assets? Would we not want to know what were the assets of the Chairman of NIPDEC in 1995 and the assets of the Chairman of NIPDEC in the year 2000?

So that we believe that the Government is simply not going far enough with this legislation; it is not going far enough. We do not understand the exclusions. I am pretty certain that many of them were motivated by Government Senators, as I have said, and when one reads the committee reports one sees that Government Senators were most vociferous in demanding that certain persons be excluded from the purview of the Integrity Commission. We are demanding that this Government amend this legislation to include the persons that we have requested, as I said, Senators, Judges, Magistrates. We are demanding that all chairmen of state enterprises—

Mr. Assam: Judges too?

Mr. C. Imbert: Why not? What is the problem? What is so sacrosanct about that? In my opinion it will create greater respect for that system. Why should anybody be sacrosanct? Why should we have any sacred cows in this society?

Mr. Assam: You are echoing me.

Mr. C. Imbert: I am serious. You see, this is why I find what they have brought before us offensive, because you are skirting the issues, you are going on a sort of circuitous course to deal with very, very important issues.

There is also a situation here, where the Parliament would have the power to take disciplinary action against persons who have been reported to the commission and the commission has prepared a report. Again, something has got to be wrong with that, because at any given point in time it would affect Members on the other side when they go into Opposition. At any given point in time one side has a majority within this House. And if you are going to allow the majority in any Parliament to take action against Members of this House, then you can have a situation of bias or victimization. I do not believe that is due process. I do not think that a majority of persons of this House should be allowed to take disciplinary action against Members. I believe that is a matter for the Speaker and there are well-established traditions on the type of action that should be taken against Members of this House.

So we have very serious reservations about the clauses in this Bill and we have a number of changes we wish to make and we are asking the Government to take us on very seriously. If it does not, then we know it has something to hide. If the Government does not want the Chairman of NIPDEC to declare his assets, then we know it has something to hide. If it does not want the chief executive officer of NIPDEC to declare his assets, then we know it has something to hide. If it does not want Government Senators who have high-paying jobs in the state sector and are in receipt of two state incomes, to declare their assets, it has something to hide. If it does not want Government Senators who get large legal briefs from the Government to declare their assets, then it has something to hide. We demand that these changes be made and we expect they will be made.

I thank you, Mr. Speaker.

Dr. Keith Rowley (*Diego Martin West*): Mr. Speaker, I just rise to make a short intervention. There is one aspect, having not served on the committee, having heard what has been said, I want to ask the House whether, as we consider this Bill, the whole question of the commission reporting to the House on some aspect of wrongdoing if the commission so finds, and the Bill says that the House will take what action the House sees fit. On the face of it, that sounds good. In fact, one of my colleagues here described it as being disciplined by your peers. That also sounds very good. But I have a little concern, in that in the House there

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is a certain amount of political motivation and given the fact that the Government has a built-in majority in the House, look at the scenario. Suppose a Member is reported to have run afoul of the law, some little infraction—and there are various levels of infraction; I do not know what it could be, something that might be wrongdoing of some sort, inadvertent, but guilty—it comes to the House and it is then for the House to take whatever action the House sees fit. The first thing I would like to ask is whether, in fact, that action is to be taken by a simple majority. Because if it is going to be taken by a simple majority, what, in effect, that clause is saying is that the Government could take whatever action it sees fit.

I am seeing a situation where, suppose the Government then decides to expel the Member for what, in effect, has been reported as an infraction which does not warrant expulsion from the House. Because, you see, the question of representation of the people is a serious matter.

5.15 p.m.

If the people have chosen a Member and that Member runs afoul of the commission in a matter which reasonably might not be something for which you should lose your seat but for which you should be upbraided, reprimanded; suppose the Government then decides to have that Member lose his or her seat. All that has to happen then, is that because the law says the House can take whatever action it sees fit, the Government says “out you go” therefore you get expulsion. Suppose you are not expelled but the Government decides, “well look, we will fine you \$1 million”, knowing full well that in so doing you are going to have to declare bankruptcy, and then you run afoul of another law; you have to leave the House. Should we not try to prevent this sort of thing from happening, by going beyond a simple majority, which would not permit the Government, unless the Government has a huge majority— should we not take a page out of the existing Constitution window which, for some aspects of things, have put majorities other than simple majority? Because in this case, where the possibility of expulsion could be an action, the possibility of induced bankruptcy could be an action, should we not prevent it from simply being a governmental action?

Suppose the House is constituted as it is now, where the Government is barely having a majority and it wants to take an action which is not reasonable, seeking expulsion where the report or the infraction is not one that really should warrant expulsion, but the Government, which has its own motivation, decides to expel or to induce bankruptcy, it would really be an injustice and it would be an abuse of the House, but it can be done. The present arrangement could allow it to be done in the Bill.

I was here, and if I recall what happened, I was standing in this very place making a point that the Government, in supporting a particular project in Toco, was in fact, heading to use the Land Acquisition Act in a manner for which the Act was not designed to be used. For that to happen, since the Cabinet was going to guarantee the project, I went on to say, if this happens—as has happened with other guarantees—the Cabinet would be facilitating wrongdoing. I did not think that was a statement that was worthy of being sanctioned, but yet we saw the political motivation. The Attorney General, of all people—in fact, the Prime Minister, as I was speaking, I saw the Prime Minister telling the Attorney General what action to take in response to my statement. The Attorney General, a learned man, who is very familiar with the rulings of the House and the Standing Orders and so, having been told that by the Prime Minister, I do not know whether, in fact, he agreed to go along because he thought it was legally correct and in keeping with the Standing Orders, or whether he went along because it was an instruction from the Prime Minister which no Minister can oppose. But whatever it was, he took the advice of the Prime Minister and sought to have me brought before the Privileges Committee.

Fortunately, as some of our systems still work, that action was not taken to its logical conclusion. I am saying, if that could happen in the course of a debate when I would say—and I do not know if you will agree with me—that all I did was to properly discharge my duty as a Member representing the people of Diego Martin West—that is all I was doing, and the ruling confirmed that is what I did—yet I was being exposed to potential disciplinary action by a Government that was stung by what I said.

So in that context I ask you, Mr. Speaker, if the commission is allowed to bring reports here—to file reports on what a Member would have done—I would think that it is not every infraction that a Member would commit that would be worthy, or would warrant expulsion, extensive suspension or bankruptcy to be induced by excessive fines. So how do we protect Members from governmental action that could reduce the Members of the House by Government political motivation?

I want to suggest that insofar as we accept that the commission would report to the House on what happened, if action is to be taken against a Member, then the majority should be more than a simple majority. This means that the House sitting as colleagues on a matter of that nature, we will put down our political symbolism and we will sit as Members representing our constituencies in a free vote and we will determine if our colleague should be expelled, suspended, fined

and how much. I submit that as an amendment to be dealt with at a later stage. I hope my colleagues understand what I am saying. Because if the Bill is going to become law and the law is going to work, we have to protect ourselves from abuses and I see the potential for abuse by a vindictive government.

I am not saying this Government will do it, but I have shown an example of how, if this Government had the ability and total control to deal with me, or any other Member—because we saw it again even after that action was found to be improper, when my colleague from Diego Martin Central raised a Motion. In fact, in a Parliament where the Members were conscious of their responsibility, there would have been no need for my colleague from Diego Martin Central to have moved that Motion at all. If we were functioning effectively and properly and if the Government's Members were prepared to act without fear or favour in the discharge of their duties, the Member for Diego Martin Central would never have had to move the Motion he moved against the conduct of the Minister of Finance.

Because when the matter of the oil stabilization fund arose in the budget speech and it was queried during the budget debate, some member on the Government side could have said to us: this is the interpretation; this is the position. They could have said something to us to explain why the Minister had said he had done certain things when, in fact, he had not done so. We asked, during our various contributions, where is the money to come from to go into this savings. Not a soul on the Government side even pretended to want to analyze the finances to show us where the money would come from to go into this so-called savings.

We accused the Government of borrowing money, taking some of the borrowed money and labelling it, savings. Nobody on the Government side sought to refute that. We asked them to show us where the saving is going to come from. Nobody responded. So when my colleague from Diego Martin Central filed a Motion on the issue, when it subsequently became clear that the Government was going to borrow money to put in a savings account, the Government's response, the Minister of Finance's response, the Government's spokesperson who responded to that, responded by saying that the mover of the Motion had done something improper in violation of this House's Standing Order and such a mover should be sanctioned by the said Privileges Committee.

That might have been fun to those on the other side, but this is the Parliament, and when a Minister stands in his place and asks that a Motion be amended so that another Member of the House could be taken before the Privileges Committee, that is a serious matter. I am saying, should we subject Members to a situation where arbitrary action can be taken? You see, when you go to court you have an

impartial judge and jury; evidence is led and you are found guilty. When you are found guilty, it is the impartiality of the Bench that you have now to depend on when sentencing comes around. One is to assume that the Judge is disinterested. He has no personal interest in the matter. So when he sentences you by incarceration or a fine, you ought to feel that he did so in a dispassionate, impartial way.

That is not what is going to happen in this House if any Member is to be sentenced, because of the built-in political motivation that exists in the Chamber. We have two political sides, or three or four. There is a political dimension. It is in the Government's interest to reduce numbers. It might be in the Opposition's interest to remove the Government's numbers. So, therefore, impartiality is not on the table and, therefore, we have to appeal to something else and put some sort of safeguard in there. The only safeguard I could suggest at this time is that we go beyond a simple majority in this case.

Secondly, I want to voice my own concern about the Government's lack of sincerity with this legislation. I know a lot could be said about how the Government in presenting this, is signalling some support for integrity in public life. I am not impressed with that. Because what is happening here, we are passing the responsibility to others to determine if problems exist with respect to the conduct of certain individuals who hold office, and I speak here specifically about Members of Parliament. All I want to ask is, why are we congratulating ourselves, or why is the Government seeking to congratulate itself, as it most certainly will try to do on the campaign trail in a few weeks' time or whenever; that "take this from me, the Government, this is my commitment and a signal of my intention for integrity in public life." So others will determine at some time in the future if Members of this House or the other place have, in fact, lived up to their oath of office. Why must I take that as endorsement of the Government's good intention when I have in front of me more powerful examples of the Government's lack of support for the concept of integrity in public life, or lack of an indication of a willingness to deal with persons who may not have measured up to the highest standards that we hope that this legislation would enforce?

Let me give you one example. The Government embarked on a programme—I think it was in the 1996 or 1997 budget speech; it was very early, and as an act of policy the Government stated categorically—not, "may" or "would consider"—that National Petroleum would be de-monopolized during that year. It was a statement of commitment in a budget speech, describing a policy direction for five years. Up to today the one thing the Government has not done is to say what de-monopolization means.

5.30 p.m.

I am sure if you ask anybody on the other side exactly what the Government means by that term, I would be pleasantly surprised if somebody on the other side could tell me what it means, because we ask questions: Does it mean that another seller of gasoline or other sellers of gasoline would be allowed to open gas stations, buy their gasoline from Petrotrin and sell it in the local market for margins that they would set and so on? No answer. Does it mean that other sellers of gasoline and other fuels would have gas stations—not NPs but their own—and they would be allowed to import gasoline and those other fuels and sell? No answer.

To permit any such de-monopolization there would have to be adjustments to the petroleum laws. No action. And that programme was put into the hands of an officer who had just been removed from a state bank for conduct unbecoming of an officer. We raised that here in this Parliament, and when the matter was embarrassing to the Government, the Minister of Finance stood there in that place and said, “it is not true to say that a Member of the Board created his own job in NP and is now in control of a \$200 million programme. He said that the job was advertised and he was found to be the best person for the job and was recommended by the First Citizens Bank.” That was told to us in this honourable House. It turned out not to be true at all! Neither was he recommended by FCB. In fact, FCB’s letter points very clearly to the fact that he was not their favourite employee.

Secondly, there was never any advertisement for the job. Never any short-listing and screening. In fact, what we had said in the beginning turned out to be the truth. He was handpicked by the Board and put in charge. The Minister had to come back to this House and apologize. Then the Board went around giving contracts. There were tenders in the contracts and the lowest bidders, reputable, short-listed local firms were not allowed to construct the first two phases of the project. They were given to the highest bidder. The highest bidder got the Richmond Street Station and Gasparillo to start the programme at \$7 million a piece. We were saying that this is excessive and they must explain to us why the short-listed lowest bid did not succeed?

We objected strenuously for months and it went into years and what happened? The objection was such, the Prime Minister called for an enquiry. Do you know what he did? The same Prime Minister whose Cabinet is talking about integrity here now, and legislation of this nature on the last day of the fifth session, at that time before the horses had bolted, the Minister of Energy and Energy Industries was implicated in the appointment of the said Soodhoo.

Because the Chairman of NP told the country that she checked with the Minister of Energy and Energy Industries and he told her that he cleared the hiring of Soodhoo. So the Prime Minister asked the said Energy Minister, who is implicated in the matter, to give him a report on the circumstances surrounding the hiring of Soodhoo at NP, and we thought that was a signal for carrying out this commitment to integrity in public life. What happened? The report was very late in coming; it took a number of proddings from the press and the Opposition, for the report to eventually come in. When it did come in the Minister of Energy and Energy Industries stood right where the Member of Parliament for Point Fortin is sitting now, and quoted from the report that he had submitted to the Prime Minister. He said that “Soodhoo had been exonerated,” and the press published that. There were headlines in the various newspapers and on the television, based on statements made from the report by the Minister of Energy and Energy Industries.

Mr. Speaker, you know and I know when we came in to this Parliament we were given a little leaflet—I do not know who read it but I read it; and I read *Mays* because the leaflet was about the conduct of debates due from *Mays* and pointed out to us that any official document which is the source of a quotation by a Minister of Government, ought to be laid on request. We requested that it be laid. He refused. Having quoted from it to generate a headline that Soodhoo was exonerated, he refused to lay the document in the Parliament. So we turned to the Prime Minister, who was the recipient of the report, and who had commissioned the report and we said to him, “Could the Parliament see the Report? And he said, “no.” He read the report and he concluded that the report was libelous in part or in whole and, therefore, he is not going to comply with the parliamentary requirement of laying it subsequent to quoting from it. I am not making this up, Mr. Speaker. This is what happened in this honourable House. And the report, which is now not to be laid, because the Prime Minister had determined it to be libelous, on prodding, the Government had to admit that they hired two senior counsel and paid them substantial sums of money to assist with the preparation of the report. So we are left to believe that these senior counsel prepared a libelous report which the Prime Minister could not lay in the House.

When I accused the Government of covering up and facilitating corruption, the said Prime Minister instructed the Attorney General to take me before the Privileges Committee. Thank God, we have a Speaker who understands his office. Otherwise, I would have ended up in front of a Committee of my peers to be judged by the very same people that I am accusing of corruption. That is what it

meant, you know. The very said people who I am accusing of not doing right by the people of Trinidad and Tobago would have sat in judgment on me because I have done my duty, according to the oath of office that I have sworn to uphold.

So now you understand why I cannot take this Government seriously when it purports to want to support integrity in public life. This is only for the election. When the Government had a clear-cut opportunity to demonstrate to the public and to show leadership on this issue, especially in the face of allegations of corruption, the Government chose to cover up at NP. What was the end result of NP? The end result was, the very said accusations that I was making here, based on the facts that the tenders were too expensive and the \$7 million gas station could not be justified because we had lower bids. Even before the end of the term of the Government, as published in the newspapers, and as admitted to by the Minister of Energy and Energy Industries, he, too, came around to that conclusion, and has determined that the programme should be stopped, and that the Board should be fired. As I speak now, the Minister of Energy and Energy Industries and the Chairman of NP there is no love lost between them. I think he more than ever would like to get rid of her.

I moved a Motion in this honourable House asking the Government to remove that Board, based on how the Board had proceeded to hire Soodhoo and how it proceeded to award contracts and to spend that \$200 million. The Government shouted me down and the money was spent. Contractors did not perform; liability clauses were not invoked; contractors owe millions of dollars for late delivery of the jobs, not invoked. And in the end the Government came around to admitting that something was radically wrong at NP. How can they now cloak themselves in the mantle that they would like to be cloaked in?

5.40 p.m.

Mr. Speaker, when we talk about corruption in this House, the Government's response is to accuse the Opposition of only talking about corruption. The reason the Opposition only talks about corruption is because the Government only does corrupt things, and therefore when we talk about corruption we do not talk in a vacuum, we talk about the conduct of particular projects, of particular actions taken. Do you know what the Minister in the Ministry of Finance, the Member for Tobago East—listen to how he describes the Opposition's allegations, which they refuse to answer. I am quoting here from the *Bomb* of October 6, today's date.

Only talk of corruption, corruption. "Beware PNM absurd, ethnic stupidity".

So I am talking about a particular programme, a particular sum of money; a particular tender procedure; a particular award; facts of an issue. The Member—
[*Interruption*]

Mr. Humphrey: He has not named a fact yet.

Dr. K. Rowley: The Member does not even know what a fact is. The Member for Tobago East somehow manages to see race in there. Let me quote what the Member for Tobago East had published. This is what he said:

“It is a struggle...”

This is what the Member sees when we raise matters about Government’s expenditure patterns. This is how he sees it:

“It is a struggle between principalities and the powers of darkness versus the ‘born again’ Christian teleological imperative Patrick Manning symbolises.”

So it is now Christianity versus something else.

“Corruption as the substance of the PNM campaign 2000, is not about facts.”

So what I have just outlined there with NP is not about facts; in which case, any of them can stand here and give a different version, since that was not the fact. He went on to say:

“Rawan symbolising the African man being driven by Ram, symbolised by Panday, from his homeland...”

So I am talking about the Government’s misappropriation or the Government’s acquiescence to mishandling of public funds and the Member for Tobago East, Minister of Finance, who should be custodian of the treasury, instead of telling us how the money is being spent and allaying our fears and our concerns and answering specific questions, seeks to ingratiate himself to a Government which happens to have an Indian majority by talking about Rawan and symbolizing African and Ram. How do Rawan and Ram get involved with the issue that we have been raising here about public expenditure? How? So when he spent all his years accusing Prevatt and O’Halloran, what racial motivation did he have?

Mr. Humphrey: Both of them were thieves. [*Desk thumping*]

Dr. K. Rowley: And the Member has joined them with excess. [*Desk thumping*]

Mr. Speaker, we had another situation where the Government had the opportunity to simplify and come clear and clean. I asked the Member for Oropouche if, in fact, the Ministry had awarded any contracts for the harvesting of teak—a simple, innocent question. The Minister had the opportunity to stand and say yes or no, to go into detail or not go into detail. The Minister chose to hide behind the fact and to invoke something called *sub judice*. The matter is *sub*

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judice so he cannot tell the Parliament if his Ministry awarded contracts for teak harvesting since he became Minister.

What he did not tell us is that, since he has become a Minister responsible for the Ministry, sawmillers of Trinidad and Tobago licensed by the Government either have gone stark raving mad or they have found reason, as they have, to sue the Government, because they are accusing the Minister of violating the Government's own stated policy for the award of contracts for the harvesting of teak. I will not go into the other allegations about what benefits might have come and to whom, but bear in mind, as I stand here now, the Government is paying lawyers in the courthouse to defend that action where nationals who make their living as sawmillers are accusing the Government saying that there is a stated policy, which I happen to know, because I had asked my friend from Princes Town to state the policy here in this House when he was Minister of Agriculture.

Since then, we have had concerns about how the teak was being harvested and the MP for Princes Town stood in this House and he outlined the Government's policy that governs the award of teak. A new Minister goes in there and we end up having to pay lawyers in the courthouse to defend an accusation made by sawmillers that the policy was violated, teak was—[*Interruption*]

Mr. Sudama: Which sawmillers?

Dr. K. Rowley: The Minister could enter the debate.

Mr. Sudama: Yes, I will enter the debate. I will deal with you.

Dr. K. Rowley: Last time he had a chance to answer a question, he chose not to answer the question. He said it was *sub judice*. So, enter the debate. [*Desk thumping*] [*Interruption*] He could throw any amount of red herring he wants. [*Interruption*] He could "call people name" as much as he likes. I am dealing with the matters of state. [*Interruption*] He could accuse me of anything he wants. [*Desk thumping*] [*Interruption*] Why he the Minister calling Keith Mahabir's name? Keith Mahabir is not a public servant; he is not a Minister; he is not a parliamentarian. [*Interruption*] "What you calling Keith Mahabir's name for?" How did his name get into—how his name is going to defend the Minister, I do not know. [*Interruption*] How did his name get into the matter?

Mr. Speaker, I will point out to you very clearly what has happened, what is happening, and what the Government's action has been. Any Minister who wanted to ensure that there was transparency and clear thinking on this matter and being asked a question, "Did your Ministry award any contracts for teak under your tenure in the recent months or whenever?", what is wrong with simply

saying yes or no? However, he chose not to answer and to hide behind “It is *sub judice*” and talking now about integrity in public life. When people accuse him of whatever they accuse him of, he stood here and “tell nancy-story” about selling his mother’s wedding dress and cashing in his pension and “all kind ah t’ing”. [Interruption] He brought that on himself. [Interruption] He could show whatever he wants. “I pass through dat already”. Mr. Speaker—[Interruption]

Mr. Speaker: No. May I appeal to the Minister of Agriculture, Land and Marine Resources, what you are doing is not right and you know that. You will have an opportunity—[Interruption]

Mr. Sudama: What he is doing is right?

Mr. Speaker: I said to the Member for Oropouche that what you are doing is wrong and if you continue to argue with me I would ask you to leave the House.

Mr. Sudama: Really?

Mr. Speaker: I honestly do think that the utterance and the behaviour of the Minister are not right. You were doing something that was wrong, I try to correct you, you continue to argue with me and to sit there and speak to me. I think it is wrong. Would you please continue?

Dr. K. Rowley: [Desk thumping]. I thank you very much, Mr. Speaker, but now you understand what passes for governance in this country. [Desk thumping] Now you understand who is holding office in this country and why. [Desk thumping] I was saying, we have to pay lawyers to defend them time and time again.

Mr. Speaker, I hear him muttering about National Fisheries and National Quarries. I had the privilege of standing, maybe in this very same spot, because I was third down, in the period 1987 to 1990, and directly across from me was a minister of government, Ken Gordon, who happened to have been the minister responsible for National Quarries. I sat here for four years in Opposition to the government and I must thank the government very sincerely, the NAR government, because if I had all this cocoa in the sun in National Quarries, they really protected me very well. I must thank them. I thank my colleague from Tobago West for the protection, but I always hear him talking about “National Quarries, National Quarries”, but I do not know what he is talking about. [Laughter] [Interruption]

What I do know is that I stood here in front of the Minister responsible for National Quarries for four years, standing as a PNM spokesman, and to date, Mr. Speaker, it is all reduced—“National Quarries, National Quarries”. [Interruption]

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If the Minister has something against me, then say so. “National Fisheries, National Fisheries”. If he has something to say about National Fisheries, say so. If there is some wrongdoing there, he has been in Government for five years, he needs no Linnik. He could do it himself. He does not have to come here and make mutterings in his defence and I hope he will enter the debate, right, because I am not going to be bothered by him. I am bothered by the fact that he is seeking to clothe himself in the mantle of integrity and, you know, he has somehow managed to fool even the press.

There was an editorial in the newspaper praising him for declaring his assets, completely oblivious to the fact that other citizens outside this House have had to take legal action to try to get their rights because they are accusing him of violating the Government’s policy and discriminating against them. Mr. Speaker, there was another situation—[*Interruption*] Integrity?—where, for the award of hot mix—nothing new in this country. We have been paving roads in this country since I have been in primary school and probably before. The use of bonded contractors and the bidding process are nothing new in this country, but they do not want to use those procedures because they do not give them the guaranteed result they want. They want to ensure that only particular selected individuals benefit.

So do you know what they did, Mr. Speaker? The Ministry of Works and Transport amended the bidding process to read that only a particular size asphalt plant would qualify to win a bid to provide road-paving material. Incidentally, they amended it to say, for a contractor to win the bid he must have a plant of 1,000 tonnes per day and, if one had two plants of 500 tonnes one does not qualify. If one had three plants of 305 tonnes, one does not qualify. One must have a plant of 1,000 tonnes. Incidentally, only one contractor in this country had a plant like that. So do you know what happened?

Another contractor who saw the injustice and the preparation for corruption went to the court to ask the court to rule on the conduct of the Government. He sued the Central Tenders Board. Do you know why? Because the Central Tenders Board is an agency that is there to protect the public’s interest. He got an injunction against them and the matter was—and for the whole of last year and into this year we could have paved no roads in this country. The road-paving frenzy we are seeing now with the waste of public funds now is as a result of that injunction. [*Desk thumping*] The roads that should have been paved last year and earlier this year could not have been paved because there was an injunction in the court because a member of the public went to the court and said, “The Government is violating my rights and I want protection from the court”.

The court examined the evidence and the court ruled. I invite my friend from Naparima to read the judgment of the court. The court chastised the Central Tenders Board. Do you know what it said?

5.55 p.m.

Mr. Speaker, do you know what the court said to the Central Tenders Board? The court said to the Central Tenders Board that it cannot give up its responsibility to protect the public purse by allowing the Ministry of Works and Transport to create an environment for tendering which would lead to corruption, and the court shut down the award made by the Ministry of Works and Transport up to that point and that is what happened. I am not making this up.

Mr. Speaker, the Government having been so struck down, instead of humbling itself and complying with the law by going out there and inviting bids and letting the process work, do you know what the Government did? The Government abandoned the Ministry of Works and Transport and its tendering processes; abandoned the Ministry of Works and Transport staff and equipment and went to Tidco, the Urban Development Corporation of Trinidad and Tobago Limited (UDECOTT) and elsewhere to pave roads. [*Desk thumping*] That is what is happening. My friend from Naparima, how in God's name could you support that my brother. How can you!

Mr. Speaker, as a result of that, do you know what the Government did? The last time the Government went out for tenders it was able to get a tonne of hot mix for \$190.00 because the bidding process forces competition and you get the best value for money and that was the last price paid. In an environment where inflation is 3 per cent, and in some instances in the economy where it is probably less than that, how in God's name could the Government justify now paying almost \$300.00 for a tonne of hot mix that it could have gotten for \$190.00. There is no inflation to say well, okay, this or that has gone up, but the Government is quite happy not to have the bidding process work, and now there is a road paving frenzy for elections, hoping to impress the very public whose money it is wasting in this cost-effective way. [*Desk thumping*]

Mr. Speaker, I do not understand it. We are all from the same country and we should all have the same objective to build this country. Where did this Government come from? How can the Government support this! And then the Government wants us to believe—

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

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Dr. K. Rowley: Mr. Speaker, I thank you very sincerely and I thank my colleagues for the extension. Mr. Speaker, so that is road paving. I heard the Attorney General today talk about the Bill providing protection for whistle-blowers and the Government welcomes that. Mr. Speaker, do you know who is a whistle-blower? A whistle-blower is a person in public life who sees or has information that there is wrongdoing in the form of corrupt practice and brings that to the attention of the public in whatever form or fashion.

In the United States of America such a person is protected, and if the complaint or whistle-blowing results in moneys being saved by the state, in some cases, the whistle-blower gets a portion of the money that is saved. Today, we are being told in Trinidad and Tobago how the Government wants to protect whistle-blowers, but what is the Government's record with respect to whistle-blowing in its five-year period?

Mr. Speaker, I came to this House and spoke about certain contracts being given to members of the board of Caroni (1975) Limited which involved benefits to members of the board where in some instances, the board itself had difficulty dealing with the situation because it was being guided by the Minister. I did not disclose my source, but I can go on record and say that the secretary to the board of Caroni (1975) Limited had nothing whatsoever to do with my information—that much I can tell you without fear of contradiction. What I do know is that this Government assumed that the information I came to the House with—which was entirely accurate—had come from the secretary of the board. I do not know why they picked on the poor lady. I do not know why the Government picked on her because it was common knowledge throughout Caroni (1975) Limited what was going on in there, but they picked on one Sandra Pujadas and fired her summarily.

Mr. Speaker, she took Caroni (1975) Limited to court for the injustice. She won the case and the court has awarded her \$500,000 in damages. This is Caroni (1975) Limited that cannot pay its workers salaries and wages; that cannot pay its creditors; and is now having to pay to the lady \$500,000 in damages. Do you think the Government repented? No. The Government appealed and they are not paying the lady. Do you understand! They throw her out of her job totally innocently. *[Interruption]* She took the Government to court and now they are refusing to pay her. What manner of people are these? *[Interruption]*

Mr. Speaker, I came to this House and disclosed to the country that the Chief Executive Officer of NIPDEC who is an automatic member by virtue of holding that post becomes an automatic member of the board—sorry. The Chief Executive Officer of the National Insurance Board becomes an automatic member of the

board of NIPDEC, a subsidiary of the National Insurance Board. So the Chief Executive Officer has to sit—whether he likes it or not—and contribute on NIPDEC's board because he holds the post of the Chief Executive Officer of the National Insurance Board.

It came to my knowledge that the Chief Executive Officer was receiving \$15,000 a month from NIPDEC, which is over and above his salary at the National Insurance Board for doing what should come naturally under his job specification at the National Insurance Board, because the job specification at the National Insurance Board says that you are automatically to serve on NIPDEC's board but, no, he gets \$15,000 a month more. When I brought that matter to the attention of this House the first reaction from the Government was that was not true.

The Minister of Finance, Planning and Development who is responsible for the National Insurance Board came to this House and said that was not true and then had to hurry back here after and say he only read what they gave him and that caused him to say that it was not true. Do you know what the Government did? The Government went to the National Insurance Board and fired the internal auditor. I do not know why the Government picked on that chap. At Caroni (1975) Limited it was the secretary to the board the Government fired. At the National Insurance Board the Government fired the auditor claiming that he was somehow the source of my information.

Mr. Speaker, again, I can tell you that without fear of contradiction, the internal auditor at the National Insurance Board was never the source of my information. I did not even know the chap until he turned up in the public as the person fired from the National Insurance Board, but that is how the Government treats whistle-blowers. And, of course, the ultimate one was the Prime Minister receiving a whistle of distress from Sumairsingh in Mayaro and what happened was he tried to blow a whistle and they out his whistle. [*Laughter*] So when the Government comes to look for praise, we have to say yes, their idea is good but their record is horrendous. [*Desk thumping*]

Mr. Hinds: Ugly.

Dr. K. Rowley: Mr. Speaker, look at what is going on with the telecommunication industry. I would not be surprised—given what is going on in Parliament these days—to come in here any day and be confronted with a telecommunications Bill, tonight for tomorrow. I would not be surprised at all because that is how the Government is conducting the country's business now. The Government indicated

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many moons ago that it intends as an act of policy to demonopolize the telecommunication services.

6.05 p.m.

In this country, there is support for that. The TSTT monopoly, we think, may be one act of policy where we could have competition. There is another point of view that maybe the state can benefit tremendously by retaining what it controls there and putting regulations in place so that the profits of the growing industry can come to the state. But either way, it does not matter in the context of my argument.

However, the Government said we have taken a decision to demonopolize TSTT. How is that to be done? A very important piece of enabling legislation is required—a telecommunications act—to ensure that when the new players come into the marketplace, they do so under law, under clauses that say who can and cannot do what. A simple thing like interconnection, TSTT owns the equipment.

There is no law in this country that says I must give you my thing. If you want it, there must be terms and conditions and if I do not want to agree, it requires legislation to put the platform in place. But no, the Government is now in its dying days. Today is the last day of the five-year session, the last day of the Fifth Session.

Mr. Hinds: Bye, St. Joseph.

Dr. K. Rowley: We have not seen the Telecommunications Act. What we have seen, though, is a bill for lawyers to defend the Prime Minister and that bill is not cheap, a bill under which the public has to pay to defend the Prime Minister in the court because the Government went about trying to give telecommunications licences in a way that resulted in one of our corporate citizens suing the Prime Minister.

The case was not frivolous, because that corporate citizen has won the case and the Prime Minister has been accused, in his capacity as Prime Minister holding the portfolio of telecommunications, of acting unconstitutionally with bias [*Desk thumping*] and doing so in a deliberate way, resulting in a court of law debarring him from taking part in an action under his portfolio. Unprecedented in the Commonwealth, as far as I know. Where is the integrity in all this?

To make matters worse, the people who were to benefit from the injustice to the Caribbean Communications Network, the Prime Minister selected them from

the population, put them in the Cabinet and made him acting Prime Minister of Trinidad and Tobago. [*Desk thumping*] I mean, where—

Mr. Assam: Your partner.

Dr. K. Rowley: Of course, he is my partner, but I am saying that does not make it right. How in God's name can you not understand that Mr. Gillette has an interest? He has signed a document applying for a licence; denies it; he has an interest in telecommunications. You bring him into your portfolio where you hold the portfolio of telecommunications and make him Minister in your Ministry. Is that not a conflict of interest? [*Desk thumping*]

The Prime Minister deliberately creates a conflict of interest. Then, he gets sued because people in this country are now waking up to the fact that they have rights and our courts are prepared, pilloried as they are, to defend people's rights and some of us are going there one by one to ask for those rights and we are getting them.

Jusamco went to the courts; he got his rights affirmed. CCN went to the courts; they got their rights affirmed. So you all better take notice. The court in this country is still independent despite your best efforts. The court is prepared to hold up people's rights. Having created this massive and nasty conflict of interest in the Office of the Prime Minister, rub salt in our wounds, rub our noses in it, make him acting Prime Minister, then you get yourself sued and take my children's money, take the pensioners money to pay lawyers to defend them and you are talking about going to the Privy Council. Millions of dollars will be thrown away.

We are not impressed by any fulminations of this Government about integrity. They have no integrity. In fact, this Government has propagated scandals in this country, every single Monday morning. They talk about O'Halloran and Prevatt. I am not here to defend O'Halloran and Prevatt. God rest their souls. What I can tell you, though, is that during the life of the PNM in government, of which you were a part, Mr. Speaker, for 34 years we were the government of this country. During that time, over 100 persons served as members of Cabinet and many, many more as Senators and in other positions of influence and if at the end of the day, all they can seek to defend themselves with is to mention O'Halloran's and Prevatt's names, then I am saying they are as naked as the Emperor with no clothes. [*Desk thumping*]

In their short sorry stint, there has not been a week that they have taken any action which was not clothed in accusations of corruption. Your very own

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Minister of National Security, within a matter of months of your coming into office, came to the Parliament, stood there and felt the shame of having to read a document saying that the reason they had to buy Cherokee Jeeps from the owners was because only those jeeps could accommodate Motorola radios. He pretty much did it with a laugh and a smirk because he knew he was talking utter rubbish! But he put on *Hansard* that we had to buy Cherokee Jeeps because the Cabinet instructed NIPDEC.

They gave NIPDEC the job to buy vehicles for the police. They did not allow NIPDEC to go out there to have tenders and quotations. Having given NIPDEC the authority to procure the jeeps, the Cabinet went one step further and instructed NIPDEC to buy Cherokee Jeeps from a financier of the Government. That is what it did. Then, you say we do not come here with facts and you had the poor Minister of National Security coming here and telling us that only in Cherokees can Motorola radios work. That was early in your tenure and the tempo never stopped. It only got worse and worse and worse.

Mr. Hinds: Now it is only Benz and Prada.

Mr. Assam: Did you say Benz?

Dr. K. Rowley: When the scandal at the National Flour Mills Company Limited became public and the Minister of Finance, Planning and Development, responsible for NFM—when they discovered that the scandal was too great, the Prime Minister tells the country that he will call in the Fraud Squad. That was a commitment given to the country by the Prime Minister of Trinidad and Tobago in response to revelations about the rice scandal. He will call in the Fraud Squad but when his name was called in the board minutes as having instructed the purchase, to this day, he has said not one word in his defence in or out of this Parliament. Not only did he not call in the Fraud Squad, but when the company itself had a forensic analysis done of who did what, where and how, and who was responsible, the Government responded by firing the accounting firm that did the forensic analysis.

Today, we are being told about forensic Mr. Lindquist, or Lonquist, or whatever his name is. He is a forensic analyst who caught O'Halloran so we are now to be impressed by forensic Mr. Lonquist. But when the accounting firm—is it Price-Waterhouse?

Mrs. Robinson-Regis: Yes.

Dr. K. Rowley: When Price-Waterhouse did the forensic analysis on the NFM \$30 million rice racket, as a whistle blower, they fired them from their best account at Petrotrin. That is how this Government has dealt with people who sought to provide facts, figures, dates, times and places.

Mr. Hinds: None shall remain unscathed.

Dr. K. Rowley: We are not just calling names and saying John, Harry, Tom, Dick, like you. O'Halloran, Prevatt! O'Halloran, Prevatt! Okay. O'Halloran was involved, according to the information, with certain specific contracts; Prevatt, up to now, you cannot tell me what you are accusing him of, except you suspect he was taking kick backs. That is all I am hearing from you. I am saying to you, we are not doing that. We are not just calling names. We are telling you specifically what problems we have with specific contracts, sums of monies, times, places and dates.

When I come into this House and I present a letter in this Parliament dated July 30, where the Minister of Finance, Planning and Development, in control of our billions of dollars, writes to the Prime Minister, coercing the Prime Minister into allowing him to pay a private visit to Birk Hillman in Miami in the context of the fact that he knows that Birk Hillman is a contractor building airports. When I present that information, that our Minister of Finance, Planning and Development was having secret private meetings with an interested party in the airport matter and within weeks of doing that and making that visit, Birk Hillman ends up with the best sweetheart contract in the world. What did the Government do? What did it do?

Birk Hillman sends a bill to NIPDEC. In the series of billing, one item in the bill is \$10 million paid to a company called Overseas Corporation Investment. I asked in this House, in the presence of the Minister of Finance, Planning and Development responsible for NIPDEC, what was that money paid for? I ask outside this House, tell me what service the Overseas Investment Corporation provided for NIPDEC so that NIPDEC accepted a bill and paid \$10 million through the Airports Authority. NIPDEC's published response was, "We have never seen that company near our files. We know nothing about it." But Birk Hillman's published response was, "NIPDEC queried the payment and we told them [words expunged]" Where is the integrity in this?

Mr. Speaker: I do think that to make that allegation would be very contrary to the Standing Orders. You cannot do that. That statement must be expunged.

Dr. K. Rowley: Mr. Speaker, I am guided by your ruling but I must say that the allegations are that high-ranking officials in Trinidad and Tobago were the

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beneficiaries. We asked the question of the Government. The Government could allay those fears. The Government could put those fears to rest now by simply answering a simple question: What service did the Overseas Communication Investment Corporation provide to the airport contract which allowed the Airports Authority to pay them \$10 million?

Mr. Humphrey: No service.

Dr. K. Rowley: If there is no service, why then did you pay them \$10 million?

Mr. Humphrey: They were not paid any \$10 million.

Dr. K. Rowley: Mr. Speaker, they are taking this thing to make it a joke because they believe that it is all a joke and all there for their benefit. That is why we are saying we have no problem with this legislation being made retroactive. While it has been our position all along that retroactive legislation is not the best thing to do because what it does is that it makes illegal what had been legal types of action, in this particular matter, if there was corruption—whether it was last year or the year before, 1992 or 1991—and it can be unearthed, it should not be protected by an absence of retroactivity.

6.20 p.m.

We are quite prepared at this time, to say, that given what we have seen, the questions we have asked, and given what has happened over the last five years, this Bill is going to be less than effective if it is not retroactive.

Since we are hearing from the other side, that they want to look at our period of office, we are saying yes, let us make the Bill retroactive to 1991. [*Desk thumping*] We say it with the confidence that we have no cocoa in the sun. Let me change that. I say it with the confidence that I have no cocoa in the sun, and I am confident that my colleagues can also say the same thing. [*Desk thumping*] But, to make sure that they do not believe that we are simply looking at what they might have done, or that we want to cover our period, we are saying let us make it retroactive to 1991. [*Desk thumping*] So any examination—the Member is making a joke and saying 1956.

I am being serious, Mr. Speaker, I am not making jokes. This is serious business. This Government has been the custodian of \$64 billion in the last five years. We have seen large dollops of that go all over the place. We are saying we must have accounting for the moneys that were spent, otherwise the people in this

country are going to become so cynical, that governance in Trinidad and Tobago could become a farce.

It is not uncommon now, that the average comment in this country about politicians in general, is that we are not worth anything, we are not worth the time of day, we are not worth any respect because of how we conduct our business. The Government has been failing in this matter. All the Government has to do to demonstrate that it believes in what it is saying is to agree to those actions. This Government's record—if I may repeat that—in the last five years is something of which this country cannot be proud.

Sometimes I wonder if these people have any conscience. There are serious needs to be met in many areas of our national life. As those needs are not being met, the Government is quite prepared to either acquiesce or facilitate situations where large sums of money are going out in a manner which can only cause concern to any right-thinking citizen. Of course, the only time they come to life, is if they believe that there is political mileage to be had.

I can speak here all night, if I am allowed to, about the Minister of Works and Transport and his portfolio, and what that Minister and his portfolio has cost this country. But, the Government springs to life to deal with ADDA and Ringbang in Tobago, as they should. But you must bear in mind, Mr. Speaker, as somebody wrote in the newspaper yesterday, even before the Ringbang thing was consummated, there were complaints in public that the Tobago House of Assembly was heading in this direction. The Eddy Grant/Josanne Leonard arrangement was made public in this country before it was consummated. Not a word from the Government at that time: they allowed it to pass. At the end of the day, \$44 million or thereabouts—because we do not even know, they are not telling us anything—gone down the drain to enrich a small number of people. The end result of that is, when teachers work in Tobago, they do not know if they are going to be paid. The Government has a stated policy: no work, no pay. But, in Tobago, the policy for Government workers is: work and maybe no pay. \$44 million gone just like that. Not one Government spokesperson, in a Cabinet where there was a Minister for Tobago Affairs, had raised a voice of concern or objection when the Tobago House of Assembly was alleged to be heading in this direction with the ADDA matter. That happened way back, and the Government was quite happy to sit and go along with it, if it favoured their political fortunes.

It appears, that in these dying days, the Government has given up on Hochoy Charles in Tobago. All of a sudden this Government, that has made poor accountability

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and corruption facilitation its hallmark, is now running like Ato Boldon to try to deal with the Tobago corruption which, wrong as it is, is small potatoes in the scheme of the potato field that it has been hoeing for the last five years. While we are not saying, for one moment, that anybody in Tobago should be defended or encouraged to misuse public funds, we are saying that the Government's interest in the Tobago matter now is rank hypocrisy of the worst kind and political expediency.

I ask the Government to use the same initiative that it is directing at those two projects in Tobago. The Government has identified two projects in Tobago for the anti-corruption squad to deal with: the Ringbang and the ADDA project. The Government should do the same thing in Trinidad; and direct them to deal specifically with the airport contract, the rice scandal and everything else that it has been involved in. Only then will I say that the Government is serious about dealing with corruption, only then. [*Interruption*] You are like the rice grain.

Mr. Speaker: You need to wind up, because your time has just about expired.

Dr. K. Rowley: I thank you, Mr. Speaker. I can wind up by telling this Government that this Bill has serious shortcomings, some aspects of it are an improvement on what exists; especially the investigative aspect which would now become part of the authority of the Integrity Commission.

The Bill has some very good merits, but it also has some shortcomings. I hope that, before it is passed, we would be able to address the shortcomings. We are prepared to support even incremental improvement in the authority of the Integrity Commission to deal with this matter.

I want to end on the note that one cannot legislate integrity.

Mr. Manning: Correct. [*Desk thumping*]

Dr. K. Rowley: One can legislate for shortcomings with respect to conforming to integrity. If a person is a thief, the law will not make him or her a priest. The bottom line is, what the Bill should seek to do is to discourage and also identify and take action where there are shortcomings. With these few words, I look forward to the committee stage and the Attorney General's stated co-operation in improving this Bill before it becomes law.

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

6.30 p.m.

The Minister of Agriculture, Land and Marine Resources (Hon. Trevor Sudama): Mr. Speaker, I had no intention of speaking in this debate, but since I was

drawn into it I think it is necessary for me to say a few things here, both in defence of my ministry and to expose the hypocrisy that is coming from the other side.

The first question I want to ask the Member for Diego Martin West, the Englishman from Tobago who is constantly harping on my pronunciation. He comes from an Oxford school somewhere in Tobago, I do not know where it is, but, of course, he should also tell us why he had to run from Tobago, what caused him to become very fleet-footed from Tobago. I am sure the Member for San Fernando East is aware.

Mr. Manning: I am not aware of that of which the hon. Member speaks. At any rate, it is not relevant to the Bill before us.

Hon. T. Sudama: Mr. Speaker, I have heard very few Members on the other side refer to this piece of legislation before us, but what they have come here to do is this five-year empty, mischievous cacophony, as if we have a stuck record on the other side. They have no idea how to advance this country, no concept of development of Trinidad and Tobago, no idea of how we could have a more stable, a more unified society in this country, no progressive idea in their head.

We have had five years of this cacophony which can be very irritating at times, and they have full leeway to say whatever they want, to make whatever imputations they want to make on Members of this side. [*Interruption*]

Mr. Speaker: One second please. If the hon. Member, by what he has just said, intends to cast any aspersions on the Speaker, this book does not allow it. I demand that you withdraw it, and if you do not, you will take your seat.

Hon. T. Sudama: Mr. Speaker, I am not casting any aspersions.

Mr. Speaker: I interpret what you said as casting an aspersion on the way in which I, in a biased manner, am presiding. I ask you to withdraw it or else you will not be able to proceed! [*Crosstalk*]

Hon. T. Sudama: Anyway, I withdraw the statement. [*Crosstalk*] To whom? Five years we have had this same kind of contribution from the other side, not speaking on any matter which has come before this House, but whatever has come before this House has been an issue for them to rant and rave on the corruption issue. That is what we have put up with for five years; irrelevant basis of discussion as to what the issues which we are debating really are.

This issue of corruption is endemic; it happens throughout societies all over the world, and even the Member for San Fernando East has admitted when the

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question was put to him: do you have any corrupt people in the PNM?—he admitted in a newspaper interview that there are corrupt elements in the PNM.

Mr. Manning: Would the Member be kind enough to give way just to set the record straight?

Hon. T. Sudama: I am a cultivated man, and I will give way to you.

Mr. Manning: Very gracious of you, Sir,

Mr. Manning: I thank the hon. Member from Oropouche for giving way. What I said, really, is not what you have just ascribed to me. What I said was that the nonsense that is going on in the UNC with respect to integrity, the PNM is not immune to it, and, therefore, we will protect ourselves only by internal vigilance.

Hon. T. Sudama: If you are not immune to it, therefore, there are elements in your party who are corrupt, and I would like to know if there are elements in the PNM who are corrupt. Who are these elements? Do they sit in the Front Benches with you there? Or are there other members of the party who are corrupt? [*Words expunged*] [*Crosstalk*] I am just asking a question.

Mr. Speaker: You are overstepping the bounds when you use such a remark. That is not right. That you cannot say, please. That will be expunged. [*Crosstalk*]

Hon. T. Sudama: Why should I continue, because I cannot say anything.

Mr. Speaker: You cannot say that a Member has a history of corruption, that you cannot say!

Hon. T. Sudama: I asked a question.

Mr. Speaker: No—

Hon. T. Sudama: I asked a question.

Mr. Speaker: No, no—

Hon. T. Sudama: I said is, that is the question I asked.

Dr. Rowley: The Speaker is on his feet, take your seat!

Hon. Member: Hush your mouth!

Mr. Speaker: No—

Hon. T. Sudama: I said is it, in the light of his statement.

Mr. Speaker: If you want we could get the record. On the second occasion you asked a question with respect to somebody else, but the first one you said, “who has a history of corruption,” that is not right!

Hon. T. Sudama: Get the *Hansard*.

Mr. Speaker: We are not going to argue about it. [*Crosstalk*]

Hon. T. Sudama: You have allowed them to do all sorts of things, to make all sorts of imputations on this side—

Mr. Maharaj: The Speaker is right, and it should be withdrawn. [*Crosstalk*]

Hon. T. Sudama: The Member for San Fernando East has said in a statement to the media that he acknowledges there are elements in the PNM. All I am asking is, who are these corrupt elements? Can you identify them in the People's National Movement? Can you do that? Who are they, are they Members of the Front Bench of the PNM? But you know, it is the UNC, year after year, every action that we take here is corrupt, and clouded and enveloped in corruption, and these paragons of virtue—

Mr. Speaker: Order please!

Hon. T. Sudama: —Member for Diego Martin West, Member for Diego Martin East; paragons of virtue in Trinidad and Tobago will come here and advertise their virtue to this House. Such hypocrites!

I want to tell you something Mr. Speaker, when the issue of National Fisheries and the manner in which it was disposed of came up in the last session of Parliament, we asked for a commission of inquiry into that transaction. We raised that in this House, a commission of inquiry; there was no commission of inquiry. If your hands are so clean, and you have operated above board, why did you then not want to put a commission of inquiry to investigate, because you have nothing to hide? No commission of inquiry!

When the airport scandal broke, Project Pride, and we asked for a commission of inquiry into that, the then Prime Minister, Member for San Fernando East, said, “Yes, I will appoint a one-man commission of inquiry,” Justice Collymore I think it was. So Justice Collymore duly made a report and presented it to the Prime Minister. You would not believe this, Mr. Speaker, the then Prime Minister, the Member for San Fernando East, returned a report to Justice Collymore for him to

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amend and make more acceptable to the government. That is integrity, and they come here and shout about integrity. It gets me so annoyed!

To doctor a report of a judge who was a one-man commission of inquiry into the airport scandal, Project Pride, and now you come here to talk about integrity! You have not spoken yet on this Bill, have you? You come here to talk about integrity.

Mr. Manning: I will talk after.

Hon. T. Sudama: Mr. Speaker, you would recall that when the issue of the insurance brokerage for the port came up, where the Member for Diego Martin East, immediately after he assumed office as Minister of Works and Transport took away that insurance brokerage from the existing insurer and gave it to M & M.

Mr. Imbert: Mr. Speaker, under Standing Order 36(5) the Member is imputing improper motives. He has accused me of interfering with contracts, taking contracts away from another person and giving it to another when I was minister. This is totally false and improper, Mr. Speaker. I did no such thing.

Mr. Speaker: I am afraid that that one escaped me. I was speaking to a Member at the time, just before you got up, but I am quite prepared to read the unconfirmed *Hansard* and rule on it. Hon. Members, the sitting is suspended for 15 minutes. [*Crosstalk*]

May I just say to the Member for Oropouche who continues to say that the Opposition gets away with murder while I preside, I will have no more of that for the day. You could try a little more of it tomorrow, but I will have no more of it today and if I hear any such thing from you again, I would regard it as rudeness of the grossest type.

6.40 p.m.: *Sitting suspended.*

6.50 p.m.: *Sitting resumed.*

Mr. Speaker: Hon. Members, I have had an opportunity of listening to the tape and the Member for Oropouche has indeed said that when the former Minister of Works and Transport came into office, one of the first things he did was to take away a contract from one person and give it to another. That in itself—he did not go further than that—is not indeed an allegation or an insinuation of corruption. That in itself is not, and, therefore, I rule that in the circumstances he may proceed.

Please proceed.

Hon. T. Sudama: Mr. Speaker, before we took the break, I was on the question of corruption. What is the basis, what are we trying to do in this Bill? As

the Member for San Fernando East has said, this occurrence afflicts all organizations in all countries. So it is not as if this is something peculiar to Trinidad and Tobago. We have had so many instances of accusations of corruption against Members of the PNM throughout its history, including the period 1991—1995. When we asked for commissions of inquiry, there were no commissions of inquiry forthcoming. When, in the case of National Fisheries, there was a tender which was much higher than the tender which the government of the day actually accepted, a Taiwanese tender—

Hon. Member: That is not true!

Mr. Speaker: Order, please.

Hon. T. Sudama: —we asked for a commission of inquiry, and we said, let us have the facts, there was no commission of inquiry. There was an attempt on the part of the previous government to cover up that whole issue.

The issue with Project Pride, it was rather a shameless exercise of executive power, where you get a report and then you take that report and you send it back to the commissioner for amendments. But I understand that when you speak of these things, they do not imply corruption, according to the Bible on the other side.

There was the issue where, as soon as the government came into office, the airport brokerage insurance contract was immediately transferred. We asked for an inquiry and the then Prime Minister, the Member for San Fernando East, said that he had called in the relevant Minister and spoken to him and got the facts from the relevant Minister and he has concluded on the basis of that, that everything was honky dory, above board.

If you have allegations of corruption hanging and you are asking information from the very person who is accused, who is going to believe that you are serious about dealing with issues of corruption? That was very early in the day of the 1995 PNM government I am talking about—very, very early in the day. It was a firm called M&M Insurance Company to whom the insurance brokerage contract was transferred. This was 1992. We had said that this was irregular and asked for it to be investigated. And you had the distinguished Prime Minister at the time saying that he called in the Minister of Works and Transport and he made inquiries and he is satisfied that everything is above board. So that is what we are saying. When the allegations come up here we say we call in the relevant person and we investigate and we found that issues are above board.

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So what I am saying is that this matter is much more serious than a partisan issue. What this boils down to is a question of character. It is a larger problem. It is a problem of culture, because it really has to do with temptation. When you are in public life or any other position of authority, there is temptation that some people would come to you with offers in order to either break the rules or to give them primacy, or to give them priority or whatever it is. There is always that aspect of life, and it is not only confined to public life. Now today we are dealing with integrity in public life, but it is across the board. So there is a cultural issue [Interruption] Mr. Speaker, if I do respond to the Member I know you are going to—and the Member for Diego Martin East is in a constant heckling mood but I could deal with him. But if I deal with him, I may—[Interruption]

Mr. Speaker: The Member for Diego Martin East is not entitled to provoke a Member of the House who is speaking and speaking in tones which are sufficiently low that I cannot pick it up, but you are facing him and it is going straight across to him. You cannot do that. You have spoken. We must adopt a much more mature approach to this House.

Hon. T. Sudama: Mr. Speaker, I was on this issue. You know, the very first act of temptation—and to show you how far this goes back; this goes back into the history of man—I understand, was when the serpent tempted Eve in the Garden of Eden with the forbidden fruit, and she, having accepted that, then passed on that forbidden fruit to be eaten by Adam. If my knowledge is correct, that was the first act of corruption, because people who were offered this forbidden fruit were tempted. You see, it is not by accident the prayer is “Lord, lead us not into temptation but deliver us from evil.”

I remember for the 1991—1995 term I used to constantly have to get up in this House and remind the PNM that they should not yield to temptation, and I prayed that they would be delivered from evil. I said that constantly between 1991—1995, because there were many of them on that side who had yielded to temptation; had broken the rules and had preferred their friends for public benefits.

So this thing is about using public office for private benefit and this is not acceptable and, therefore, we feel that this should be dealt with in legal terms. But the real protection against corruption is when you internalize integrity, when through your upbringing, your schooling, your interaction in the community, when the culture makes you internalize integrity, that is the best defence against corruption. But, of course, not all of us have had that upbringing, that cultural background, so that integrity is internalized and you do not yield to temptation.

Therefore there is a need to have law; therefore there is a need to have the state establish rules and regulations which will guide the activity which will set a framework for those who are in public office.

Because, you see, there are two aspects to corruption and lack of integrity: the receiver, and here we are implying in this Bill that it is public officers who are the receivers of bribery or corruption and, of course, there is the giver, and if you did not have a giver you could not have a receiver. It is through that transaction that this whole issue of corruption arises. Therefore, I think what is needed is that, quite apart from the legislation before us, we have to establish principles of integrity throughout the society. That is the greatest defence that we can have to the preservation of integrity and, indeed, to protection against corruption and corrupt activities.

So this is one of the points I want to clearly state, that when you reduce it to an individual level you understand that you are not dealing with the problem at its root, and this is what we ought to be addressing, quite apart from passing this Integrity in Public Life Bill.

7.05 p.m.

That is what we should be addressing as well. Which has to do with the mores of the society; which has to do with the schooling system; which has to do with the exemplars in the society and what kind of examples they show by their conduct, both public and private. The society must have certain standards where they frown on corrupt individuals and corrupt activities. But if it is a society that accepts corruption and feels that that is par for the course, it does not matter how much legislation you put on the books, it is not going to minimize corruption.

No society on earth has been able to completely eliminate corruption and corrupt practices. None! The focus of this legislation, therefore, is to attempt to minimize the incidence of corruption, and this legislation is one element in that attempt to minimize the incidence because the Bill seeks to have a preventative objective. If the law is in place and people are aware that if caught, they will face certain sanctions, they are not likely to engage in corrupt practices. It has the other objective, that if you are caught in corrupt practices, then this Bill would employ sanctions. In other words, you would not get away scot-free by engaging in this kind of activity. So that the Bill has a double purpose: it has a prior pre-empted purpose but it has a post-sanction purpose.

We have had five years of this corruption issue raised at every sitting of this Parliament. Now we have an opportunity to put legislation into the law books to

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strengthen the current integrity legislation, to give it teeth; to force public officials to declare their assets. *[Interruption]* Do you have a problem? This asset would be made public and so on. Therefore, we feel that once that is put into place we are going to have some sort of higher levels of integrity in public life.

I could talk all night here about allegations, irregularities and corruption, but I do not want to get into that. I want to ask the Opposition if they have been talking about corruption for five years, why not support the measure which is now before us, which is designed to prevent corruption or to minimize corruption in the society? Why would you not support this measure? This is what I want to find out. The reason I really got up to speak in this honourable House is to put, on the record, this whole issue of what transpired in the Forestry Division. Because I have to come here time and time again and face these innuendoes and so on. *[Desk thumping] [Interruption]*

When I got into the Ministry of Agriculture, Land and Marine Resources at the end of October, 1999 I was faced with representation coming from sawmillers, about the inequity in the distribution of the teak and pine resources of Trinidad and Tobago. There are 68 sawmillers who are registered, and when I got the overwhelming representation about the inequity of this distribution, I held a public consultation—this was not anything in private—and I invited the Sawmillers Co-operative Society Limited, as well as all the stakeholders in the industry on December 22, 1999 through a public consultation.

Mr. Speaker: Order, please!

Hon. T. Sudama: Mr. Speaker, after that public consultation I had other discussions with people in the Forestry Division of my Ministry. The role of the Minister is not to implement the policy, but to initiate it and once that policy is put, so to speak, to the public and it has been accepted by Cabinet then that policy has to be implemented. What was happening when I took over the Ministry, was that the Sawmillers Co-operative Society, which was supposed to represent 41 saw millers, did not represent all of them, because some of them had dropped out and so on. What I discovered was that when teak and pine resources were being distributed, about five of the sawmillers who held positions in the Sawmillers Co-operative Society Limited, were getting about 80 per cent of the teak and pine resources of this country. About five or six of them who controlled the Sawmillers Co-operatives were getting in excess of 80 per cent. If there are 68 Sawmillers and five of them are getting as much as 80 per cent of the teak and pine resources, which was allotted to sawmillers, then something has to be wrong with the system

of distribution. So I went there and I said, “Look here, let us become transparent. *[Laughter]* The teak and pine resources would be for public auction.”

Mr. Speaker: Order please!

Hon. T. Sudama: We identified the fields; we identified the resources and in order to protect the smaller sawmillers I said a portion of this would be reserved for lottery. Because if they are left out of the auction system, they would not be able to bid. So I proposed a system of auction for the larger amounts and a system of lottery.

Of course, you know, between 1991 to 1995, my good Friend, the Member for Diego Martin West, who was then the Minister of Agriculture, had a very close and cordial relationship with the President of the Sawmillers Co-operative Society Limited. I understand he used to visit his home in Rock Road and so on. At that time, that Co-operative Society and its officers were getting the lion’s share of reserves for private saw millers. *[Interruption]*

Dr. Rowley: Mr. Speaker, under Standing Order No. 36(5), I think the Minister is imputing...

Mr. Speaker: No. If he says that you were the Minister and you had a close and cordial relationship with the Chairman of something, that in itself—again, he has not gone to that stage. *[Interruption]* So what! You cannot talk to somebody who is in your Ministry or who is dealing with—it is not that. Any time he gets close enough to the line I would let you know. I assure you. Anytime he is sailing so close to the wind you could be assured. I am listening to him very carefully. He is not there yet. He is on the same point he was at with the Member for Diego Martin East. He is not there yet.

Dr. Rowley: He is not talking the truth.

Mr. Speaker: No. As to whether he is talking the truth that is something else. That could be denied. But for him to say that you had a friend and you used to go to him.

Dr. Rowley: Mr. Speaker, I have never gone to the man’s home.

Mr. Speaker: That is a question of fact.

Dr. Rowley: But why is he lying to make information.

Mr. Speaker: The Minister may continue.

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Hon. T. Sudama: It is a case of “do so don’t like so.” That is all I am saying. I have not imputed any improper motives but there was a close relationship with the former Minister of Agriculture from 1991 to 1995 and the head of its Co-operative Society.

7.15 p.m.

However, it also was a fact, Mr. Speaker, when I investigated, that the distribution was grossly inequitable in the sense that these officers—*[Interruption]*

Mr. Speaker: Order please.

Hon. T. Sudama:—four or five officers of this co-operative society, were getting 80 per cent of the teak and pine resources that were allocated to private sawmillers. Now, 60 per cent of these teak and pine resources were allocated to Tanteak. The rest of it—*[Interruption]*

Mr. Speaker: Order please!

Hon. T. Sudama:—was allocated to private sawmillers. What I found out was that this inequity was a matter of grave concern to the large number of sawmillers, so I said I would take it to Cabinet. Cabinet agreed in principle and said, “Look here, I am going to publicize that this is the route we have to go, but in the meantime we should continue with a process of distribution in order not to get the industry bogged down by lack of teak and pine resources available to the sawmillers”. So that was what was agreed upon.

Now, Mr. Speaker, once the policy is agreed upon, the Minister of Agriculture, Land and Marine Resources does not do the distribution. In law it is the Director of Forestry who has that responsibility to organize, set up rules and mechanisms to actually do the distribution, and he is the one who signs the concessionary agreement with the respective sawmillers to whom teak and pine resources are given, not the Minister of Agriculture, Land and Marine Resources. He sets the policy. Once the policy is set, then the Director of Forestry determines the actual distribution and the basis of that distribution under law. That is the law. I cannot tell the director, “Do not do anything which is against the law”. So he did that distribution.

In the course of that distribution, there were 16 concession agreements that were signed. But immediately that was done to broaden the distribution of pine and teak resources in this country, in fact to get most if not all of the sawmillers within the loop, the five or six of those who collared the 80 per cent distribution went to court. Now, once one goes to court, then everything stops. Mr. Speaker, I

did not respond earlier to the question he asked because it was before a judge. When Justice Ivor Archie gave a decision on what the Director of Forestry did, although I was named in the writ—of course I was not required to—I submitted an affidavit but I was not required to go further because I was not involved in any distribution of pine and teak; it is the Director of Forestry.

When the case came up and the action against the co-operative society was heard, Justice Ivor Archie declared that there was absolutely no wrongdoing, there was no defiance of policy and everything was above board because the Director of Forestry had the authority to distribute pine and teak resources according to how he viewed the best management of the state's pine and teak resources. He had that authority. The judgment is there. That judgment, of course, has since been appealed, but the court held up and sanctioned that distribution with the 16 or so sawmillers who were given concessionary agreements in February or March of this year. The court has sanctioned it. It is, of course, up for appeal.

What I did was completely above board. I took the procedures and mechanisms and so forth and got a policy sanctioned, the Cabinet made a decision and the Director of Forestry implemented that policy. So to come here and to impute, Mr. Speaker, that somehow I did something irregular in that regard is something which indicates that this is all they have in their minds. Whatever one does, whatever one says, all they have to do, all they can do, is impute improper motives to what one does and cast aspersions and talk about how I acquired my motor car and so forth.

I explained to this House that car was ordered in June of 1999 and I was transferred to the Ministry of Agriculture, Land and Marine Resources in October of 1999. I made that clear in this House. Now he is saying that I came here and I even fooled the press. Well, I tell you, if I am so good to fool the press and the media of this country, "I better than I thought", Mr. Speaker. "I really better than I thought". When the media for once has seen the integrity of the situation and has seen the expression of my own integrity and they came and supported what I did in giving an account of how, in fact, I bought my motor car, they cannot even accept that, because their mind is bent and warped and distorted and twisted—this PNM Opposition. That is what we have had to deal with here for five years.

Mr. Valley: I accept your explanation.

Hon. T. Sudama: But not your colleagues, the ones from Diego Martin East and Diego Martin West, because their minds—[*Interruption*]

Mr. Speaker: Order please, order please!

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Hon. T. Sudama: Their minds are warped. They would not accept these explanations, whatever explanation one comes here and gives, because they are bent against accepting anything—[*Interruption*]

Dr. Rowley: The Minister is not fooling me.

Hon. T. Sudama: I do not even wish to fool the Member, right? I would not even wish to fool that distorted mind because he cannot straighten out. He and the Member for Diego Martin East could never straighten out, so I would not even make that attempt. So, Mr. Speaker, as I said, I really had no intention—I support this Bill. As I said in an earlier session, I have nothing to hide. I declare my assets as of now to the Integrity Commission. I would declare them in the future according to the dictates of this Bill, if it becomes an Act. I have nothing to hide. My life is an open book. I have been here for 19 years in this Parliament and I have had nobody, except now these people from—these characters. Well, I would not say characters but—the Members for Diego Martin West and East, having come to attempt to impugn my integrity.

This is why I rose to say a few words, Mr. Speaker, because you see, some people are careless about their integrity. I want to let this House know that I value my integrity and this is why, on these occasions, I get up and I speak and I defend my integrity. You will notice, Mr. Speaker, I do not say very much in this House because what I hear coming from the other side is like hot air, and that merely passes with me. I do not care to respond. I do not speak. I sit here, I say nothing and I listen, but when they attack my integrity then I have to respond. I have already told them that if they feel there was any wrongdoing, any corruption in what I did, say it outside and then we will deal with that in another forum. But you see they use parliamentary cover to make all sorts of accusations in this House, and do not have the guts and the gumption to go outside and say it. So, Mr. Speaker—[*Interruption*]

Mr. Speaker: Order please, order please!

Hon. T. Sudama: Mr. Speaker, with these few words I beg to support this Bill. Thank you. [*Desk thumping*]

Mr. Fitzgerald Hinds (*Laventille East/Morvant*) Mr. Speaker, like the last speaker, I had not planned to enter into this debate but it behoves me on behalf of those on this side to set the record straight, if only briefly. I listened to the Member for Oropouche who, no doubt, was having tremendous difficulty trying to set straight a very confused situation that he cannot defend and explain.

In the process of trying to do that, he said that the Member for Diego Martin West, while he was holding office previously under his watch as Minister of Agriculture, Land and Marine Resources as it were, and responsible for the dealings of the teak owned by this country—he said that the Member, when he came to the Ministry of Agriculture, Land and Marine Resources, met a situation where 80 per cent of the teak was being sold to five sawmillers. That, we want to place on record, is certainly not the responsibility of any Member on this side. If he indeed met that, it would have been a policy that was put in place by the Minister of Agriculture, Land and Marine Resources immediately before him, his friend from Princes Town.

We are aware, Mr. Speaker, that the situation of selling teak to private sawmillers was introduced under the watch of the Member for Princes Town as Minister of Agriculture, Land and Marine Resources. In fact, and the record was made quite clear, it was a policy of the PNM government between 1991 and 1995 not to sell any of that teak to private sawmillers. All of the teak went to the state company, Tanteak. So if he is attacking wrongly the Member for Diego Martin West he must redirect that attack and it really is an attack on the Member for Princes Town. He is attacking his own colleague. [*Mr. Sudama rose*] I will not be giving way. He had his say and his machine has had its sway.

Mr. Sudama: The Member is making wrong accusations.

Mr. F. Hinds: I am not giving way.

Mr. Sudama: “All yuh” could give but you cannot take, “yuh” know.

Mr. F. Hinds: Mr. Speaker, I merely wanted to correct the record. Further, the Member for Oropouche said that as Minister of Agriculture, Land and Marine Resources he took to Cabinet a new policy and he outlined it as to how the state’s teak is used. But we will recall it was raised in this Parliament that, under the watch of the UNC, teak over 100 years old, and 87 years old, was distributed; and we know distributed to people who were closely associated with the UNC. In fact, in two cases the campaign managers of the Member for Siparia and, I think, the Member for Princes Town himself—we spoke about that in this Parliament—standing teak of the highest quality, top value, was sold without auction. I remember the Member for Princes Town telling us that they were auctioned. The records show that there was no such auction. That is the performance of the UNC; and if the Member for Oropouche took some new policy to Cabinet, it means that he would have rearranged a policy that was put in place by the Member for Princes Town.

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I had promised and I will keep fast to my promise not to be long, Mr. Speaker, but merely to let the record reflect a more accurate account of the history of this country as it relates to the dealing with the state's teak. Mr. Speaker, with those few words, in the spirit of that corrective, I wish to thank you. [*Desk thumping*]

The Attorney General and Minister of Legal Affairs (Hon. Ramesh Lawrence Maharaj): Mr. Speaker, the Government is very happy that the Opposition is of the view, as they have been in the other place, that this is a measure which we should really try to get through. I understand the concerns which have been raised with respect to some of the provisions which they want included in the Bill and I am prepared to have those matters included. What I have done is, we are in the process of drafting those amendments and, following discussions with the Opposition, I would have those amendments faxed to them. We have agreed that we can go ahead with this Bill on the basis that the Government will give an undertaking that the amendments which are to be sorted out would be introduced the first day in the first session of the new Parliament and we can have them dealt with on that basis because, by consent of the House, we can deal with the matter so that we will not allow the time which has been spent on this to be wasted.

7.30 p.m.

Mr. Speaker, after discussions, we have agreed that we would meet tomorrow subject, obviously, to the convenience of the Speaker. I am sure we will adjourn for tomorrow at 11 o'clock. I do not think I will take any time today to go through some of the amendments. I think tomorrow morning I could do that very quickly and respond to a few of the matters that have been raised. Is that all right? We will have a very short sitting because I think the Bill is well known. We could take the vote and within one hour or one hour and a half we should be out of here tomorrow. I think I will reserve further comments on this Bill until tomorrow, and at an appropriate stage I will move the adjournment of the House.

Mr. Speaker: Hon. Members, in those circumstances, further debate on Bills Nos. 1, 2 and 3 will be deferred with the Attorney General still to continue with his reply. We need to go back to questions which had been deferred early in the day.

Mr. C. Imbert: We will take them in as written.

Mr. Speaker: So it is agreed that the answers to questions Nos. 91, 92 and 93 would be supplied in writing.

Hon. R. L. Maharaj: Mr. Speaker, may I mention to the Opposition that in order to pass these Bills we need 28 Members of the House and so it would mean that the Opposition would have to support the Government in these measures. Based on that, we also recognize the importance of cooperation on both sides to get this matter through. It is also on that basis that we feel that since the Opposition would like to get these amendments in, we would also want to make sure they agree with the amendments they have asked for. So, Mr. Speaker, through you, I am appealing to the Opposition Member that we are fixing it for 11 o'clock and, hopefully, we will have a very short sitting.

Mr. Speaker, before you adjourn the House, can you allow me to have a discussion with the Opposition Member? [*Interruption*] Mr. Speaker, it seems to me that there are some developments which can save us having to come here tomorrow, and if you suspend the sitting for about 15 minutes, we should be able to sort out what we would be able to do.

Mr. Speaker: You need to bear in mind that in the next 10 minutes—

Hon. R. L. Maharaj: I will move the procedural motion.

PROCEDURAL MOTION

The Attorney General and Minister of Legal Affairs (Hon. Ramesh Lawrence Maharaj): Mr. Speaker, I beg to move that the House continue to sit, notwithstanding the time, until the completion of these three matters and the Motion for the Senate amendments on the measures that came from the Senate.

Mr. Speaker, we could do the Senate amendments now because we did not do that earlier on in the proceedings.

Question put and agreed to.

CHILDREN'S AUTHORITY BILL

(Senate Amendments)

The Attorney General and Minister of Legal Affairs (Hon. Ramesh Lawrence Maharaj): Mr. Speaker, I beg to move,

That the Senate amendments to the Children's Authority Bill listed in Appendix I be now considered.

Question proposed.

Question put and agreed to.

Children's Authority Bill
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New Clause 5A.

“Insert after clause 5 the following:

‘5A(1) The Authority shall be the Central Authority for the purposes of the Hague Convention of the Civil Aspects of International Child Abduction.

(2) The Authority’s duties as the Central Authority under subsection (1) shall include:

- (a) discovering the whereabouts of the child who has been wrongfully removed or retained;
- (b) preventing further harm to the child or prejudice to interested parties by taking or causing to be taken provisional measures;
- (c) securing the voluntary return of the child or the bringing about of an amicable resolution of the issues;
- (d) exchanging where desirable, information relating to the social background of the child;
- (e) assisting the judicial system/institution with a view to obtaining the return of the child and, in a proper case, to make arrangements for organizing or securing the effective exercise of rights of access;
- (f) where the circumstances so require, to provide or facilitate the provisions of legal aid and advice, including the participation of legal counsel and advisers;
- (g) to provide such administrative arrangements as may be necessary and appropriate to secure the safe return of the child; and
- (h) to do all such other things that are required of the Central Authority under the Hague Convention on the Civil Aspects of International Child Abduction.’”

Mr. Maharaj: Mr. Speaker, I beg to move that the House agree with the Senate in the said amendments. What this amendment does is that recently Trinidad and Tobago acceded to the Hague Convention and under that convention

a central authority has to be set up in order to deal with requests made in relation to the matters which are mentioned in respect of clause 5(A)(2). The whole purpose of this is to avoid, as far as possible, where children are brought from one jurisdiction to another when they are allegedly kidnapped having to resort to the court. It is not possible.

Mr. Speaker, I should mention that when this Bill came here the last time, I did give an undertaking to the Opposition that I would mention to the Senate, the question relating to parents being prevented from leaving the country. I did mention that in the other place, and it was agreed in the other place that what we should do is look at it and come back with a possible amendment in the new Session. I gave that undertaking in the other place and I am hoping that

amendment to provide the safeguard would come back within two or three days of the sitting of the new Session.

Mr. Speaker, I beg to move.

Question put.

7.40 p.m.

Mr. Maharaj: Mr. Speaker, we need a division.

The House voted: Ayes 28

AYES

Maharaj, Hon. R. L.

Ramsaran, Hon. M.

Persad-Bissessar, Hon. K.

Lasse, Dr. The Hon. V.

Griffith, Dr. The Hon. R.

Humphrey, Hon. J.

Sudama, Hon. T.

Maraj, Hon. R.

Rafeeq, Dr. The Hon. H.

Assam, Hon. M.

Job, Dr. The Hon. M.

Khan, Dr. F.
Singh, Hon. G.
Nanan, Dr. The Hon. A.
Partap, Hon. H.
Mohammed, Dr. The Hon. R.
Singh, Hon. D.
Sharma, C.
Valley, K.
Imbert, C.
Rowley, Dr. K.
Narine, J.
Hart, E.
James, Mrs. E.
Joseph, M.
Hinds, F.
Williams, E.
Panday, Hon. B.

Question agreed to.

Mr. Maharaj: Mr. Speaker, can we go back?

Mr. Speaker: Indeed.

INTEGRITY IN PUBLIC LIFE (NO. 2) BILL

The Attorney General and Minister of Legal Affairs (Hon. Ramesh Lawrence Maharaj): Mr. Speaker, the Opposition has raised certain matters on which I had given an undertaking that we will come back with the amendments dealing with the matters which they have raised at the first sitting of the new session. We will honour the commitment that we made to have them debated. Just for the record, the Opposition would want to record what these areas are, so that they would put them on record and I would have no objection if you would allow them, Mr. Speaker.

Mr. Speaker: Indeed.

Mr. Colm Imbert (*Diego Martin East*): Mr. Speaker, this is as best as we can recall. The *Hansard* record may contain others.

We wish the inclusion of Senators, judges, magistrates and all members of state boards and statutory authorities as persons in public life; retroactivity to 1991; increase in penalties for false reporting; declaration of assets by the members of the Commission; penalties for unlawful disclosure of declarations or related information.

Hon. R. L. Maharaj: As a matter of fact, Mr. Speaker, we have no objection to that. As a matter of fact, we will go back to whatever year. I think 1956 will be the best year to go back to. We give the undertaking that our drafting people have already been given instructions to draft them and we will introduce them on Monday.

Mr. Valley: And section 12.

Hon. R. L. Maharaj: And section 12, yes.

Mr. Speaker, I beg to move.

Question put and agreed to.

Bill accordingly read a second time.

Bill committed to a committee of the whole House.

House in committee.

Clauses 1 to 43 ordered to stand part of the Bill.

Schedule ordered to stand part of the Bill.

Preamble ordered to stand part of the Bill.

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

House resumed.

Bill reported, without amendment.

Question put, That the Bill be read a third time.

The House voted: Ayes 28

AYES

Maharaj, Hon. R. L.

Panday, Hon. B.

Persad-Bissessar, Hon. K.

Lasse, Dr. The Hon. V.

Griffith, Dr. The Hon. R.

Humphrey, Hon. J.

Sudama, Hon. T.

Maraj, Hon. R.

Rafeeq, Dr. The Hon. H.

Assam, Hon. M.

Job, Dr. The Hon. M.

Khan, Dr. F.

Singh, Hon. G.

Nanan, Dr. The Hon. A.

Partap, Hon. H.

Mohammed, Dr. The Hon. R.

Singh, Hon. D.

Ramsaran, Hon. M.

Sharma, C.

Valley, K

Rowley, Dr. K.

Imbert, C.

Narine, J.

Hart, E.

James, Mrs. E.

Joseph, M.

Hinds, F.

Williams, E.

Integrity in Public Life (No. 2) Bill

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Hon. R. L. Maharaj: Mr. Speaker, as far as I recall, we did complete the Motion that the House continue to sit and there was an agreement.

Question agreed to.

Bill accordingly read the third time and passed.

CONSTITUTION (AMDT.) (NO. 5) BILL

Order for second reading read.

The Attorney General and Minister of Legal Affairs (Hon. Ramesh Lawrence Maharaj): Mr. Speaker, I beg to move,

That a Bill to amend the Constitution of the Republic of Trinidad and Tobago, be now read a second time.

Question proposed.

Question put and agreed to.

Bill accordingly read a second time.

Bill committed to a committee of the whole House.

House in committee.

Clauses 1 to 3 ordered to stand part of the Bill.

Preamble ordered to stand part of the Bill.

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

House resumed.

Bill reported, without amendment.

The House voted: Ayes 28

AYES

Maharaj, Hon. R. L.

Panday, Hon. B.

Persad-Bissessar, Hon. K.

Lasse, Dr. The Hon. V.

Griffith, Dr. The Hon. R.

Humphrey, Hon. J.

Sudama, Hon. T.

Maraj, Hon. R.

Rafeeq, Dr. The Hon. H.

Assam, Hon. M.

Job, Dr. The Hon. M.

Khan, Dr. F.

Singh, Hon. G.

Nanan, Dr. The Hon. A.

Partap, Hon. H.

Mohammed, Dr. The Hon. R.

Singh, Hon. D.

Ramsaran, Hon. M.

Sharma, C.

Valley, K.

Rowley, Dr. K.

Imbert, C.

Narine, J.

Hart, E.

James, Mrs. E.

Joseph, M.

Hinds, F.

Williams, E.

Question agreed to.

Bill accordingly read a third time and passed.

CONSTITUTION (AMDT.) (NO. 6) BILL*Order for second reading read.***The Attorney General and Minister of Legal Affairs (Hon. Ramesh Lawrence Maharaj):** Mr. Speaker, I beg to move,

That a Bill to amend the Constitution of the Republic of Trinidad and Tobago be read a second time.

*Question proposed.***7.55 p.m.***Question put and agreed to.**Bill accordingly read a second time.**Bill committed to a committee of the whole House.**House in committee.**Clauses 1 to 5 ordered to stand part of the Bill.**Preamble ordered to stand part of the Bill.**Question put and agreed to, That the Bill be reported to the House.**House resumed.**Bill reported, without amendment.**Question put.**The House voted: Ayes 28*

AYES

Maharaj, Hon. R. L.

Panday, Hon. B.

Persad-Bissessar, Hon. K.

Lasse, Dr. The Hon. V.

Griffith, Dr. The Hon. R.

Humphrey, Hon. J.

Sudama, Hon. T.

Maraj, Hon. R.

Rafeeq, Dr. The Hon. H.

Assam, Hon. M.

Job, Dr. The Hon. M.
Khan, Dr. F.
Singh, Hon. G.
Nanan, Dr. The Hon. A.
Partap, Hon. H.
Mohammed, Dr. The Hon. R.
Singh, Hon. D.
Ramsaran, Hon. M.
Sharma, C.
Valley, K.
Rowley, Dr. K.
Imbert, C.
Narine, J.
Hart, E.
James, Mrs. E.
Joseph, M.
Hinds, F.
Williams, E.

Question agreed to.

Bill accordingly read a third time and passed.

**CHILDREN'S COMMUNITY RESIDENCES,
FOSTER HOMES AND NURSERIES BILL, 1999**

(Senate Amendments)

The Attorney General and Minister of Legal Affairs (Hon. Ramesh Lawrence Maharaj): Mr. Speaker, I beg to move,

That the Senate amendments to the Children's Community Residences, Foster Homes and Nurseries Bill, 1999 listed in Appendix II be now considered.

Question proposed.

Question put and agreed to.

Clause 1.

Senate amendment read as follows:

"Delete; substitute the following clause:

'Short Title and
commencement

1(1) This Act may be cited as the Children's
Community Residences, Foster Homes and
Nurseries Act, 1999.

(2) This Act comes into operation on such day
as is fixed by the President by Proclamation.'"

Mr. Maharaj: Mr. Speaker, I beg to move that the House of Representatives doth agree with the Senate in the said amendment.

Question proposed.

Question put.

The House voted: Ayes 28

AYES

Maharaj, Hon. R. L.

Panday, Hon. B.

Persad-Bissessar, Hon. K.

Lasse, Dr. The Hon. V.

Griffith, Dr. The Hon. R.

Humphrey, Hon. J.

Sudama, Hon. T.

Maraj, Hon. R.

Rafeeq, Dr. The Hon. H.

Assam, Hon. M.

Job, Dr. The Hon. M.

Khan, Dr. F.

Singh, Hon. G.

Nanan, Dr. The Hon. A.

Partap, Hon. H.
Mohammed, Dr. The Hon. R.
Singh, Hon. D.
Ramsaran, Hon. M.
Sharma, C.
Valley, K.
Rowley, Dr. K.
Imbert, C.
Narine, J.
Hart, E.
James, Mrs. E.
Joseph, M.
Hinds, F.
Williams, E.

Question agreed to.

**SOCIALLY DISPLACED PERSONS BILL
(Senate Amendments)**

The Minister of Social & Community Development and Minister of Sport and Youth Affairs (Hon. Manohar Ramsaran): Mr. Speaker, I beg to move, That the Senate amendments to the Socially Displaced Persons Bill, 1999 listed in Appendix III be now considered.

Question proposed.

Question put and agreed to.

Clause 3.

Senate amendment read as follows:

"A. In the definition of 'Manager' insert after the word 'assessment' the words 'or care'.

- B. In the definition of 'socially displaced person' insert after the word 'himself', the word 'or'."

Mr. Ramsaran: Mr. Speaker, I beg to move that the House of Representatives doth agree with the Senate in the said amendment.

Question proposed.

Question put and agreed to.

Clause 5.

Senate amendment read as follows:

- A. In paragraph (a) insert the word ';' after the word 'places'
- B. Delete the words 'and coordinating and monitoring of activities pertinent to the rehabilitation of socially displaced persons;'
- C. Renumber paragraph '(b)' as paragraph '(d)'
- D. Renumber paragraph '(c)' as paragraph '(e)'
- E. Renumber paragraph '(d)' as paragraph '(f)'
- F. Insert a new paragraph (b) as follows—
'(b) coordinating and monitoring of activities pertinent to the rehabilitation of socially displaced persons;'
- G. Insert a new paragraph (c) as follows—
'(c) identifying the factors that lead to social displacement and implementing educational and other programmes aimed at preventing an increase in the population of socially displaced persons.'"

Mr. Ramsaran: Mr. Speaker, I beg to move that the House of Representatives doth agree with the Senate in the said amendment.

Question proposed.

Question put and agreed to.

8.05 p.m.

Clause 6.

Senate amendment read as follows:

- A. Delete the word 'comprise' and substitute the word 'include'
- B. Insert after paragraph (k) the following new paragraph '(1) a Field Officer,'
- C. Delete paragraph (h) and substitute the following: 'One Job Placement Officer'

Mr. Ramsaran: Mr. Speaker, I beg to move that the House of Representatives doth agree with the Senate in the said amendment.

Question proposed.

Question put and agreed to.

Clause 7.

Senate amendment read as follows:

- 7.
 - A. Delete Clause 7 and substitute the following:
 - (1) "A Social Displacement Fund (hereinafter referred to as "the Fund" is hereby established for the purposes of this Act.
 - (1) The purpose of the Fund is to finance social displacement projects as are identified by the Unit.
 - (2) The resources of the Fund shall consist of-
 - (a) any monies that may from time to time be appropriated by Parliament;
 - (b) contributions from corporate and individual citizens;
 - (c) contributions from regional and international agencies; and
 - (d) all other sums of money that may in any manner become payable to or vested in the Fund.

- (3) The accounts of the Fund shall be audited annually by the Auditor General.”

B.

Mr. Ramsaran: Mr. Speaker, I beg to move that the House of Representatives doth agree with the Senate in the said amendment.

Question proposed.

Question put and agreed to.

Clause 8.

Senate amendment read as follows:

- 8
- A. Delete subclause (2) and substitute the following:
“(2) The Board shall consist of a Chairman and eleven other members all of whom shall be appointed by the Minister.”
- B. Delete paragraph (c) and substitute the following:-
“(c) a representative of the Trade Union Movement.”
- C. Delete paragraph (d) and renumber accordingly.

Mr. Ramsaran: Mr. Speaker, I beg to move that the House of Representatives doth agree with the Senate in the said amendment.

Question proposed.

Question put and agreed to.

Clause 12.

Senate amendment read as follows:

- 12
- In paragraph (b) delete the word “monitoring” and substitute the word “management”.

Mr. Ramsaran: Mr. Speaker, I beg to move that the House of Representatives doth agree with the Senate in the said amendment.

following as a beginning of the care process, that would facilitate rehabilitation and reintegration into society.”

Mr. Ramsaran: Mr. Speaker, I beg to move that the House of Representatives doth agree with the Senate in the said amendment.

Question proposed.

Question put and agreed to.

Clause 25.

Senate amendment read as follows:

25 Delete new subclause (4).

Mr. Ramsaran: Mr. Speaker, I beg to move that the House of Representatives doth agree with the Senate in the said amendment.

Question proposed.

Question put and agreed to.

Clause 29.

Senate amendment read as follows:

- 29
- A. Delete the words “Any person who –” and substitute the word “Where upon investigation, a field officer determines that a person –”
 - B. Insert after the word “accomplished” the words “and without reasonable excuse”
 - C. In paragraph (a) insert after the word “with” the words “section 16 of ”
 - D. Delete the word “and” occurring immediately before the words “returns to street life”

Mr. Ramsaran: Mr. Speaker, I beg to move that the House of Representatives doth agree with the Senate in the said amendment.

Question proposed.

Question put and agreed to.

**TRINIDAD AND TOBAGO ASSOCIATION OF
PROFESSIONAL PSYCHOLOGISTS (INC'N) BILL**

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

That the Bill for the incorporation of the Trinidad and Tobago Association of Psychologists and for related matters be now read a second time.

Mr. Speaker, may I indicate that this was presented in the other place with one change. The word, "professional" was removed and it now reads:

"...the Trinidad and Tobago Association of Psychologists."

I beg to move.

Mr. Speaker: Did I hear somebody say that this is a place of mad people?

Hon. Members: No.

Mr. Speaker: I did not hear that. I see. *[Laughter]*

Mr. Sudama: Some mad people.

Question proposed.

Question put and agreed to.

Bill accordingly read a second time.

Bill committed to a committee of the whole House.

House in committee.

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

Preamble ordered to stand part of the Bill.

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

House resumed.

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

ADJOURNMENT

The Attorney General and Minister of Legal Affairs (Hon. Ramesh Lawrence Maharaj): Mr. Speaker, it is very significant that, if you permit me, the last Bill for the session has to do with psychologists.

Adjournment

Friday, October 6, 2000

Mr. Speaker, I beg to move, that the House do now stand adjourned to a date to be fixed.

Question put and agreed to.

Mr. Speaker: Hon. Members, before we do anything further, I wish simply to advise hon. Members because of the shortness of the time, that there is a proclamation of His Excellency the President which I saw today, in which His Excellency has advised of the commencement of a new session on Monday at, I think it is, 1.30 p.m. So I simply wish to advise of this.

House adjourned accordingly.

Adjourned at 8.15 p.m.

WRITTEN ANSWERS TO QUESTIONS

The following questions were asked by Mr. Colm Imbert (Diego Martin East):

Asphalt Works (Cost of)

- 91.** (a) Would the Minister of Works and Transport state the prices agreed to by the Ministry of Works and Transport, or any other state agency working on behalf of the Ministry of Works and Transport or the Central Government for the supply, transport, placing and rolling of asphalt on roads in Trinidad during the period July 15, 2000 to September 14, 2000?
- (b) Would the Minister provide details on the names of the state agencies involved in awarding contracts on behalf of his Ministry or the Central Government in the year 2000, including projections for such work to December 31, 2000, for the supply, transport, placing and rolling of asphalt on roads in Trinidad, and the total amount of money involved in the case of each such agency?
- (c) Would the Minister state which agency or department is responsible for monitoring and/or supervising the contracts referred to in (b) above, and how this monitoring and/or supervision is being done?

Mr. Speaker, the price agreed to by the Ministry of Works and Transport, the state agencies and the Trinidad and Tobago Contractors Association for the supply, transport, placing and rolling of asphalt on the roads in Trinidad during the period July 15, 2000 to September 14, 2000 is Two hundred and seventy-five (\$275.00) plus value added tax.

The names of the state agencies involved in awarding contracts on behalf of the Ministry of Works and Transport in the year 2000 under the NREP are Tidco, the Urban Development Corporation of Trinidad and Tobago Limited UDECOTT and Maintenance Training and Security (MTS) with an allocation of \$175 million to be distributed among the agencies.

The monitoring and supervision of these contracts are being done under the strict district supervision of the Highways Division, Ministry of Works and Transport, along with other personnel engaged by the agencies named above. The monitoring/supervision is being undertaken using specification normally utilized in road upgrade/rehabilitation works.

**Road Paving
(Details of)**

92. (a) Would the Minister provide details on the names and locations of the roads in Trinidad that have been paved by his Ministry or any state agency working on behalf of his Ministry or the Central Government during the period July 15, 2000 and September 14, 2000 and the amount spent on each road?

(b) Would the Minister provide details on the names and locations of the roads in Trinidad that are earmarked for paving by his Ministry or any state agency working on behalf of his Ministry or the Central Government during the period September 15, 2000 to December 31, 2000 and the amounts budgeted for spending on each road?

Mr. Speaker, for the period July 15, 2000 to September 14, 2000 approximately 100 roads were paved. Details on the names and location of these roads are listed hereunder:

DISTRICT	NO.	PROJECT NAME	COST	STATUS
St. George West	1	Bimiti Road South Valsayn	\$99,935.00	Completed
	2	2nd Avenue Mt. Lambert	\$237,398.63	Completed
	3	Maloney Street	\$277,351.25	Completed
	4	Glencoe Main Road	\$555,174.00	Completed
	5	Sanora Park	\$42,317.25	Completed
	6	Quarry Street	\$88,581.62	Completed

DISTRICT	NO.	PROJECT NAME	COST	STATUS
	7	Ward Lane	\$87,285.00	Completed
	8	Erica Street	\$99,935.00	Completed
	9	Ocean Avenue	\$59,866.13	Completed
	10	Amosville Road	\$99,269.75	Completed
	11	Gittensdale	\$91,902.25	Completed
	12	Semper Gardens	\$35,356.75	Completed
	13	Nobriga Street	\$96,013.50	Completed
	14	Agostini Street	\$56,387.38	Completed
	15	Freeman Street	\$70,365.62	Completed
	16	Victoria Street	\$96,772.50	Completed
	17	Savary Street	\$99,935.00	Completed
	18	Nelson Street	\$61,637.13	Completed
	19	Broome Street	\$99,935.00	Completed
	20	Elizabeth Gardens	\$99,935.00	Completed
	21	Camaca Road (Valsayn)	\$67,677.50	Completed
	22	C.P. Alexander	\$55,976.25	Completed
	23	Buena Visita	\$75,552.13	Completed
	24	Almond Drive	\$93,040.75	Completed
Sub-Total			\$2,747,600.39	
St. George West (Cont'd.)	27	Lucknow Street	\$131,338.63	Completed
	28	Carlton Avenue	\$33,807.13	Completed
	29	Dundonald Hill	\$68,055.25	Completed
St. George East	30	Hamilton Sliding	\$213,468.75	Completed

Written Answers to Questions

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DISTRICT	NO.	PROJECT NAME	COST	STATUS
	31	Block # 3	\$398,475.00	Completed
	32	Orange Grove Road, Trincity	\$341,550.00	Completed
St. Andrew/ St. David	33	Graham Trace	\$288,420.00	Completed
	34	Lucana Drive	\$315,366.25	Completed
	35	Alexander Street	\$259,641.25	Completed
Caroni	36	Harris Street	\$42,992.75	Completed
	37	Mosque Street	\$20,435.50	Completed
	38	Annop Street	\$35,480.38	Completed
	39	Back Street	\$40,215.50	Completed
	40	New Street	\$62,675.00	Completed
	41	Ganges Street	\$16,795.75	Completed
	42	Phipps Street	\$9,096.50	Completed
	43	Kay Street	\$57,123.38	Completed
	44	Mc Kenzie Street	\$55,283.38	Completed
	45	Cedar Hill Road	\$474,375.00	Completed
	46	Hasarath Road	\$187,852.00	Completed
	47	London Street, Longdenville	\$137,885.00	Completed
	48	Calcutta # 1	\$644,000.00	Completed
	49	Ojar Maraj Village Street	\$187,852.50	Completed
	50	Bhim Street, Ramsaran Park	\$156,543.75	Completed
	51	Nolan Street	\$530,955.00	Completed
	52	Caroni Old Road	\$40,183.88	Completed
Sub-Total			\$4,749,867.53	

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DISTRICT	NO.	PROJECT NAME	BUDGETED COST	STATUS
Caroni	55	Union Street	\$42,458.00	Completed
(continued)	56	Church Street	\$100,000.00	Completed
Victoria west	57	Lumsden Street	\$219,161.25	Completed
	58	Allyene Road	\$134,343.00	Completed
	59	Beddeau Street	\$281,778.75	Completed
	60	Palmiste Boulevard	\$375,705.00	Completed
	61	Potato Trace	\$204,930.00	Completed
St. Patrick	62	Omareese Park	\$341,550.00	Completed
	63	Red Brick Trace	\$284,625.00	Completed
Sub-Total			\$1,984,551.00	
GRAND TOTAL			\$9,482,018.92	

DISTRICT	NO.	ROAD	DESCRIPTION	BUDGETED COST	AGENCY
St. George West	1	Pelham Street	Paving	\$170,775.00	UDeCott
	2	Abercromby Street	Paving	\$92,578.00	UDeCott
	3	Southern Main Road	Paving	\$874,747.00	UDeCott
	4	Queen Street	Paving	\$227,700.00	UDeCott
	5	Charlotte Street	Paving	\$227,700.00	UDeCott
	6	Valsayne Road No. 1/Pol. Stn. Compound	Paving	\$227,700.00	UDeCott
	7	King Street	Paving	\$227,700.00	UDeCott
	8	Spring Lands Avenue	Paving	\$85,387.00	UDeCott

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DISTRICT	NO.	ROAD	DESCRIPTION	BUDGETED COST	AGENCY
	9	Spring Drive	Paving	\$142,313.00	UDeCott
	10	Spring Vale Road	Paving	\$156,544.00	UDeCott
	11	Real Spring Gardens	Paving	\$28,462.00	UDeCott
	12	Spring Field Ave.	Paving	\$170,775.00	UDeCott
	13	Poui View	Paving	\$28,463.00	UDeCott
	14	Real Spring Ave.	Paving	\$185,007.00	UDeCott
	15	Butu Road	Paving	\$142,313.00	UDeCott
	16	Road after Bimiti along Taguria Road	Paving	\$128,012.00	UDeCott
	17	Kairi Road	Paving	\$71,157.00	UDeCott
	18	Grove Road	Paving	\$227,700.00	UDeCott
	19	Windsor Road	Paving	\$241,932.00	UDeCott
	20	Ashland Avenue	Paving	\$194,195.00	UDeCott
	21	Mid Way Road	Paving	\$113,850.00	UDeCott
	22	Maracas Royal Road	Paving	\$2,593,250.00	UDeCott
	23	King Street	Paving	\$227,700.00	UDeCott
	24	Piccadilly Street	Paving	\$43,547.63	UDeCott
	25	Richmond Street	Paving	\$123,527.25	UDeCott
	26	Market Street	Paving	\$72,864.00	UDeCott
	27	Albert Street	Paving	\$35,293.50	UDeCott
	28	Urbanga Street	Paving	\$183,298.50	UDeCott
Sub-Total				\$7,244,490.88	
St. George West	29	Riverside Road	Paving	\$752,000.00	UDeCott
	30	Jogie Road	Paving	\$412,425.00	UDeCott

DISTRICT	NO.	ROAD	DESCRIPTION	COST	AGENCY
	31	Queen Avenue	Paving	\$84,240.00	UDeCott
	32	Fourth Avenue	Paving	\$268,570.00	UDeCott
	33	Sixth Street	Paving	\$686,556.00	UDeCott
	34	Seventh Street	Paving	\$686,556.00	UDeCott
	35	Eighth Street	Paving	\$686,556.00	UDeCott
	36	Ninth Street	Paving	\$686,556.00	UDeCott
	37	Third Avenue	Paving	\$532,350.00	UDeCott
	38	Lady Young Road from Walk-over to Morvant Junction incl. Shoulders	Paving	\$1,639,440.00	UDeCott
	39	Norfolk Street from Jerningham Ave. to Belmont Circular Road	Paving	\$204,930.00	UDeCott
	40	Jerningham Avenue	Paving	\$256,162.50	UDeCott
	41	Marijuana Road	Paving	\$128,083.00	UDeCott
	42	Acono Road	Paving	\$948,750.00	UDeCott
	43	Eligon Avenue	Paving	\$227,700.00	UDeCott
St. George East	44	Bains Street	Paving	\$22,770.00	MTS
	45	Green Street	Paving	\$319,349.25	UDeCott
	46	Karamath Street	Paving	\$503,217.00	UDeCott
	47	Gordon Street	Paving	\$321,943.00	UDeCott
	48	Smart Street	Paving	\$444,015.00	UDeCott
	49	Warren Street	Paving	\$341,550.00	UDeCott
	50	Warner Street	Paving	\$398,475.00	UDeCott

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DISTRICT	NO.	ROAD	DESCRIPTION	COST	AGENCY
	51	Meade Street	Paving	\$406,444.50	UDeCott
	52	Scott Street	Paving	\$66,192.39	UDeCott
Sub-Total				\$11,024,830.64	
St. George East (Cont'd)	53	Sellier Street	Paving	\$148,123.00	UDeCott
	54	Target Street (El Dorado)	Paving	\$142,200.00	UDeCott
	55	Mc Carthy Street	Paving	\$114,166.25	UDeCott
	56	Deane Street	Paving	\$114,166.25	UDeCott
	57	Wilson Street	Paving	\$128,397.50	UDeCott
	58	Back Street Ext.	Paving	\$66,412.00	UDeCott
	59	Lackpat Street (from El Dorado Road to Rago Street)	Paving	\$142,200.00	UDeCott
	60	Brathwaite Street (from Cecelia Street to Pentecost Street)	Paving	\$189,600.00	UDeCott
	61	Austin Street	Paving	\$139,150.00	UDeCott
	62	Pentecostal Road	Paving	\$310,558.00	UDeCott
	63	Caura Royal Road	Paving	\$317,832.00	UDeCott
	64	Esmeralda Drive	Paving	\$400,000.00	UDeCott
	65	Pasea Main Road	Paving	\$188,169.00	UDeCott
	66	College Trace - South of Meade Street	Paving	\$119,543.00	UDeCott
	67	Arima Bye Pass Road	Paving	\$750,000.00	MTS
	68	Corben Drive	Paving	\$310,558.00	UDeCott

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DISTRICT	NO.	ROAD	DESCRIPTION	COST	AGENCY
	69	Clementy St	Paving	\$76,217.00	UDeCott
Caroni	70	Phillip Street	Paving	\$145,000.00	T.I.D.C.O.
	71	Mathura Street	Paving	\$170,000.00	T.I.D.C.O.
	72	Darul Uloom Boys & Girls School	Paving	\$384,910.00	UDeCott
	73	Mackan Trace (Pierre Road)	Paving	\$100,000.00	T.I.D.C.O.
Sub-Total				\$4,457,202.00	
Caroni	74	Pierre Road	Paving	\$2,275,000.00	T.I.D.C.O.
	75	Sewa Street	Paving	\$30,044.00	T.I.D.C.O.
	76	Hydar Street	Paving	\$18,975.00	T.I.D.C.O.
	77	Shair Street	Paving	\$20,556.00	T.I.D.C.O.
	78	Ghandi Street	Paving	\$34,241.00	T.I.D.C.O.
	79	Walker Street	Paving	\$322,138.00	T.I.D.C.O.
	80	Tooliseie Street	Paving	\$21,189.00	T.I.D.C.O.
	81	Cumberbatch Street	Paving	\$13,283.00	T.I.D.C.O.
	82	Uquire Road	Paving	\$250,000.00	T.I.D.C.O.
	83	Chaguanas R/way Stn. Road	Paving	\$200,000.00	T.I.D.C.O.
	84	Chataigne Street	Paving	\$120,000.00	T.I.D.C.O.
	85	Walker Street	Paving	\$120,000.00	T.I.D.C.O.
	86	Boundary Road	Paving	\$60,000.00	T.I.D.C.O.
	87	Waterloo Secondary Sch Rds.	Paving	\$500,000.00	UDeCott
	88	Southern Main Road	Paving	\$4,750,000.00	UDeCott
	89	Perseverance Road	Paving	\$300,000.00	T.I.D.C.O.

DISTRICT	NO.	ROAD	DESCRIPTION	COST	AGENCY
	90	Nelson Road	Paving	\$350,000.00	T.I.D.C.O.
St. Andrew/ St. David	91	Quash Trace (Sangre Grande)	Paving	\$1,000,000.00	M.T.S.
	92	Neeranje Street	Paving	\$350,000.00	M.T.S.
Victoria West	93	Southern Main Road <i>La Romain to TJ's</i>	Paving	\$2,987,413.00	MTS
	94	Palmiste Boulevard	Paving	\$627,100.00	MTS
Sub-Total				\$14,349,939.00	
Victoria West	95	Soogrim Trace	Paving	\$172,075.00	MTS
	96	1st Street Right on Circular Drive Seaweed	Paving	\$49,669.00	MTS
	97	Seamoss Street	Paving	\$49,669.00	MTS
	98	Windy Drive	Paving	\$135,638.00	MTS
	99	Daniel Drive - <i>Gulf City</i>	Paving	\$85,637.50	MTS
	100	Rees Road	Paving	\$158,125.00	TIDCO
	101	Genevieve Avenue	Paving	\$135,637.50	MTS
	102	St. Croix Road	Paving	\$253,000.00	MTS
St. Patrick	103	Shiva Boys College	Paving	\$204,762.00	MTS
Sub-Total				\$1,244,213.00	
GRAND TOTAL				\$38,320,675.52	

Mr. Speaker, for the period September 15, 2000 to December 31, 2000 the Ministry of Works and Transport has identified over 450 roads for paving/rehabilitation works at an estimated cost of \$240,260,000.00. Details on the names and location of these roads are listed hereunder:

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DISTRICT	NO.	PROJECT NAME	BUDGETED COST
St. George West	1	Sierra Leone	\$352,107.00
	2	Cuthbert Circular	\$592,185.60
	3	Bamboo Trace	\$592,185.60
	4	Vanderpool Lane	\$592,185.60
	5	Real Street	\$100,000.00
	6	Bridge Road Aranguéz	\$80,000.00
	7	Trou-Macaque	\$885,546.00
	8	Upper BelleEau Road	\$269,514.00
	9	Spring Bank Avenue, Cascade	\$70,000.00
	10	Baghoutie Trace, San Juan	\$100,000.00
	11	Charpenter Road	\$100,000.00
	12	Boxhill Trace	\$100,000.00
	13	Merle Street	\$100,000.00
	14	Tapana Street	\$100,000.00
	15	Alexis Street	\$100,000.00
	16	San Antonio Street	\$100,000.00
	17	Picadilly Street	\$141,174.00
	18	Scott Bushe Street	\$141,174.00
	19	Plaisance Road	\$176,467.00
	20	Cantaro Road	\$384,813.00
	21	Grande Curucaye	\$414,713.00
	22	Petit Curucaye	\$444,613.00
	23	Mitigal Upper Bush	\$444,613.00
	24	Marie Road	\$182,160.00
	25	Coconut Drive	\$385,020.00
Sub Total			\$6,948,470.80

Written Answers to Questions

Friday, October 6, 2000

DISTRICT	NO.	PROJECT NAME	BUDGETED COST
St. George West (Cont'd)	28	Riverside Drive, Brasso	\$100,757.25
	29	Esperanza Road	\$139,140.00
	30	Rivulet Road	\$591,100.00
	31	John Elie Road	\$80,000.00
	32	Savonetta Street	\$55,000.00
	33	Manick Street	\$80,000.00
	34	Suresh Street	\$100,000.00
	35	Caparo Valley Brasso 8.5 - 10	\$549,585.00
	36	Carr Road	\$96,000.00
	37	Carlsen Field No. 2	\$50,000.00
Nariva Mayaro	38	Solomon Street	\$165,083.00
Victoria East	39	Frederick Road	\$119,704.00
	40	Mc Nish Street	\$80,178.00
Head Office			\$17,013.00
Sub Total			\$2,223,560.25
GRAND TOTAL			\$9,172,031.05

DISTRICT	ROAD	DESCRIPTION	BUDGETED COST
St. George West	Don Miguel Road	Paving	\$673,920.00
	New Lane	Paving	\$95,823.00
	Redman Lane	Paving	\$44,460.00
	Ramjass Trace	Paving	\$56,160.00
	Lewis Avenue	Paving	\$94,770.00
	Boothan Lane	Paving	\$101,078.00

Written Answers to Questions

Friday, October 6, 2000

DISTRICT	ROAD	DESCRIPTION	BUDGETED COST
	Twelfth Street Ext.	Paving	\$66,690.00
	First Avenue	Paving	\$245,700.00
	Third Street	Paving	\$532,350.00
	Bagatelle Road	Paving	\$184,275.00
	Moreau Road	Paving	\$283,487.50
	Sunshine Avenue	Paving	\$184,275.00
	Church Street	Paving	\$56,650.00
	Mission Road	Paving	\$243,360.00
	Prizgar Road	Paving	\$351,000.00
	First Street	Paving	\$298,350.00
	Second Street	Paving	\$307,125.00
	Newallovile	Paving	\$133,380.00
	Mustapha Lane	Paving	\$102,375.00
	Singh Trace	Paving	\$117,000.00
	Brathwaite Lane	Paving	\$111,150.00
	Mary Lane	Paving	\$94,770.00
	Chootoo Street	Paving	\$54,418.50
	Fifth Street	Paving	\$760,320.00
	El Socorro Ext. Rd	Paving	\$112,320.00
	Todd Street	Paving	\$94,770.00
	Boodai Lane	Paving	\$80,575.00
	Saddle Road & Environs	Paving	\$3,330,112.50
	Moka Network		
	Perseverance Road	Paving	\$409,860.00
	Mace Place	Paving	\$74,002.50
	Tangerine Road	Paving	\$74,002.50
Sub Total			\$9,368,529.50

Written Answers to Questions

Friday, October 6, 2000

DISTRICT	ROAD	DESCRIPTION	BUDGETED COST
St. George West	Andalusia Network		
	Simon Terrace	Paving	\$102,465.00
	Scotland Terrace	Paving	\$170,775.00
	Lomond Road	Paving	\$170,775.00
	Nock Road	Paving	\$62,617.50
	Barcant Street	Paving	\$148,005.00
	Saddle Road & Environs	Paving	\$2,737,385.00
	Belmont Valley Road	Paving	\$284,625.00
	St. Francois Valley Road	Paving	\$341,550.00
	St. Margaret's Lane	Paving	\$51,232.50
	Lady Young Avenue	Paving	\$823,680.00
	Western Main Road (East & West)	Paving	\$796,950.00
	Buccaneer Drive	Paving	\$85,387.50
	Regent Drive (East & West)	Paving	\$227,700.00
	Bay Shore Road	Paving	\$102,465.00
	Link Road (W.M.R - D/M)	Paving	\$56,925.00
	Cherry Crescent	Paving	\$136,620.00
	Jaffar Street	Paving	\$182,160.00
	Nabbie Street	Paving	\$129,789.00
	Rattan Street	Paving	\$113,850.00
	Hosein Circular Road	Paving	\$113,850.00
	Farm Road, St. Joseph Road Network	Paving	\$144,527.00
	Elizabeth Gardens Road Network	Paving	\$188,169.00

Written Answers to Questions

Friday, October 6, 2000

DISTRICT	ROAD	DESCRIPTION	BUDGETED COST
	C.R. Highway (Kay Donna-U.B.H.)	Paving	\$753,117.75
	C.R. Highway (Valsayn-Curepe)	Paving	\$376,558.88
	Johnny King Road	Paving	\$299,805.00
	Old St. Joseph Road - L'Espinete Street	Paving	\$1,035,719.00
	Paramin Road	Paving	\$119,543.00
	Andalusia Bridge	Bridge Construction & Road Rehabilitation	\$956,200.00
Sub Total			\$10,712,446.13
St. George West	Balata Hts. and Balata Trace	Paving	\$196,391.25
	La Baja Rd	Paving	\$219,161.25
	Pool Side #1	Paving	\$159,390.00
	Pool Side #2	Paving	\$159,390.00
	Wharf Trace	Paving	\$153,697.50
	Haven Pk	Paving	\$79,695.00
	Riverview Gardens	Paving	\$119,542.50
	Hillside Terrace	Paving	\$250,000.00
	Maracas Gardens	Paving	\$278,932.50
	Avondale Gardens	Paving	\$119,542.50
	Mountain View	Paving	\$71,725.00
	Valley View	Paving	\$113,850.00
	Valley View Dr.	Paving	\$85,387.50
	Silk Cotton Dr.	Paving	\$284,625.00

Written Answers to Questions

Friday, October 6, 2000

DISTRICT	ROAD	DESCRIPTION	BUDGETED COST
	Juniper Road	Paving	\$113,850.00
	Tonca Bean Rd	Paving	\$142,312.50
	Spires Flat	Paving	\$56,925.00
	La Rue Pomme Ext.	Paving	\$145,312.50
	Settlement Cir. Rd	Paving	\$113,850.00
	Santa Bababra	Paving	\$113,850.00
	Alta Garcia Road	Paving	\$113,850.00
	Waterfall Rd.	Paving	\$518,017.50
	La Rue Pomme Rd.	Paving	\$142,312.50
	Second Ave.	Paving	\$164,370.94
	Sixth Ave.	Paving	\$324,472.50
	Seventh Ave.	Paving	\$137,758.50
	Eighth Ave.	Paving	\$137,758.50
	Tenth Ave.	Paving	\$137,758.50
	Tenth Street	Paving	\$316,800.00
	Ninth Ave.	Paving	\$137,758.50
	Preece Hill St. Joseph (Eastern side)	Paving	\$1,000,000.00
	<i>Sub Total</i>		<i>\$6,108,287.44</i>
St. George West	<i>Off Johnny King Road</i>		
	Freedy Street	Paving	\$69,397.27
	Fazalie Street	Paving	\$47,532.38
	Ramlochan Street	Paving	\$47,532.38
	Maula Street	Paving	\$47,532.38

Written Answers to Questions

Friday, October 6, 2000

DISTRICT	ROAD	DESCRIPTION	BUDGETED COST
	Kanhai Street	Paving	\$47,532.38
	Ramlal Street	Paving	\$47,532.38
	Saukie Street	Paving	\$47,532.38
	Glencoe		
	Newbury Hill	Paving	\$259,009.00
	Strathavon Avenue	Paving	\$72,864.00
	Irish Avenue	Paving	\$203,508.00
	Americana Avenue	Paving	\$68,310.00
	Riverside Drive	Paving	\$170,775.00
	Street before T.Y.C	Paving	\$37,002.00
	Carenage		
	Upper Haig Street	Paving	\$500,000.00
	Upper Abbe Poujade Street	Paving	\$113,850.00
	Petit Valley		
	Simeon Road	Paving	\$426,937.00
	Rich Plain Road	Paving	\$234,816.00
	Unity Gardens	Paving	\$78,272.00
	Farm Road	Paving	\$140,890.00
	Unity Road	Paving	\$134,627.00
Sub Total			\$2,795,451.55
St. George West	Amosville Road	Paving	\$100,000.00
	West Vale Park	Paving	\$654,638.00
	Guardia Street	Paving	\$45,540.00

Written Answers to Questions

Friday, October 6, 2000

DISTRICT	ROAD	DESCRIPTION	BUDGETED COST
	Fitzallan Drive	Paving	\$68,310.00
	Mc Kenzie Drive	Paving	\$45,540.00
	Bellaron Street	Paving	\$79,695.00
	Rodney Street	Paving	\$68,310.00
	Rainorama Avenue	Paving	\$63,360.00
	4th Road off North Street	Paving	\$180,000.00
	Watts Street	Paving	\$475,200.00
	Harris Street	Paving	\$253,440.00
	Knowles Street	Paving	\$253,440.00
	Sunshine/Croissee Area		
	Hazel Street	Paving	\$107,712.00
	Maraj Avenue	Paving	\$110,880.00
	El Socorro Road Area		
	Goose Lane	Paving	\$100,980.00
	Sultan Lane	Paving	\$100,980.00
	Bissessar Street	Paving	\$117,810.00
	Pundit Street	Paving	\$117,810.00
	Maraj Street	Paving	\$117,810.00
	Girez Lane	Paving	\$134,640.00
	Bhim Bhim Trace	Paving	\$79,101.00
	Todd Street	Paving	\$92,565.00
	Boodai Lane	Paving	\$60,588.00
	Mount D'Or Road		
	Mt. D'Or Road	Paving	\$403,920.00

Written Answers to Questions

Friday, October 6, 2000

DISTRICT	ROAD	DESCRIPTION	BUDGETED COST
	First Drive	Paving	\$33,660.00
	Second Drive	Paving	\$50,490.00
	Third Drive	Paving	\$50,490.00
	Fourth Drive	Paving	\$67,320.00
	Fifth Drive	Paving	\$33,660.00
	Sixth Drive	Paving	\$67,320.00
	Esperanza Drive	Paving	\$100,980.00
Sub Total			\$4,236,189.00
St. George West	William Street	Paving	\$134,640.00
	Gordon Street	Paving	\$33,660.00
	1st Private Road	Paving	\$67,320.00
	2nd Private Road	Paving	\$100,980.00
	3rd Private Road	Paving	\$33,660.00
	Park Lane	Paving	\$33,660.00
	Industrial Lane	Paving	\$201,960.00
	N.U.G.F.W. Housing Scheme		
	N.U.G.F.W. Drive	Paving	\$67,320.00
	N.U.G.F.W.Circular Road	Paving	\$201,960.00
	S.W.W.T.U. Avenue	Paving	\$100,980.00
	Selwyn John Avenue	Paving	\$33,660.00
	Vernon Glean Avenue	Paving	\$33,660.00
	Nathaniel Crichlow Avenue	Paving	\$201,960.00
	Quintin O'Connor Street	Paving	\$100,980.00

Written Answers to Questions

Friday, October 6, 2000

DISTRICT	ROAD	DESCRIPTION	BUDGETED COST
	Harold Fraser Circular	Paving	\$134,640.00
	Sam Worrel Street	Paving	\$100,980.00
	Lenny Saith Drive	Paving	\$100,980.00
	Neville Fairley Crescent	Paving	\$67,320.00
	Leslie Clifford Street	Paving	\$67,320.00
	Ellis Blackman Street	Paving	\$33,660.00
	Furniture Compound	Paving	\$121,176.00
	Cooperative Street	Paving	\$168,300.00
	Deosing Street	Paving	\$33,660.00
	Sawmill Drive	Paving	\$50,490.00
	Bassie Street	Paving	\$235,620.00
	Bassie Street Ext.	Paving	\$95,594.40
	Santa Cruz		
	Mayfair Gardens	Paving	\$67,320.00
	Battersea Drive	Paving	\$67,320.00
	Sinanan Gardens	Paving	\$84,150.00
	Bridge Piece Road	Paving	\$100,980.00
	Caugrejal Road	Paving	\$134,640.00
	Sub Total		\$3,010,550.40
St. George West	Diego Martin		
	Kavari Street	Paving	\$134,640.00
	Taptee Street	Paving	\$100,980.00
	Burnett Street	Paving	\$67,320.00
	Vallot Street	Paving	\$168,300.00
	William Street	Paving	\$201,960.00

Written Answers to Questions

Friday, October 6, 2000

DISTRICT	ROAD	DESCRIPTION	BUDGETED COST
	Harold Street	Paving	\$134,640.00
	Morne Coco Road	Paving	\$3,366,000.00
	St. Lucien Road	Paving	\$1,009,800.00
	Blue Basin Road	Paving	\$807,840.00
	Blue Range	Paving	\$168,300.00
	Morvant		
	1st Caledonia	Paving	\$168,300.00
	2nd Caledonia	Paving	\$201,960.00
	Never Dirty	Paving	\$336,600.00
	Chinapoo Road	Paving	\$134,640.00
	Wallave Road	Paving	\$134,640.00
	Critchlow Trace	Paving	\$134,640.00
	Angeline Terrace	Paving	\$134,640.00
	Serrano	Paving	\$134,640.00
	Hermitage Road	Paving	\$201,960.00
	Clifford Street	Paving	\$67,320.00
	Meyler Street	Paving	\$67,320.00
	Upper Belle Eau Road	Paving	\$201,960.00
	St. Barbs Road	Paving	\$134,640.00
	Pump Trace	Paving	\$134,640.00
	Picton Road	Paving	\$504,900.00
	Laventille Road from Piccadily Street to Chinapoo	Paving	\$1,346,400.00
	Beetham Main Road	Paving	\$471,240.00

Written Answers to Questions

Friday, October 6, 2000

DISTRICT	ROAD	DESCRIPTION	BUDGETED COST
	Beetham Gardens		
	Phase I - 1st - 7th Street	Paving	\$235,620.00
	Phase II - 1st - 7th Street	Paving	\$235,620.00
	Phase III - 1st - 8th Street	Paving	\$269,280.00
	Phase IV - 1st - 4th Street	Paving	\$134,640.00
Sub Total			\$11,545,380.00
St. George West	Don Miguel Area		
	Ganga Terrace	Paving	\$100,980.00
	Mohammed Ville	Paving	\$134,640.00
	Breamer (Cascade)	Paving	\$100,980.00
Sub Total			\$336,600.00
	TOTAL		\$48,113,434.02
St. Patrick	Katwaroo Trace	Paving	889,341.25
	Ramai Trace	Paving	251,000.00
	Rochard Road	Paving	768,125.00
	Clarke Road Hindu School	Paving	56,298.25
	Clarke Rochard Gov't School	Paving	149,114.75
	Penal Rock Road Presbyterian	Paving	33,988.25
	Delhi Settlement Road	Paving	980,000.00
	Fyzabad Guapo Road	Paving	1,480,000.00
	Fyzabad Intermediate Sch Roadway	Paving	85,000.00

Written Answers to Questions

Friday, October 6, 2000

DISTRICT	ROAD	DESCRIPTION	BUDGETED COST
	Fyzabad Intermediate Compound	Paving	120,000.00
	Mon Desir Hindu School Compound	Paving	605,818.00
	Mon Desir Community Centre	Paving	85,000.00
	Roadway to Shiva Mandir Mon Desir Delhi Road	Paving	260,000.00
	Digity Road	Paving	1,100,000.00
	Phillipine Road	Paving	697,375.00
	Dumfries Road	Paving	845,381.00
	La Fortune Pluck Road	Paving	400,000.00
Sub Total			\$8,806,441.50
	TOTAL		\$8,806,441.50
Victoria East	Frederick Road	Paving	222,157.00
	Frederick Branch Road	Paving	887,016.00
	Martise Road	Paving	1,108,367.00
	Mc Nish Road	Paving	137,878.00
	La Lune Road	Paving	298,173.00
	Morean Road	Paving	840,776.00
	Cumuto Road	Paving	1,508,339.00
	Jaipaulsingh Road	Paving	1,800,000.00
	Gaffoor Trace	Paving	95,040.00
	Moruga Road	Paving	4,300,000.00
	Hubert Rance Street	Paving	1,062,600.00
	Southern Main Road <i>Marabella to Vistabella</i>	Paving	1,062,600.00

Written Answers to Questions

Friday, October 6, 2000

DISTRICT	ROAD	DESCRIPTION	BUDGETED COST
	Gulf City Link Road	Paving	1,012,000.00
	Palmiste Boulevard	Paving	627,100.00
	Fahey Street, Gulf City	Paving	111,988.00
	5 th Street Right on Circular Drive	Paving	49,669.00
	Cemetery Street, La Romain	Paving	172,075.00
	Debbie Avenue	Paving	111,988.00
	Aileen Avenue	Paving	694,025.00
	Anne Avenue	Paving	468,813.00
	Kathleen Crescent	Paving	523,700.00
	Monica Drive	Paving	607,388.00
	M2 Ring Road	Paving	1,573,250.00
	Palmiste Road	Paving	190,000.00
	Naparima Mayaro Road <i>Tarouba to Princes Town</i>	Paving	759,000.00
	Cottage Road	Paving	537,149.00
	G. P. Road	Paving	907,545.00
	Kanhai Road North	Paving	898,150.00
	Cipero Road	Paving	3,000,000.00
	Rahaman Drive Ext.	Paving	319,375.00
	Marion Court Block Four Block Five	Paving	265,000.00
	Brook Hollow Avenue	Paving	400,000.00
	Sunset Cove	Paving	70,000.00
			343,176.00
<i>Sub Total</i>			<i>\$26,964,337.00</i>
	TOTAL		<i>\$26,964,337.00</i>

Written Answers to Questions

Friday, October 6, 2000

DISTRICT	ROAD	DESCRIPTION	BUDGETED COST
Victoria West	San Fernando Bye Pass	Paving	633,600.00
	Naparima Mayaro Road	Paving	570,240.00
	Manahambre Road	Paving	2,756,160.00
	Block #1	Paving	300,960.00
	Block #2	Paving	380,160.00
	Block #3	Paving	776,160.00
	Bel Air	Paving	95,040.00
	Sea View	Paving	79,200.00
	BelleVue	Paving	47,520.00
	Sea View Road	Paving	31,680.00
	Cottage & Papourie Road	Paving	792,000.00
Sub Total			\$6,462,720.00
	TOTAL		\$6,462,720.00

GRAND TOTAL		\$136,693,274.88
St. Patrick	Southern Main Road, Point Fortin	\$ 5,000,000.00
	S.S. Erin Road 1	\$23,829,465.22
	S.S. Erin Road 2	\$18,473,611.49
Victoria West	Guaracara Tabaquite Road	\$23,984,330.11
	Naparima Mayaro Road	\$13,106,846.64
St. George East	Golden Grove Road (Upgrade)	\$10,000,000.00
	TOTAL	\$94,394,253.46

School Location	Budget	Work Description	Districts
1 Waterloo	\$500,000.00	Construction of 2 laybys, 36" dia RC Pipe culvert and 1 box culvert. Construction of sidewalks, curbs, slipper drain, earthen drains and box drains. Provision of road markings and signs.	Caroni
2 Matura	\$500,000.00	Construction of 2 laybys. Construction of sidewalks, curbs, slipper drain and box drains. Construction of road asphalt wearing course. Provision of road markings and signs.	St. Andrew/ St. David
3 Debe	\$750,000.00	Construction of 2 laybys, 36" dia RC Pipe culvert and 1 box culvert. Construction of sidewalks, curbs, slipper drain, earthen drains and box drains. Provision of road markings and signs.	Victoria West St. Patrick
4 Manzanilla	\$2,500,000.00	Construction of 2 laybys. Cutting and filling for road elevation and alignment. Construction of 36" dia. RC Pipe culvert. Construction of 3 box culverts. Construction of sidewalks curbs and slipper drain and box drains. Construction of 2 retaining walls. Construction of road sub base, base course and asphalt wearing course. Provision of road markings and signs.	St. Andrew/ St. David

Written Answers to Questions

Friday, October 6, 2000

School Location	Budget	Work Description	Districts
5 Brazil	\$400,000.00	Construction of 2 laybys. Construction of sidewalks, curbs and slipper drain. Construction of Road Asphalt wearing course. Construction of retaining walls for laybys. Provision of road markings and signs.	St. George East
6 Valencia	\$1,246,950.00	Construction of 1 layby and turning area. Cutting and filling for road elevation and alignment. Construction of 36" dia. RC Pipe culvert. Construction of 1 box culvert. Construction of sidewalks, curbs, slipper drains and box drains. Construction of road sub-base, base course and asphalt wearing course. Provision of road markings and signs.	St. Andrew/ St. David
7 Biche	\$500,000.00	Construction of 2 laybys. Construction of sidewalk, curbs, slipper drain and box drains. Provision of road markings and signs.	St. Andrew/ St. David
8 Blanchisseuse	\$500,000.00	Construction of 2 laybys. Construction of 36" culvert. Construction of sidewalks, curbs, slipper drain and box drains. Provision of road markings and signs.	St. George East

School Location	Budget	Work Description	Districts
9 Coryal	\$891,100.00	Construction of 1 layby and turning area. Cutting and filling for road elevation and alignment. Construction of 36" dia. RC Pipe culvert. Construction of box culvert. Construction of sidewalk, curbs, slipper drain and box drain. Construction of 3 retaining walls. Construction of road subbase, base course and asphalt wearing course from Junction to School Entrance. Provision of road markings and signs.	St. George East
10 Tableland	\$350,000.00	Construction of 2 laybys. Construction of sidewalk, curbs, slipper drain, earthen drains and box drain. Provision of road markings and signs.	Victoria East
11 Cunupia Government	\$609,900.00	Construction of 2 laybys, cutting and filling for road elevation and alignment. Construction of turning area. Construction of sidewalk, curbs, slipper drain and box drains. Construction of road sub-base, base course and asphalt wearing course. Provision of road markings and signs.	Caroni

School Location	Budget	Work Description	Districts
12 Cumuto Arena Road	\$175,000.00	Laybys, road markings, footpath and signs	St. George East
13 Brazil Arena Road	\$475,000.00	Laybys, road markings, footpath and signs	St. George East
14 Aripo R.C. Primary School	\$1,500,000.00	Road and landslip repairs.	St. George East
15 Grand Couva R.C. Secondary School	\$300,000.00	Road and landslip repairs.	Caroni
16 Longdenville Government Primary School	\$300,000.00	Road , carpark and playing field repairs.	Caroni
TOTAL	\$11,497,950.00		

**Asphalt Works
(Price Increases)**

- 93.** (a) Would the Minister state the average percentage increase in the prices agreed to during the period July 15, 2000 and September 14, 2000 by his Ministry or any state agency working on behalf of his Ministry or the Central Government for the supply, transport, placing and rolling of asphalt on roads in Trinidad, over the prices agreed to and/or paid by his Ministry for the same work between January 1, 2000 and June 15, 2000?
- (b) Would the Minister explain the reasons why his Ministry or any state agency working on behalf of his Ministry or the Central Government has agreed to pay the increased prices referred to in (a) above?

Mr. Speaker over the period January 1, 2000 to June 30, 2000 tenders for the placing and rolling of asphalt mix on roads in Trinidad varied from \$160.00 to \$316.00 depending on project size and location. In addition to this, it is to be noted that the price of bitumen increased by 15 per cent in July 2000.

The above replies were circulated to Members of the House.