

HOUSE OF REPRESENTATIVES*Monday, October 30, 2000*

The House met at 1.30 p.m.

PRAYERS[MR. SPEAKER *in the Chair*]**PAPERS LAID**

1. Report of the Auditor General on the Annual Audited Accounts of the Urban Development Corporation of Trinidad and Tobago for the year ended December 31, 1999. [*The Attorney General and Minister of Legal Affairs (Hon. Ramesh Lawrence Maharaj)*]
To be referred to the Public Accounts Committee.
2. Report of the Auditor General on the accounts of the National Maintenance Training and Security Company Limited for the year ended December 31, 1998. (*Hon. R. L. Maharaj*)
To be referred to the Public Accounts (Enterprises) Committee
3. Certificate of Environmental Clearance Rules, 1999. [*The Minister of the Environment (Dr. The Hon. Reeza Mohammed)*]
4. The Environmentally Sensitive Species Rules, 1999. [*Dr. The Hon. R. Mohammed*]
5. The Environmentally Sensitive Areas Rules, 1999. [*Dr. The Hon. R. Mohammed*]
6. Draft Noise Pollution Control Rules, 2000. [*Dr. The Hon. R. Mohammed*]

FINANCE BILL

[SECOND DAY]

*Order read for resuming adjourned debate on question [October 25, 2000]:**That the Bill be now read a second time.**Question again proposed.*

The Minister of Tobago Affairs and Minister in the Ministry of Finance, Planning and Development (Dr. The Hon. Morgan Job): Mr. Speaker, the last time we were here, the hon. Member for Diego Martin East, I think it was, made a

sterling contribution in his own way. There are some matters he dealt with which I must necessarily refer to, because there is a need, in the national community, to deal with the matters of facts.

I said on sundry occasions that there is nothing truthful about the claims that the Member for Diego Martin East advocated to: that all the UNC Government is doing is benefiting from the policies and precepts that the previous government had put in place, and they are literally drifting on the tide, so to speak.

First of all, I would like to deal with his constant allegations that the Member for Tobago East has done nothing in the Parliament, except to come here and criticize the PNM. This is not true, Mr. Speaker. It is the habit of the Members for Diego Martin East and West to keep getting up and making these kinds of inane statements. In the context of what I am saying—there is a gentleman, I think his name is Terrance Farrell who, last month, wrote a page in the *Express* where he was saying that the economic policies of the PNM were intellectually bankrupt.

I have here with me a book called *In Defence of the People's Interest*, written by Mr. Valley and Mr. Marshall. If you read the essays, you are left in no doubt that they belong to the past; they do not belong to the modern world of open economic borders. They do not understand the question of the failure of mercantilism, the essential necessity of opening up the economy.

There is an essay on pages 66 and 67: “Reshaping the Trinidad and Tobago Economy”, where Mr. Valley is letting it out. He said: “We do not need to sell out state enterprises”. He opposed most of the things that were being done under the Structural Adjustment Programme of the IMF. He blamed the NAR government, at the time, for selling out the economy of Trinidad and Tobago; it is all written here.

He was saying that there is no *laissez-faire*, free economy, or free markets anywhere; which everybody knows. The question is: What must a modern manager of an economy like Trinidad and Tobago, or any economy in the world, do to create conditions for competition so that the domestic exporters are able to compete in that globalized economy, which we cannot do anything about? That is the reality. When one looks at these ideas, they are not telling you, or enlightening the population, that this is where we have to go.

Mr. Speaker, in particular, I want to quote from a document published by the Bookings Institution Press which talks about growth, employment and equity—*The Impact of Economic Reforms in Latin America and the Caribbean*. I want to read this section, because it is important that we put on record, that one of the

most destructive and irresponsible set of policies that have been imposed on the poor people of this country has been the PNM education policy.

I did advert, on many times, to the question of seeking an explanation or confronting the population to understand why it is that Malaya, Korea and Singapore in 1960, were worse off in terms of per capita income, per capita literacy, and the participation rate in primary, secondary and tertiary education. How is it, as I speak to you in 2000, they have not only eclipsed us, but it is a scandal for the people of Trinidad and Tobago to see the vast differences in levels of technology, participation rates, at every level of education? It is the question of quality.

1.40 p.m.

It says on page 73, that improving and expanding access to education must receive priority among social services. Which is one of the reasons this Bill is now before Parliament. We want to make it possible that more people would access education via the Student Revolving Loan Fund. One girl told me that her father sent the print out of her A' Level examination. She got an "A" in physics, and "A" in mathematics, an "A" in chemistry, an "A" in General Paper and she did not get a scholarship. There are many students like her, those students ought to be at a university doing something. Every year there are students like that, so we need to be looking at expanding that system.

Education expansion must receive priority among social services. Education expenditure has the double advantage of simultaneously contributing to competitiveness and to greater equality although this is a relatively long run process. A large share of Latin American's distribution problems as well as its productivity problems come from its large stock of unskilled labour.

How do you get a large stock of unskilled labour? It means that people who go to schools do not perform well, they get poor primary, poor pre-school, poor secondary education, therefore, they end up unskilled, unlettered, innumerate and untrained. This in turn derives from many years of inadequate education.

This subject has been widely studied, but many controversies and implementation issues remain. How to improve quality is the main issue for primary education. At the secondary level, the issue is expansion of coverage and access, while at the university level, access and relevance of areas of specialization are paramount.

Mr. Speaker, I say for the benefit of the record and the national community what I have done. I have spent literally my adult lifetime studying and researching

in this area, and indeed as I know my hand palm, that one of the problems in Trinidad and Tobago, and indeed, in the Caribbean is the fact that the political leadership lived in denial and it was a deliberate plot. I will give you evidence of that. It was a deliberate plot to exploit the political profit of expanding secondary education while at the same time, not giving the benefit of quality education to the same people who they were seducing with this question of expanding secondary education.

I have here—I cannot quote the entire note, but I will give you an indication of what I am talking about. In one school in Tobago in 1999, 87 students took the examination in mathematics, only one child was successful. That means 86 of them failed. In 1997, only 41 per cent of the total number of students writing CXC English in Trinidad and Tobago passed English, while in mathematics only 26 per cent were successful.

Mr. Speaker, to put that in proper context, to understand how devious, how dangerous, how damaging this PNM abandonment of truth, how this irresponsible manipulation of the gullibility and the culpability of these masses of people have trapped and lassoed into their bantu stand, how damaging it was to the country. I have a table on page 45 from a document *Access Quality and Deficiency in Caribbean Education, A Regional Study dated April 27, 1992*. It is a World Bank publication report No. 9753CRG. It says that the percentage of children in Trinidad who enter primary school is 100 per cent. When you get to the percentage of them who complete secondary school, it is about 65 per cent. Of the 100 of them who enter primary school, only 24 of them pass CXC English and only 19 of them would pass CXC mathematics and the number of them who will get four or more passes at CXC level is five.

These people are over there boasting and every turn that I make to fasten the mind of this country on to the disaster that has been the PNM education policy, they attack me. They refuse to focus on the issue and deflect the issue into all kinds of things about statement I made about the police. I am stating a matter of fact. This is not Morgan Job writing this. It is saying that of every 100 children in every cohort group of students in this country, at the end of their teenage years when they are about 16 or 17, only 24 of them would have passed CXC English, 19 of them would have passed CXC mathematics, and only five of them would have received four or more passes at the examination.

This is not the basis on which you can build any modern society, but there is a reason for it. We are in the year 2000 and we are trying to compete with Korea,

Japan, the United States of America, Germany and all these countries and you cannot increase national wealth by increasing the DEWD Programme. You cannot increase national wealth by increasing transfer payments from the treasury to feed hungry people who are unskilled. You cannot do it. All over the world they have tried that and it has failed for the simple reason that national wealth is an aggregation of the productivity of all the people who live in the country and when PNM has been doing this programme since 1956, destroying what the white people left us with and put in place a system which they were glorifying, knowing it was a failed system, did nothing about it, and every time I try to get people to understand that, they are up and about mischievously misrepresenting what I said.

Mr. Speaker, I will show you what I personally have done with the help of this Government to get you to understand how wicked and evil this PNM policy has been to the people who have been their own constituents. It has not done anything to the upper classes. It has not done anything to the Syrians, the Chinese and the Lebanese, it has done to their own constituents.

When I came into Cabinet, I got the Cabinet to agree—when they were about sending everybody into secondary schools and I have the Cabinet Note here—to set up a committee, to be chaired by Sen. Dr. Mc Kenzie, to look at options. The committee is supposed to appoint a special task force with the following terms of reference. When this Task Force reports, it is going to advise the Government how to deal with the particular issue, generally, throughout Trinidad and Tobago.

When they are saying that the Government is only putting people into schools above rum shops and, as one of them said; building schools for douen, agouti and lappe in Coalmine and all about, they are insulting people. They are not focusing on the things that are being done to focus on the matter of quality. The same issue that the PNM left undone to a generation and left a population illiterate in English, left a population innumerate and unable to compete with the rest of the world. We are trying to deal with that now, to look at the administration of secondary schools in Tobago and the Roxborough Composite School in particular, to determine the possible reasons for the poor performance of students at the secondary school level in general, and in subjects such as mathematics and English in particular and make recommendations regarding the best possible ways to improve the overall management and performance of schools in Tobago and the Roxborough Composite School in particular, to make recommendations regarding improved methods for teaching mathematics and English Language in schools.

Finance Bill

[DR. THE HON. M. JOB]

Monday, October 30, 2000

The composition of the Task Force is the Tobago House of Assembly, Ministry of Tobago Affairs, Trinidad and Tobago Unified Teachers Association, Ministry of Education, Faculty of Education, UWI, Principal's Association, Parent Teacher's Association of Trinidad and Tobago, Inter-Religious Organization of Trinidad and Tobago and Canon Forrester, who is a member of the Denominational Board in Tobago.

This Task Force is meeting today as I speak and they are to report within the week or next week. The report is to come in and Cabinet decided they will use that report to deal with some of the issues that have to do with the primary system and the pre-school system because this is where the problem lies. The PNM never dealt with it and I will give you evidence from the man who Mr. Manning brought here to confuse people, but before I get into that. This committee will report within a week.

I have been on public record for decades, not 10 years, for decades I have been saying we should turn every panyard into a school and those panmen who cannot read, teach them to do so. Those who cannot count, teach them to count. Teach them music and then teach them marketing, event planning and all that. Everybody who had a radio when I used to have my radio programme would have heard me say that. They never did anything about it. They never went in schools and taught anybody music.

The former Prime Minister told everybody that pan is the national instrument, but he never taught any children in the schools music and there are no pan sides and music sides in the schools. He has not done it.

Mr. Speaker, I state quite clearly that when the next Government is on this side, that project that I have started in Tobago with the help of this Government will go to Morvant. I will look at all those schools that are non-performing, the schools which, when the children leave there, they know they are doomed. Schools like Gloster Lodge Moravian, those that are at the bottom of the list I am going to make sure that the Minister of Education agrees that we are going to those schools first. Morvant, Laventille, Waterhole, Pinto Road all these areas they have abandoned and leave those children to go to waste so that they end up on the block doing nothing, they end up in mischief. We will go there first with that programme to all those people.

I have also, with the help of the Government, because we are not only dealing with English Language and mathematics and grammar-type school education. One of the important things in this country is that the PNM education system never

prepared people to get into the job market. They had all these seven different types of secondary schools and they equipped them marvelously in the 1970s with all kind of modern equipment and they were left to depreciate. In the meantime, when you looked at the results, 80 and 90 per cent of the people who did the craft examination failed, they never got anywhere. This was partly because the teachers were not the best or they could not teach so the expectation that those non-traditional schools would provide the input into industry, into craft and all that never materialized and they never did anything about it. In terms of what I am saying, the internal and external deficiency of the system was absolutely zero and they did nothing about it.

Since this Government is in office we have tried to deal with that situation by expanding the technical vocational situation in National Energy Skills Training Centres and Technology Education. We have built a school in Debe that is going to be particularly devoted to training children in modern motor mechanic. Many of the motor cars on the road like the one you drive, Mr. Speaker, I expect have more computing power on board than the Apollo 11 spacecraft that landed on the moon. So you cannot fix these cars with pliers and screwdrivers. Screwdrivers, pliers and hammers have no place in fixing a modern car. You have to fix them with computer. When you mash the brake pedal in many of these cars, it instructs a computer to start systems working so that the brake would be activated. Everything about the car is computerized.

This school is set up in Debe and the Government is going to send six students from Tobago every year because it is not cost-effective to build a school like that in Tobago with the market there, so six children from Tobago are going to enter in every batch in that programme. That is already decided. The plans have already been drawn up and the pre-selection has already been done for the people who tendered and it is only a matter of time before we start to build this Skills Centre at Roxborough. There had been some problem that I am looking at and I hope within the week I will make up my mind as to what to do with that.

Mr. Speaker, during the NAR days, I used to be in a position in the Ministry of The Economy where I was helping them with matters to do with development programmes. When we developed Youth Training and Employment Partnership Programme (YTEPP), one of the problems was that they found out that many of the people who came into YTEPP were illiterate and innumerate. You could not teach them tailoring, you could not teach them art and craft because they could not use a tape, they could not count, they could not subtract and they could not divide.

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I just showed you from a report that of every 100 children born in Trinidad and Tobago under the reign of the PNM, only five of them in that cohort group would have received five or more passes at CXC, and of those who took CXC mathematics and English Language, 19 would have passed mathematics and 24 would have passed English Language.

One of the things we have to do is look at the question of mathematics and English Language teaching. What is the problem? Why is it that some children can do mathematics and others cannot do it? What I have done is to initiate a process which is going to benefit all the children of Trinidad and Tobago. I have developed a web site in my ministry and I am going to put all the information that I have in my library concerning the problem of mathematics remedial training and things like that. I am going to get this chapter in a UNESCO publication here, Science Education Worldwide Scan, and before the end of the week this is going to be on the web site and it deals with all these things, about mathematics for all and what we need to do at that level and all the other things that had to do with numeracy. Literacy feeding into the system so that the children who are not literate cannot learn mathematics and if you cannot learn mathematics you are not going to be able to do physics and chemistry. That is a sure fire case, so that web site is going to try to help that problem because the people who do not have a computer can go into a school that has one and download the information, photocopy it and have it available to parents, teachers, and people in the community so they can understand that preparing children culturally to be able to interact with mathematics, numbers and symbols is not something that is archaic, or is beyond anybody, it is a cultural thing that the people on the other side had neglected and abandoned. They cannot cope with mathematics because they are culturally deprived and nobody ever tried to help them. That programme is going to be dealt with, Mr. Speaker.

In that context—because they are always accusing me of doing nothing—I have visited every classroom in every school in Tobago, both secondary and primary, and also the prisons and I have done my best to give the children encouragement, to talk to them about television and the role of television encouraging devious behavior; the role of television in terms of how they do not concentrate on their school work and that affects their performance.

1.55 p.m.

I have donated books to schools in Tobago, for example, the Roxborough E.C. School, for all the classes up to Standard Five, I think. I have donated video

sets. In terms of the music programme, I have gotten several violins, guitars, a public address system, wind instruments. All those things I have done.

So that the question we are dealing with in terms of the people over there always accusing me of doing nothing except coming here and support the UNC and getting pay for doing only that, they do not understand what is going on. They do not understand what I mean when I say that one of the most powerful statements in any language is the statement in the book of John in the Bible which says, “in the beginning there was the word, and the word was with God and the word was made flesh.” It is from ideas that you get action. The reason why the PNM was not able to help their own constituency was that they never understood these things. They never understood the power of cultural programming.

This Government, I am sure, will join me and the national community—we have to quicken their mind to understand that one of the most important programmes that we have to do in the next administration is to find ways of converting the energy resources into human capital. What I mean by that is, I started off by quoting the role of education in development and national wealth. We have all this gas. But they had it. They had an oil boom and do you know what they did with it? They frittered it away. And the Member for San Fernando East is on record, last week, I think it was, telling people in this country that the Government is wrong to be saving money and having an Oil Stabilization Fund. What we should do is to spend the money on infrastructure. He said that. So that what I am trying to get at is that we have to have the right ideas.

If I go now to some of the comments made by the Member for Diego Martin East, he says that “one sees that this Government in terms of fiscal and monetary policy, in terms of saving and investment has achieved absolutely nothing.” I have quoted, more than once in this honourable House, documents from the IMF, the World Bank, the OAS, people who had come to give the Dr. Eric Williams Memorial lecture, all of them saying that Trinidad and Tobago is one of the countries where we are seeing a consistency in policy going back into the 1980s. There was one gentleman, Senor Mosca, I think is his name, who was in the IMF mission in 1985 and he said that he is happy to have been part of that experience, to see that administration after administration—I would admit that, having read the documents myself, I think it started even before the NAR administration.

I think one of the reasons why George Chambers lost the election was that in a way he was carrying out a structural adjustment programme. Poor fellow, he had very strange circumstances. But if you go back and understand the situation, oil

prices had gone down dramatically to about \$6.00 a barrel in the mid 1980s—somewhere around there—and there was a hue and cry that Chambers should have borrowed money, spend, or whatever, but I think he did a very good job in abandoning or neglecting to listen to those pleas and did the best he could. But the situation with the PNM is that they have a kind of policy fix, a kind of bind that they think that when they say, “we care for you” means that you must just spend money on people, not understanding that you can give a man a fish and you feed him for a day; and you teach a man to fish and you feed him for a lifetime. And they never did that for their own people. So George Chambers could not do that. He did not do it and then he was swept out of power. I think the NAR made a mistake by believing that it is because of corruption and all these kinds of things why the NAR came into power. I think the NAR came into power because George Chambers could not feed the mob. That is exactly what happened. Therefore, we need to be very careful about that.

So that when the Member for Diego Martin East is saying that the UNC is just floating on PNM’s policy, he is in the wrong. He is insulting the intelligence of anybody who has analyzed the economic fortunes of this country over the last 20 years. Absolutely! The evidence is there. It is incontrovertible that the first structural adjustment programme and the first time that people were forced in this country to start to rethink their expenditures and their savings, to try to cut back, they are the ones who agitated the mob. It is inside this very book I just quoted here, *in Defence of the People’s Interest*. They went up and down canalizing emotion—until it came to a sorry pass, where Abu Bakr and Morris Marshall were marching together. And many of them were telling people that the NAR is wicked and Robinson is vindictive. “He tief we COLA.” He is a wicked man; he is a nasty man; they have to kill him.” And all these kinds of things.” This is what they were up and about doing.

They never explained to people that the structural adjustment programme meant a certain kind of attitude to spending, especially Government spending. So, therefore, when we are coming here to claim that this Government is benefiting five years of growth, this year it is going to be 7.8 per cent; the Central Bank reports last year and before, they are commending the Government for fiscal and monetary prudence—all that is there and it is a consistent policy that was implemented since the days of the NAR. So that he is not right at all. He is misleading people again, and because he knows that the PNM’s policy has left the population largely innumerate and illiterate where only five in every hundred children in any year would get five or more CXC passes, they say all these crazy things and expect people to listen to them.

They talk about the fact that we have not reformed the pension system. Mr. Speaker, that problem is not an easy one to just change a pension system from a defined benefit to a defined contribution system. In these days there are problems all over the world in terms of management and control of the financial sector. It is a thing that needs human resources, it needs new ways of thinking, new legislation and all that. Work is being done on that, so why not be patient and be guided?

He spent a lot of time talking about my obsession with myself. In fact, what he is not understanding is that Morgan Job is the only public person who, in the last 20 years or more, has dedicated himself to helping the people who have been abandoned by the PNM—the only person. I will not refrain from saying that, because the facts are there to prove it. These people, because of what they have done, and because he is insisting to provoke me and try to distract me, I am going to give you some more information. *[Interruption]* You want problems, you would get it.

Mr. Speaker, this Member for San Fernando East was part of a party that supervised the destruction of a generation of citizens of this country, especially those from a certain ethnic group. They supervised it and they did it knowingly. I have here—Michael Alleyne has credibility. The Member for San Fernando East brought him down from Washington last month to supervise a seminar that the Member was organizing to discredit the Government's education policy. You brought Michael Alleyne down here? Did you not?

Mr. Manning: Yes.

Dr. The Hon. M. Job: You did. Agreed. So Michael Alleyne has credibility. He is saying that after the end of the 15-year education programmes, 1967—1983, no proper assessment was done. However, the politicians did an assessment. Listen to what Michael Alleyne said:

“It is to be expected, therefore, that an assessment of the performance of the Government in the execution of the plan would read more like an election campaign manifesto, rather than an objective evaluation of the successes and failures of the implementation.”

And so it did. This is the same man he brings down here. Like he forgot that I would buy the book and read it and come into Parliament and quote it and put it on the record. I am going to make sure that every young person in this country—you see, many of these young people who are voting have to vote on the basis of the fact. Many of them have inherited their parents' prejudices. *[Interruption]*

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That is all right. Many persons have inherited prejudices and they are going to vote for that. They are not dealing with the facts, and I am going to give them the facts.

2.05 p.m.

It goes on to say:

“The activity of the plan that consumes the majority of the funds allocated especially from the external loans was the construction of school buildings. This was the aspect of the plan in which the politicians had the highest interest. More buildings meant more school places which would translate into more votes on election day.”

This is Michael Alleyne, not me. I did not write this. Michael Alleyne is not my friend, so I could not be the one telling him that. The point I am making, Mr. Speaker, deny it as they want, the most important deception that has ever gone on in politics in this country is the way the PNM has used education to deceive their own people. For this election campaign, if I have to I will take my own public address system and go to the ends of this country to explain to people what is going on, what they have done to their own people—left them ignorant, the better to misuse them, to abuse them—this is what Michael Alleyne is saying. It is written here in black and white, you understand.

He goes on to say:

“The high failure rate not only in the examinations of the National Examinations Council but also in those of the Caribbean Examinations Council and the General Certificate of Education was stressed as the principal setback in the implementation of the 50 year plan. It pointed to the need to devote more attention to the qualitative aspects of the system but it was not done.”

It was never done. As I speak here it has not been done. I can go on quoting because Alleyne seems to be a very hurt man. Having been part of that process, because he was Director of Education, he wants to exculpate himself from the legacy of destruction they have imposed on their own people. That is what Alleyne is doing here. This is catharsis. This is expiation. They say confession is good for the soul and this is what Alleyne is doing. He is confessing the part that he played together with PNM politicians in destroying a major ethnic constituency in this country. That is what Alleyne is doing, and people must come to terms with that and they will not stop me from letting people know that. I have to make sure that they know it because the politics of this country and the future of this

country have to do with the extent to which all the people in this country come together in unity to undo this damage.

Mr. Speaker, let me give you a little example. I was asked to go to Carapichaima during the holidays to lecture to a class of parents and teachers. You know where Carapichaima is. Carapichaima is smack in the middle of the Caroni plains. I do not know which constituency that is. Which is it? [*Interruption*] Couva North. The Carapichaima Junior Secondary is now host to a first-year class from Laventille and Trou Macaque and the East-West Corridor because, when the Government decided to send people wherever they have places, many of those children had to go down there and an amazing thing has happened, of which this country is not aware.

When I went there, these sixth-formers who came from the sixth-form schools in that catchment area, Presentation Chaguanas, there is one in Couva—Holy Faith Convent—many of these young people, when I looked at them, they were the people who one would never think would organize a remedial English and math class for people from Laventille. This country is going through some kinds of cultural convergences and many things are happening of which people are not aware. To me it is mind-boggling that something like that is happening in this country and I do not see the media reporting it. I do not hear anybody talking about it, but they are ready to exploit every aspect of division that they find in this country, and then when I come in here to try to focus our minds on these things, they say, “Job doh like himself”. [*Interruption*]

He went on to the question of mortgage interest saying that the Government is only giving people \$18,000 in mortgage interest rebate. Mr. Speaker, that is not true. The amendments that we have before and one of the reasons we brought it is specifically to say that both husband and wife are going to be able to claim \$18,000. Let me quote what the Member for Diego Martin East had said. He said:

“Everything is ‘ah vaps’. One would think that if they wanted to assist homeowners to purchase properties in the range up to \$350,000 they would have a holistic approach to this thing. But no; on the one hand they are exempting stamp duty on properties of \$350,000; on the other hand they are restricting the allowance for mortgage interest to \$18,000; which could barely get a \$200,000 conventional mortgage for a young couple in their twenties or thirties. It makes absolutely no sense! The mortgage for a property costing \$350,000 would be about \$3,000 a month or \$36,000 a year, yet they have given an allowance of \$18,000. So they the left hand does not know what the

right hand is doing. Utter chaos, Mr. Deputy Speaker, in that Ministry; absolute chaos. Everything they do is populist foolishness.”

This is contrary to the facts, but I expect the Member for Diego Martin East to do something like that. He is an engineer and he knows that one cannot divide 14 asses into groups of three cows. One cannot tell a child to do something like that. One has to divide like by like. One has to multiply like by like. In engineering they will say something like, “You do not multiply or add a scalar quantity and a vector quantity”. “You cannot add an acceleration to a speed”. “You can multiply or add a velocity and a velocity or an acceleration and an acceleration”. He knows all of that yet he comes in here, gets up there and reads into the record a most amazing thing, dividing numbers that have no relationship to each other, and telling people that the Government’s debt ratio is 150 per cent of the gross national product. Wicked! Mischievous! This is what they do.

One of the first things that the Member for San Fernando East did when he came into power was to take down the dragon from the top of the Red House. What does that have to do with running a country? Obeah! That is what these people are about. The PNM dirty tricks, obeah and mischief-making know no limits, no bounds, you understand. Because they have kept people illiterate and ignorant they know that they can use these kinds of nasty, necromantic strategies to do these kinds of things. Mr. Speaker, first thing, they came in the middle of the night, midnight, 12 o’clock when everybody was sleeping, and used a big crane and took down one piece of metal and put up “a next” piece of metal. For what? What is the purpose of all that? This is their kind of programme.

The other Member from Diego Martin West went to Tobago and said—it is in the record—that I have abused the Member for Tobago West. Mr. Speaker, for the three years that I have been there, I sat in the Cabinet with this lady and I never said yea or nay to her. She has come out of the Cabinet I still do not say yea or nay to her. Once in a while I greet her very amicably and affably. I do not know where this man from Diego Martin got the idea that I have abused the Member for Tobago West. I have never done any such thing. When I was going for election the Member for Tobago West and one Deborah Moore-Miggins were up and down Tobago saying all kinds of things about me. I never answered them. I never referred to them, but he went up on a platform and put it on the record that I am there cussing the Member for Tobago West. [*Interruption*] I am not troubling the Member. I am just saying that he is unfair, and the same way he put it in the world newspapers that I said “Only black people committing crime in Trinidad”, which

is why I published my *Hansard* record so everybody could see what I said. That is the PNM dirty tricks. [*Interruption*]

Dr. Rowley: What are you talking about? [*Interruption*]

Dr. The Hon. M. Job: PNM dirty tricks. [*Interruption*]

Mr. Speaker: Order please, order; order please!

Dr. The Hon. M. Job: PNM dirty tricks. They will say anything; say the most impossible thing; get it into the newspapers; get it on the radio; get it in the editorial page, and that goes like wildfire because they understand they have created a mass of people underneath there who the record shows have been deliberately—[*Interruption*]

Dr. Rowley: What you talking about?

Mr. Speaker: May I say to the Member for Diego Martin West, even in the late stages of a Parliament you cannot conduct it like that.

Dr. Rowley: I was trying to clarify the issue.

Mr. Speaker: Well, that is not the way to do it. You know better than anybody else—you are an experienced parliamentarian—you know that you cannot remain in your seat and shout anything to the Member who is speaking. If you want to rise, you rise, you let me recognize you and you make your contribution. It cannot be done like that. And I—you see, I am afraid that the Member for Laventille East/Morvant is being influenced in like manner and—[*Interruption*] I am afraid that the Member for Laventille East/Morvant is being influenced in like manner and I appeal to both of you, please, do restrain yourselves.

Dr. The Hon. M. Job: Mr. Speaker, one of the problems that we have in a country that the PNM has created—you see, they have created a kind of society where myth, obeah, “jumbiedom” and “douendom” are the order of the society that people live in. Do you know what a “douen” is? A “douen” is a thing that we see walking in one direction but looking the other way. They are like “douens.” [*Interruption*]

Mr. Speaker: I take it that we are still on the Finance Bill.

Dr. The Hon. M. Job: Yes. Mr. Speaker: You know, you may have a lot of—[*Interruption*]

Miss Nicholson: The man “all over the place” in the debate.

Mr. Speaker: It may take you a bit of time to convince me that we are still on the matter before us, “An Act to provide for the imposition or variation of certain taxes for the incorporation of the amendments made by the Provisional Collection of Taxes Order, 2000 to introduce other provisions of a fiscal nature and for related matters”. Yes, I acknowledge that one has to answer things that may be said, but I think we are carrying it too far, you know, please, let us—
[*Interruption*]

Dr. The Hon. M. Job: I was alluding, Mr. Speaker, to the idea that—I was going on to say that a lot of their philosophy is to look backward, to look back to the past to try to explain their economic programmes and policies in terms of things that cannot happen again. This is what I mean by “douendom”, a kind of mythical character in Trinidad folklore that walks in one direction but is looking the other way. This is what I was trying to say, Mr. Speaker, and I think it is relevant to what I am saying here, in the sense that they are not dealing with the facts and the realities of Trinidad and Tobago today.

When, for example, the Member for Diego Martin East comes here and says, and I quote from his contribution:

“The Minister talked about how they have increased pensions and so forth. I simply wish to repeat the statements we have made in this Parliament...about increasing old age pension by \$100. I simply wish to repeat that the \$100 increase given to poor people pales into insignificance when compared to the \$6,000-a-month salary increase that the Government has given itself, Mr. Deputy Speaker. There is no link between \$100 for poor people and \$6,000 for Cabinet Ministers.”

That is exactly what I am talking about. What is he linking in people’s minds here? The fact is that Cabinet members and senior bureaucrats in the public service need much more money than the Salaries Review Commission had recommended to them.

I have a document produced by the Singapore government when they were discussing the question of the kind of appropriate salaries for public servants and politicians in Singapore and the leitmotif of the document is saying, “If you want the best management in your society you have to pay for it”. I have stood in this very Parliament and said, in fact, the salaries recommended by the Salaries Resolution Commission do not meet the criteria that I would apply in terms of comparative salaries for the kind of managers we need in the public sector and in terms of the Cabinet, and I stand by that. So this is absolute, arrant nonsense, Mr.

Speaker. Again it is looking back to a time when people used to feel that Ministers should not be paid Ministers and maybe they should make their money by other means. Let us just leave it at that, by other means.

We have to make sure that the people who end up as permanent secretaries, directors or bureaucrats in this country are worth in the marketplace what they are in fact worth and they must be paid that. So that I do not understand what is the point of this statement. I know as a matter of fact, Mr. Speaker, that if, God forbid, the PNM were to come into power, one of the very first things they will do is to accept the recommendations of the Salaries Review Commission Report. I have no doubt about that. The very first Cabinet meeting will be a meeting where they will accept the Salaries Review Commission Report—absolutely no doubt about that. So again this is PNM dirty tricks, PNM mischief and PNM attempts to hoodwink a mass of people who the documents have said have been created and left innumerate and logically incapacitated by that government.

He went on and spoke about paving the savannah and then he went from there, and, Mr. Speaker, I am reading:

“You know, the Member for Tobago East always like to pretend that he is a student of the literature and so forth. We have already determined that he is innumerate—he cannot add—but he is also illiterate.”

What is the point of all that? I mean, nobody is going to take that seriously.

Mr. Bereaux: But it is the truth.

Dr. The Hon. M. Job: The PNM dirty tricks again—mischief! He went on like that, how the savannah is there to breathe, and he spent a lot of time on the savannah and 100 acres:

“‘What is the big deal? It is 100 acres. So if you pave five acres it is only 5 per cent’. That is how the deterioration of a society begins. Next year it will be another five and another five and another five until it will be a big car park.”

I do not know that anybody has any plans to make the savannah a big car park. He went on:

“Are you anticipating...”

No, that is the Speaker. He went on to talk about computers.

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“Within less than a year, they have to come to amend the legislation because they realize it is rubbish. Just like the Computer Misuse Bill; rubbish! Offences Against the Person Bill, rubbish!”

He likes that word, “rubbish”. If we take the word “rubbish” from his contribution I do not know what will be left, maybe a little bit of rubbish. When we take out the words “rubbish”, “rubbish”, “rubbish”, we will get a little bit of rubbish left.

On the question of NEL, Mr. Speaker, he went back to that, and I know as a matter of fact from my location in the Ministry of Finance that one of the problems, and I think the substantive Minister of Finance would have alluded to that in contributions that he made, both in the Lower and the Upper Houses, that some of the major shareholders of the TSTT and some of the companies that are to go into NEL, they had problems in negotiating with them terms and conditions, and that is what held the thing back. They all know that.

2.20 p.m.

The Member comes in here and says every year the Government is talking about the National Enterprises Limited and doing nothing about it because it has no intention to do anything about it. Then he comes back to the divestment of state enterprises—where is this NEL? Is it the death NEL of the UNC? Where is the National Enterprises Limited? Where are the shares of TSTT, National Flour Mills and so forth and this was supposed to be the brainchild of this administration for the last five years. Where is the National Enterprises Limited and all this talk about people’s participation in the economy. Where are the instruments to allow people’s participation in the economy?

Mr. Speaker, a lot of people in the information business, do not do their research. I again was part of the process when we were developing the idea—I cannot say it was my idea because there were other people who may have thought the same thing. We developed a programme in the Ministry of the Economy that came out as the National Investment Company. The Minister of Finance at the time, Mr. Selby Wilson, developed a paper and brought it to Cabinet and it came to Parliament and the PNM shoot it down. They mobilized the trade union, Errol Mc Leod, the PNM and all kinds of people. For no sensible reason, they opposed the National Investment Company: now they are coming here to argue. You know, somebody who does not know the history and who does not understand the history would really believe that these people have some real great interest in making sure that poor people share part of the National Enterprises Limited.

When one looks at the historical facts, one does not see the evidence to support that.

The PNM were about keeping this Corporation Sole and keeping the state in a dominant position. If you read from *Columbus to Castro* there is a statement—I cannot remember, I think it is on page 500 and something—where Dr. Williams did say so—that his purpose, he is not east, he is not west, but he is going to have the state having a commanding position in the economy. Those ideas were wrong when they were articulated and they are wrong now. We are not going back to that. We are not going back to those things. When they come in here and try to articulate that they are interested in giving the small man shares in state enterprises, you know that they are not talking sense.

Mr. Speaker, then the Member comes and talks about Caroni (1975) Limited and how the Member for San Fernando East said that the Caroni (1975) Limited rum stocks are worth \$1 billion and the Member went and valued it. The Member is a born again Christian, I do not know that he knows how to value rum. I do not know if he knows how to taste it. [*Laughter*] So how the Member comes by this \$1 billion, I do not know.

Mr. Speaker, generally, we are in a situation where we have certain things to do. In my original contribution, I did say that we want to get sport goods available to a lot of the young people, we want to expand the Student Revolving Loan Fund and all the other amendments that we brought in here, which is to give effect to some of the things that we had articulated in the budget presentation and all these things are to benefit all the people of this country, not any one particular set of people. They are there to make sure that the children of this country profit from the resources of the country; that the opportunities that they have would be equal to what everybody else gets and, in fact, in the particular case of the sporting goods issue, to make sure that we have many, many, more Ato Boldons, people like Brian Lara and Dwight Yorke in the country. I would say when you link that to the school building programme and to the issue of looking at quality control, one of the things that the union agreement with the teachers has done—for the first time in the history of this country—is to ask the unions peacefully, let us look at the question of quality, so that we have to do what you call “pay for performance” and that sounds fantastic to a lot of people. There are many education systems in the world that I know and I have documents here, but I do not want to spend more time on that to show you where total quality management and management systems using private sector help to make sure that schools perform, that curriculum delivery does what it is supposed to do in terms of the

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quality of output of the system. All these things are quite feasible and possible and, in fact, are being done.

There are modern classrooms that have all the modern day technology where there are smart blackboards so that whatever the teacher writes on the blackboard, at the end of the class, the child could get it on a compact disk to go home and do home lesson and the children in the classroom can conference with each other and with the teacher. We have the resources and we can do those things. There are little things that we need to do that the PNM would have never thought about. This is why they never thought about the St. Ann's roundabout or to dual the Caroni bridge, so many little things. They spent all this money and they could not do a music programme in any school in Trinidad and Tobago and one-third of the schools in Tobago are into that programme now—little things.

Mr. Speaker, there has never been a time in this country, when so much has been done for so many people in so short a time. That is an evident fact. You see it every day you go all over this country and they did not do it because of their vision, because of their “duendom”; because of their willingness to stay looking backward and only articulating a political economy and a philosophy whose time has long since past.

Mr. Speaker, with that I will now say that I beg to move. [*Desk thumping*]

Question put and agreed to.

Bill accordingly read a second time.

Bill committed to a committee of the whole House.

House in Committee.

Mr. Chairman: I am advised that there is now a list of amendments being circulated which is to replace the list of amendments which had been circulated before.

Mr. Bereaux: Mr. Chairman, I have not yet received the list of amendments but I would appreciate some time to look at it.

Mr. Chairman: I would like to say to you that both of us are in the same position.

Mr. Bereaux: Maybe that is a sign of very good efficiency to treat both of us the same way, but at the same time, I would appreciate some time to look at it. Maybe you could adjourn for half an hour, please.

Mr. Chairman: Well, you are certainly entitled to see what we are discussing. Just let us have the amendments circulated first. I am advised that there are really no major changes to the list of amendments. It is just a question of tidying up.

Mr. Bereaux: Mr. Chairman that is his advice to you. I mean, the day he manages to be elected to all the constituencies in Trinidad and Tobago, then he can do that. We have a responsibility.

Mr. Chairman: We will go as far as we can go. We will take our time and go through the amendments and nobody would be denied an opportunity of asking questions or getting clarification.

2.30 p.m.

Mr. Bereaux: We need to think, Mr. Speaker. He is so brilliant. We need to have a look at it and think about it.

Mr. Chairman: Again, that is not necessary at this stage. We have agreed that it would have been much nicer for it to have been circulated well ahead of now, and you certainly have a point there.

Mr. Bereaux: It is not fair! It cannot be done like this.

Mr. Valley: Where is the real Minister of Finance? Where is that person appointed by the President as the Minister of Finance?

Mr. Chairman: Do all of the Members on the Opposition Benches have the new list of amendments to replace the former list?

Mr. Bereaux: I have mine.

Mr. Chairman: Once all of you have it, and I have mine, that is the important thing. Hon. Members, we shall now start the committee stage of this Finance Bill, 2000.

Clauses 1 to 7 ordered to stand part of the Bill.

Clause 8.

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

Mr. Bereaux: Mr. Chairman, is the hon. Minister going to go through and explain why he is amending each clause?

Mr. Chairman: First of all, we have not even got to that stage. I have just asked that clause 8 stand part of the Bill. There is a procedure whereby the Minister, if he wants an amendment to be entertained, will do certain things.

Mr. Breaux: I am waiting for that. He is not very bright, so I have to help him out.

Dr. Job: Mr. Chairman, I beg to move that clause 8 be amended in terms of the circulated draft as follows:

- 8
- A. In relation to section 61-
- (i) in the definition of “business levy”, insert after the word “Board” the words “of Inland Revenue”;
 - (ii) insert after the definition of “company” the following definition:
“financial year” has the meaning assigned to it in section 3 of the Constitution;
 - (iii) delete the definition of “Treasury”.
- B. In relation to section 62 –
- (i) delete the marginal note and substitute the marginal note as “Green Fund levy”;
 - (ii) in subsection (1), delete the words “an environmental levy” and substitute the words “a green fund levy”;
 - (iii) in subsections (2), (3) and (4), delete the word “environmental” wherever appearing and substitute the words “green fund”.
- C. Renumber sections 63 to 71 as sections 65 to 73 respectively and insert the following sections:
- | | |
|------------------|---|
| “Payment to Fund | 63. The Board of Inland Revenue shall, within fourteen days from the end of each quarter, remit to the Green Fund the tax paid to it under this Part. |
| Refunds | 64. (1) Where it is proved to the satisfaction of the Board of |

Inland Revenue that a company has, in any quarter, paid tax under this Part in excess of the amount in respect of which the company is properly chargeable, that company shall be entitled to have the amount so paid in excess refunded to it.

(2) Every claim for refund shall be made within one year from the end of the quarter to which the claim relates.

(3) The Board of Inland Revenue shall cause the amount to be refunded to come out of any tax paid to it under this Part.

(4) Instead of making a refund that might otherwise be made under this section, the Board of Inland Revenue may, where the company is liable to make another payment under this Part, apply the amount to be refunded against the other liability and notify the company accordingly.”.

D. In section 65(1) as renumbered, insert the marginal note “Establishment of Fund” and renumber that section as section 65.

E. In section 66 as renumbered –

- (i) insert the marginal note “Purposes of Fund”;
- (ii) in paragraph (a), delete the words “individuals.”.

F. In section 68 as renumbered –

- i) in subsection (6), delete the words “less than” and substitute the words “more than”;

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- (ii) in subsection (8) (a), delete the words “individuals” and “financial assistance” and substitute the words “community groups” and “grants” respectively;
- (iii) in subsection (8) (b), delete the word “assistance” and substitute the word “grant”;
- (iv) in subsection (8) (d), delete the word “individuals” and substitute the words “community groups”;
- (v) in subsection (8) (e), delete the words “monies from the Fund” and substitute the words “or apply moneys from the Fund in meeting any obligation or discharging any function of the Agency”;
- (vi) Insert after subsection (8) the following subsections:
 - “(9) The Agency shall not borrow sums by way of overdraft or other loans for the purpose of carrying out its functions under this Part.
 - (10) The Agency shall not make a grant to a community group or organisation under this Part unless the group or organisation –
 - (a) has been in existence for a period of not less than two years; and
 - (b) submits to the Agency a copy of its Rules or other constituents documents together with audited statements of its accounts for the last two years immediately preceding the date of its application for a grant.
 - (11) Any individual who, acting on behalf of an organisation or group referred to in this Part, making or causing to be made a false representation, induces or attempts to induce the Board to make a grant under this Part, is liable

on summary conviction to a fine of fifteen thousand dollars and to imprisonment for two years.

(12) Where the Agency makes a grant under this Part, it shall cause to be published in the Gazette the name of the organisation to which the grant has been made and the amount of the grant made.

(13) The Board may, with the approval of the Minister, make rules for the purpose of regulating itself.”.

G. In section 70 as renumbered –

(i) renumber that section as section 70 (1), delete the words “through a special bank account approved by the Treasury” and substitute the words “through a bank designated by the Minister with responsibility for finance, by Notification, as the financial agent of the Agency.”

(ii) Insert after subsection (1) as renumbered the following:

“(2) The bank designated as the financial agent of the Agency under subsection (1) shall be subject to the terms and conditions of any agreement for that purpose between the Agency and itself.”.

H. In section 71 as renumbered, renumber that section as section 71 (1) and insert the following subsections after subsection (1) renumbered:

“(2) The Agency shall maintain proper accounts and records of the transactions and affairs of the Agency and shall do all things necessary to ensure that all payments out of the resources of the Agency are correctly made and properly authorised and that adequate

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control is maintained over the assets of the Agency.

- (3) The Agency shall submit a financial statement in respect of a financial year to the Minister no later than three months after the close of that financial year.
- (4) The Agency shall forward to the Minister a copy of the audited statement of accounts together with any report thereof made by the Auditor General not later than one month after the receipt thereof and the Minister shall ensure that the audited statement of accounts and report are laid in Parliament within one month thereafter, or if Parliament is not in session, within one month after the commencement of the next sitting.
- (5) In addition to the annual audit, the Auditor General may, at any time, audit the accounts and examine the records of financial transactions of the Agency and shall forthwith report to the Chairman of the Agency, the Minister and to Parliament, any irregularities disclosed by such audit and examination which, in the opinion of the Auditor General, are of sufficient importance to be so reported.”.

I. Delete section 72 as renumbered and substitute the following:

“Records and reports	72. (1) The Agency shall submit an annual report on the operations of the Agency in respect of a financial year, within three months, after the close of the financial year.
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(2) The Minister shall cause to be laid in Parliament the annual

report referred to in subsection (2) within one month after he has received it, or if Parliament is not then in session, within one month after the commencement of the next session.”

Question proposed.

Mr. Bereaux: Mr. Minister, I would like to know why are we deleting the definition of “treasury”.

Dr. Job: I am advised that given the responsibility of the Minister of Finance, that definition is no longer up-to-date; no longer necessary.

Mr. Bereaux: Are you advised, or is it that is why we are doing it? Whatever advice you get is your business.

Dr. Job: That is why we are doing it.

Mr. Bereaux: Mr. Chairman, once again it is very unfair for us to be given this and not be given an opportunity to have a look at it. I cannot understand why we cannot have a look at it! It is unfair and improper! [*Desk thumping*] We have to look at it. We have a responsibility to the people of Trinidad and Tobago to examine it. It is money we are talking about!

Mr. Chairman: Well, you have got an answer. You have asked quite legitimately why it is being suggested that the definition of “treasury” be deleted and you have got an explanation from the Minister. Is it one you are satisfied with?

Mr. Bereaux: No. I am not satisfied, but I am now further embarrassed because I am unable to look at it in the context of the entire Bill and make my contributions on it. I cannot do that because he has come like a thief in the night, surreptitiously, and passing it through here. This cannot be condoned.

Mr. Chairman: No one is coming surreptitiously and passing anything.

Mr. Bereaux: He has!

Mr. Chairman: No, no. With the greatest deference, I certainly have conceded that it is very unsatisfactory to spring on the House, and on me, suggested amendments to take the place of circulated suggested amendments. We have dealt with that. Nothing we say could make that right.

Mr. Breaux: Nothing I am saying will make that right, but there is a way to correct it, Mr. Chairman.

Mr. Chairman: Again, I am here because there are certain decisions I take, and I cannot promise to please either the Government or the Opposition always with respect to these things. I have taken the decision which I have communicated to you that I am satisfied, from what I have been told, that the changes in the now circulated amendments are not vastly different from that which was circulated. Any time you could show there is anything which is such a tremendous departure that we cannot follow it, I am prepared to rise for 10 minutes and allow you to do it.

Mr. Breaux: I must, with the greatest deference say that when you remove the definition of “treasury” and then tell me it is not needed, I need to read the Bill and look at it and see if it is, in fact, needed.

Mr. Chairman: That is why we are going through it clause by clause.

Mr. Breaux: It takes a lot more time to look at it than that. I do not have the great capacity of the Member for Tobago East, but I am stumbling along. I am indeed a representative. It is impossible to handle.

Dr. Job: Member for La Brea, if you look at item G(i) on page 5 of the list of amendments, it says:

“ In section 70 as renumbered—

- (i) renumber that section as section 70 (i), delete the words “through a special bank account approved by the Treasury” and substitute the words “through a bank designated by the Minister with responsibility for finance,”

I think that is why, having said this here, we do not need to have the definition.

Mr. Breaux: You now understand it yourself and, having now understood it, you want me to, but I am a little more careful than you. I want to have an opportunity to look at the entire thing. You see what has happened, Mr. Chairman? He has now understood, having been advised what it is, so he has come carelessly to this Parliament, not knowing even the basis of the amendments, of the correction to the amendment, and then wants me to accept it. I cannot do it. It is wrong!

Mr. Chairman: Does anybody want to make any further contribution on this?

Mr. Maharaj: Mr. Chairman, I think the Member has a point, but I think that when one looks at the proposed list to replace the old list, one would see there are only a few matters in bolder type which are different to what was originally circulated. If it is that the Opposition believes they want to get half an hour to look at this, we will have no problem, but it would seem to me that the hon. Minister has explained the rationale for having deleted the definition of “treasury” and if one looks at the amendment, one would see that it is purely in relation to the order, the different orders and in relation of substituting minor matters.

2.45 p.m.

Dr. Rowley: Given the fact that the Minister of Finance, Planning and Development detained us here for over an hour, speaking on all matters, do you not think it would have been useful if he had mentioned somewhere in his one and one half hours presentation, that there were changes to the amendments, especially since he did not circulate them?

Mr. Maharaj: What has happened is, just as we were about to rise to go into the committee stage, the Clerk of the House came and said that the Treasury Solicitor has faxed these amendments.

Dr. Rowley: Unbeknownst to the Minister of Finance, Planning and Development?

Mr. Maharaj: Yes. It is not unusual.

Dr. Rowley: Come on, Mr. Attorney General! Are we saying that whilst the Minister of Finance, Planning and Development was talking he did not know that the Treasury Solicitor was changing this matter?

Mr. Maharaj: The changes are not substantial!

Dr. Rowley: It does not matter what they are; they are changes nonetheless.

Mr. Maharaj: The changes are not substantial, Mr. Chairman!

Dr. Rowley: Well, do not change them then!

Mr. Chairman: With the greatest deference [*Interruption*]

Mr. Maharaj: If you want an hour, take an hour.

Mr. Chairman: One second please!

Mr. Maharaj: Take three hours if you want.

Dr. Rowley: Procedures.

Mr. Chairman: I think that the point that is being made is that the responsibility really lies with the Minister, and not with the Treasury Solicitor.

Dr. Rowley: Of course!

Mr. Chairman: One second please! The Minister, whatever the Treasury Solicitor may advise him, has to adopt it. They were just remarking that it appears that he gave no notice that he was in fact going to be adjusting the amendments. The point is that it does appear that there is a certain amount of uneasiness on the part of many of the Members with respect to the new amendments. In the circumstances, hon. Members, I am prepared to suspend the continuation of the committee stage of this Bill for 10 minutes, so that Members could brief themselves, and we will come back and continue this.

The committee stage of this Finance Bill will be suspended for 10 minutes. We will in fact come back here at 3 o'clock.

2.49 p.m.: *Sitting suspended.*

3.02 p.m.: *Sitting resumed.*

Question put and agreed to.

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

Mr. Imbert: Mr. Chairman, I think the issue is just to get a proper understanding why it is changed from a bank account approved by the treasury, which is a public agency, to a bank approved by the Minister, who is a person? This is clearly the change that has been made. Perhaps the acting Minister could tell us.

Dr. Job: Could you speak a little louder please?

Mr. Imbert: You have changed the substantive issue in this clause from a bank account approved by the treasury to a bank designated by the Minister. So you have changed from the Treasury approving the bank account to the Minister directing which bank the account should be set up in. Could you please tell us why you have gone from a neutral public agency that should have no vested interest, to a person who will be choosing the bank that this Green Fund—

Dr. Job: First, that is consistent with the fact that we deleted the section on treasury and made the Minister—

Mr. Imbert: No, no, the deletion of the word “Treasury” is consequential to this change. It is not the other way around.

Dr. Job: The section that we deleted defined the treasury as the Minister responsible for finance. So when you deleted that...

Mr. Imbert: No, it was approved by him, now it is a designated by him. First, it was an approval, now it is a designation. I want to know why you have gone from approving it to directing which bank it should be.

Dr. Job: I think the word “designation” gives the Minister more control.

Mr. Imbert: I know that and that is the point I am making.

Dr. Job: You do not like the Minister to have more control?

Mr. Imbert: I would like to know what is the thinking behind giving the Minister the power to actually say this bank...

Dr. Job: The Minister is accountable to Parliament, therefore, the wording reflects that to a great extent.

Mr. Imbert: I cannot follow that. If you approve it, you are also accountable, but you do not choose it.

Dr. Job: Well, words have different shades of meaning and different colours and I think the preferred word is “designate”.

Mr. Imbert: So you prefer to choose the bank?

Dr. Job: Well, he is responsible and whoever that Minister is he has to explain to Parliament what he does.

Mr. Imbert: All right, so you prefer to decide which bank it is?

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

Clause 11.

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

Dr. Job: Mr. Chairman, I beg to move that clause 11 be amended as follows:

11(3) “Delete the words ‘to into’ and substitute the words ‘come into.’”

Question put and agreed.

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

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

House resumed.

Bill reported, with amendments, read a third time and passed.

FREEDOM OF INFORMATION (AMDT.) 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 Freedom of Information Act be now read a second time.

Mr. Speaker, the purpose of the amendments contained in the Bill before this honourable House is to clarify certain anomalies to promote its effective implementation. Since this Bill was passed into law, there have been several committees which have been formed for the purpose of implementing the Act and one of the committees is known as the Legal Committee for the Implementation of the Freedom of Information Act and the committee discovered that there are certain matters which should be amended in order for the Act to come into force.

One of the things which the implementation committee has done was to prepare the stakeholders, particularly the 180-odd public authorities who would be affected and the implementation team which comprises officials from a number of ministries under the chairmanship of the Minister of Public Administration has been engaged in a sensitization programme of the provisions of the Act. Target groups have been met and the sensitization programmes included Ministers, public servants and members of the media.

Mr. Speaker, the Freedom of Information Act was a feature of the Public Service Week and the Act has been disseminated to members of the public and the public service. Permanent secretaries have been meeting in an effort to give effect to the provisions of the Act .

The proposed amendments contained in the Bill before us essentially amount to a fine-tuning of certain sections of the Act, and one of the main provisions for the amendment is that the Ministry of Information and Public Administration, one ministry, and in the Bill it expressly states the Minister of Information.

Section 3 would make the Minister responsible for public administration, the Minister responsible for the overall monitoring of the Act. Then there are provisions for the Act, for example, there are in section 7, section 8, and section 9 certain matters for which the ministry is responsible and that is; the ministries have a duty to publish information. For example in section 7 “The public authority shall, with the approval of the Minister...” and it states all the matters which should be published.

In section 8 of the Act, there are other documents which should be available for inspection and purchase. In section 9, there are other matters which, in respect of a public authority would also be made available to the public, and in order to ensure that the Minister responsible for that is the responsible Minister, and not the Minister responsible for the overall administration of the Act, the words “responsible Minister” have been inserted to make that very clear.

So under the Act there is a Minister who is responsible for the overall administration of the Act and that is the Minister responsible for public administration, and there are certain matters which must be published by public authorities and ministries and the Minister responsible for that ministry will be responsible to ensure that the documents relating to those ministries are published and made available.

Mr. Speaker, section 33 is purely renumbering, and the other section which is to be amended is section 35 of the Act. That section has been looked at again and that is the section which I will read.

3.15 p.m.

Honourable Members would recall that there was this Section 35 which gives the authority to release a document even though it is an exempt document where certain conditions are satisfied. Section 35 as it is, reads:

“Notwithstanding any law to the contrary a public authority shall give access to an exempt document where there is reasonable evidence that significant—

- “(a) abuse of authority or neglect in the performance of official duty,
- (b) injustice to an individual;
- (c) danger to the health or safety of an individual or of the public; or
- (d) unauthorised use of public funds, has or is likely to have...and if in the circumstances giving access to the document is justified in the public interest having regard both to any benefit and to any damage that may arise from doing so.”

In order to give greater flexibility and in order for the test not to be as rigorous as it is stated in Clause 35, the Government has decided that instead of having “and if in the circumstances giving access to the document is justified in the public interest having regard both to any benefit and to any damage”, we should delete “and if” and place “or” instead.

So it would, therefore, mean that the public interest test is not as rigorous as it is now with the amendment. Therefore, it would mean that notwithstanding that a document is “an exempt document where there is reasonable evidence that significant abuse of authority or neglect in the performance of official duty” and we would have an “or” after that, in any event, I will do it at Committee Stage. Or, there is an injustice to an individual; or they are a danger to the health or safety of an individual or of the public or unauthorised use of public funds has or is likely to have occurred. Or, in the circumstances giving access to the document is justified in the public interest having regard both to any benefit and to any damage that may arise therefrom. So instead of having the “and” to satisfy all those tests, there will only be “or.”

In respect of the other section which has to be amended as Clause 38(A), I will read Clause 38(A) so that Members would have an idea. It says:

“38A(1). A person aggrieved by the refusal of a public authority to grant access to an official document, may, within twenty-one days of receiving notice of the refusal under section 23(1), complain in writing to the Ombudsman and the Ombudsman shall, after examining the document if it exists, make such recommendations with respect to the granting of access to the document as he thinks fit.”

We want to insert there “within 30 days or as soon as practicable thereof”. Mr. Speaker, those are the amendments. The amendments are not fundamental; they are amendments to give effect to having their Act implemented. As I said, a lot of work has been done since the Act became law and there are these implementation committees and the Act is about to be proclaimed and these amendments are necessary to give effect to it.

Thank you very much.

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 5 ordered to stand part of the Bill.

Clauses 7 to 10 ordered to stand part of the Bill.

Clause 9.

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

Mr. Maharaj: Mr. Chairman, I beg to move the amendments to clause 9 as follows:

9 Delete clause 9 and replace with the following:

Subsection 35(a) of the Act is amended by inclusion of the word 'or' after the word ';

Subsection 35(b) of the Act is amended by inclusion of the word 'or' after the word ';

Section 35 of the Act is amended by deleting the words 'and if' after the word 'occurred' and substituting the word 'or'.

Mr. Maharaj: Have you got that?

Mr. Chairman: No, I am not with you.

Mr. Maharaj: Under section 35 of the Act the words to be deleted are the words "and if", if one looks after (d). It is on the next page, and substitute the word "or." Mr. Chairman, I wanted to put after "a" in section 35 "or" and after (b) "or" in section 35. After duty "or" and after individual "or."

Mr. Chairman: Is that your six? Clauses 7 to 10 ordered to stand part of the Bill and that there be a six which will see the word "or" added at the end of "a", and another "or" added at the end of (b) and the words "and" "if" in the first line on the next page deleted and the word "or" substituted in its place.

Question put and agreed to.

Clauses 7 and 10 ordered to stand part of the Bill.

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

House resumed.

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

Monday, October 30, 2000

Motion made and question proposed, That the House do now adjourn to Friday, November 10, 2000 at 1.30 p.m.

Question put and agreed to

House adjourned accordingly.

Adjourned at 3.26 p.m.