

HOUSE OF REPRESENTATIVES*Friday, March 02, 2001*

The House met at 1.31 p.m.

PRAYERS[MR. SPEAKER *in the Chair*]**SESSIONAL SELECT COMMITTEES
(APPOINTMENT OF)**

Mr. Speaker: Hon. Members, in accordance with Standing Order 71, I wish to appoint the following Members to serve on the following Sessional Select Committees of the House for the 2001 Session.

Standing Orders Committee

Dr. Rupert Griffith	Chairman
Mr. Ramesh Lawrence Maharaj	Member
Mr. Subhas Panday	Member
Mr. Manohar Ramsaran	Member
Mr. Fitzgerald Hinds	Member
Mr. Stanford Callendar	Member
Mr. Hedwige Bereaux	Member

House Committee

Mr. Ramesh Lawrence Maharaj	Chairman
Mr. Subhas Panday	Member
Mr. Carlos John	Member
Mr. Ganga Singh	Member
Mr. Patrick Manning	Member
Mrs. Camille Robinson-Regis	Member

Committee of Privileges

Dr. Rupert Griffith	Chairman
Mr. Ramesh Lawrence Maharaj	Member

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Mr. Mervyn Assam	Member
Mrs. Kamla Persad-Bissessar	Member
Mr. Martin Joseph	Member
Miss Penelope Beckles	Member

Regulations Committee

Dr. Rupert Griffith	Chairman
Mr. Subhas Panday	Member
Mr. Chandresh Sharma	Member
Dr. Fuad Khan	Member
Mr. Jarrette Narine	Member
Mr. Roger Boynes	Member

Public Accounts Committee

Mr. Chandresh Sharma
Mr. Winston Peters
Mr. William B. Chaitan
Mr. Kenneth Valley
Mr. Eric Williams

Public Accounts (Enterprises) Committee

Mr. Carlos John
Dr. Fuad Khan
Mr. Subhas Panday
Mr. Lawrence Achong
Mr. John Rahael

As Members know, those last two committees, when they first meet they will appoint their chairmen.

PAPERS LAID

1. Report of the Auditor General on the accounts of the National Housing Authority for the year ended December 31, 1988. [*The Attorney General and Minister of Legal Affairs (Hon. Ramesh Lawrence Maharaj)*]
2. Report of the Auditor General on the accounts of the National Housing Authority for the year ended December 31, 1989. [*Hon. R. L. Maharaj*]
3. Report of the Auditor General on the accounts of the National Housing Authority for the year ended December 31, 1990. [*Hon. R. L. Maharaj*]
4. Report of the Auditor General on the accounts of the National Housing Authority for the year ended December 31, 1991. [*Hon. R. L. Maharaj*]
5. Report of the Auditor General on the accounts of the National Housing Authority for the year ended December 31, 1992. [*Hon. R. L. Maharaj*]
6. Report of the Auditor General on the accounts of the National Housing Authority for the year ended December 31, 1993. [*Hon. R. L. Maharaj*]
18. Report of the Auditor General on the accounts of the Couva Regional Corporation for the period October 01, 1991 to December 31, 1991. [*Hon. R. L. Maharaj*]
19. Report of the Auditor General on the accounts of the Couva Regional Corporation for the year ended December 31, 1992. [*Hon. R. L. Maharaj*]
20. Report of the Auditor General on the accounts of the Tabaquite/Talparo Regional Corporation for the period October 01, 1991 to December 31, 1991. [*Hon. R. L. Maharaj*]
21. Report of the Auditor General on the accounts of the Tabaquite/Talparo Regional Corporation for the year ended December 31, 1992. [*Hon. R. L. Maharaj*]

Papers 1 to 6 and 18 to 21 to be referred to the Public Accounts Committee.

Vesting Orders

The Minister of Infrastructure Development and Local Government (Hon. Carlos John): Mr. Speaker, I beg to lay on the table the following:

7. The Couva/Tabaquite/Talparo Regional Corporation Vesting Order, 2000.
8. The Chaguanas Borough Corporation Vesting Order, 2000.
9. The Diego Martin Regional Corporation Vesting Order, 2000.

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10. The Mayaro/Rio Claro Regional Corporation Vesting Order, 2000.
11. The Penal/Debe Regional Corporation Vesting Order, 2000.
12. The Point Fortin Borough Corporation Vesting Order, 2000.
13. The Princes Town Regional Corporation Vesting Order, 2000.
14. The Sangre Grande Regional Corporation Vesting Order, 2000.
15. The San Juan/Laventille Regional Corporation Vesting Order, 2000.
16. The Siparia Regional Corporation Vesting Order, 2000.
17. The Tunapuna/Piarco Regional Corporation Vesting Order, 2000.

Mr. Speaker, the vesting orders before this honourable House are a creature of statute. In accordance with section 7A(5) of the Municipal Corporations (Amdt.) Act, No. 8 of 1992, provision is made for the transfer of land, other property and any of the rights, privileges, advantages, liabilities and obligations herein referred to as the assets and liabilities of the former county councils which are vested in the state to certain municipal corporations. These municipal corporations are as follows:

- The Couva/Tabaquite/Talparo Regional Corporation;
- The Chaguanas Borough Corporation;
- The Mayaro/Rio Claro Regional Corporation;
- The Penal/Debe Regional Corporation;
- The Point Fortin Borough Corporation;
- The Princes Town Regional Corporation;
- The Sangre Grande Regional Corporation;
- The San Juan/Laventille Regional Corporation;
- The Siparia Regional Corporation; and
- The Tunapuna/Piarco Regional Corporation.

Mr. Speaker, prior to the proclamation of the Municipal Corporations Act, No. 21 of 1990, local government in Trinidad was entrusted to seven county councils legally established under the County Councils Act, Chap. 25:04—the Port of Spain Corporation established under the Port of Spain Corporation Ordinance, Chap. 39:01; the San Fernando Corporation established under the San Fernando

Corporation Ordinance, Chap. 39:07; the Arima Corporation under the Arima Corporation Ordinance, Chap. 39:11 as well as the Point Fortin Corporation established under the Point Fortin Corporation Act, No. 12 of 1980.

The seven county councils that were in operation prior to 1990 under the County Councils Act, Mr. Speaker, are as follows: county of St. George West, county of St. George East, county of St. David/St. Andrew, county of Nariva/Mayaro, county of Caroni, county of Victoria and county of St. Patrick. With the proclamation of the Municipal Corporations Act 1990, the County Councils Act was repealed and seven county councils ceased to exist legally. The assets and liabilities of these county councils were vested in the state by virtue of section 7A(1) of the Municipal Corporations (Amdt.) Act, No. 8 of 1992. More importantly, the Municipal Corporations Act, as amended, provided for the continuation of the city of Port of Spain, the borough of Arima, the borough of Point Fortin, the borough of San Fernando, which has since achieved city status, and the creation of nine regional corporations and one additional borough, that is the Chaguanas Borough Corporation.

Mr. Speaker, the city of Port of Spain, the borough of Arima and the city of San Fernando have all retained their assets and liabilities from inception. This process of vesting the assets in the names of the relevant municipal corporations is only one of a series of decentralization issues that is currently engaging the attention of the Ministry of Infrastructure Development and Local Government. The Members on this side of the House are committed to providing a level of autonomy to the municipalities, which is unparalleled so far in our country. I thank you. [*Desk thumping*]

ORAL ANSWERS TO QUESTIONS

Mr. Speaker: The first question is from the Member for Diego Martin Central, but if he wants a breather, I can go on the next one and come back to him. Do you want that? [*Assent indicated*] Okay.

Success Village, Laventille (Adopt-a-Community Programme Details)

2. Mr. Fitzgerald Hinds (*Laventille East/Morvant*) asked the hon. Minister of Community Empowerment, Sport and Consumer Affairs:

- (a) Would the Minister confirm whether Success Village, Laventille was 'adopted' under the Adopt-a-Community programme instituted by his Ministry in 1998?

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- (b) If the answer to (a) is yes, would the Minister indicate the sponsor or 'adopter' in respect of Success Village?
- (c) Would the Minister further indicate what benefits this community has derived infrastructurally, socially and/or financially from this sponsorship?
- (d) Could the Minister indicate the organizations, their registered addresses and/or projects which received such benefits under this programme?

The Minister of Community Empowerment, Sport and Consumer Affairs (Hon. Manohar Ramsaran): Yes, Success Village, Laventille is one of the adopted communities under the Adopt-a-Community programme. The area referred to as Success/Laventille does not relate to Success Village only but includes the area from Picton in the west, Beetham in the south, Trou Macaque in the north and First Caledonia in the east. The area was formally inducted into the programme in September 1999.

Members of this honourable House are asked to note that the Adopt-a-Community programme is a poverty reduction initiative of the Ministerial Council on Social Development, which was launched in May of 1998. The programme was designed to promote the objectives of the Government's then new approach to the reduction of poverty which sought to focus on the use of multi-sectoral and participatory strategies to addressing poverty, with the community as central.

Mr. Speaker, 13 companies actually became involved in the programme agreeing to partner 23 communities. Participating companies and adopted communities are as follows.

SPONSORS	COMMUNITIES
Amoco Energy Company of Trinidad & Tobago	Mayaro/Guayaguayare
Angostura Limited	Success/Laventille Santa Cruz
First Citizens Bank Limited	Endeavour
National Gas Company of Trinidad & Tobago	La Brea

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National Lotteries Control Board	Paramin Success/Laventille Cumuto Chandernagore Manohar Trace, Penal Castara Lambeau
Nestlé Trinidad & Tobago Limited	Bamboo No. 3
Petrotrin	Fyzabad Marabella
PowerGen	Brasso Venado Mohess Road
Republic Bank Limited	Basta Hall L'Anse Fourmi
Trinidad Hilton	Belmont
Trinidad Cement Limited	Mayo Claxton Bay
Telecommunications Services of Trinidad & Tobago Limited (TSTT)	Bloody Bay, Tobago.

The programme has been an excellent vehicle for:

- Equipping community leaders in methods of needs assessment, strategic planning and project formulation.
- Facilitating dialogue and collaboration across community-based organizations in communities. In each area leaders welcomed the opportunity to work across organizations as a novel and necessary facet of community building that had not been achieved before.
- Resuscitating dormant community organizations.
- Building intimate relationships between communities and a corporate entity.
- Implementing priority projects of communities.

1.45 p.m.

In response to part (b) of question No. 2, the National Lotteries Control Board and Angostura Limited are the joint sponsors of the Success/Laventille area. The former company's sponsorship was for a period of one year from September 1999 to August 2000.

In response to part (c), the implementation of the programme is on a phased basis. The first phase involves mobilizing and sensitizing the community about the programme and exchanging the residents in community-based needs assessments or strategic planning exercises where priority needs and strategies could be identified by the community. This forms a basis for projects implemented under the programme. The second phase involves the establishment of representative community-based networking committees to oversee the implementation of projects in each area, and phase three involves further planning and implementation.

The initiatives funded under this programme have, therefore, been determined by the community and are derived from the needs assessment or strategies planning activities conducted. No infrastructural projects were completed in this area thus far. However, the following social activities have been undertaken or are currently being implemented by the Success/Laventille Networking Committee:

- (a) Participation in a community visioning and strategic planning exercise;
- (b) Documentation of a strategic plan;
- (c) Implementation of an after-school development programme and homework centre;
- (d) Award of scholarships to primary or secondary school students of the area; and
- (e) Production of a community newsletter.

The financial investment to the Adopt-a-Community Programme in the Success/Laventille area thus far is \$90,400.

The Adopt-a-Community Programme never intended that the corporate sector should meet all of the financial needs for projects identified in the communities. While significant financial input was anticipated of the sponsors, it was important that the community not develop dependency on the sponsors. Accordingly, as part of the empowerment process, information and support were provided to the community leadership committees to enable their access to existing Government and civil society sources for funding.

Communities have, therefore, accessed funding from the Community Action for Revival and Empowerment (CARE) fund of the Minister of Community Empowerment, Sport and Consumer Affairs, and have submitted applications to the Community Development Fund Secretariat and other private sector companies.

In response to part (d), no organization has received benefits directly under this programme. Rather, the Adopt-a-Community strategy seeks the full involvement of all community-based organizations, religious organizations, corporate interests and citizens within the community. This involvement is, however, on a voluntary basis. Funding is channelled through the networking committees that are elected by the community to oversee the programme.

In the case of Success/Laventille, the networking committee there has been registered as a Community-Based Organization (CBO) with the Community Development Division and operates under the name, Success/Laventille Networking Committee, whose address is given in care of the Laventille Community Complex.

In all instances, cheques have been paid to suppliers, or in the case of the scholarship awards, these have been monitored by the relevant schools. A list of the CBOs affiliated with the programme in Laventille is as follows:

AREA	GROUP
Prizgar Lands/Kelly Village	Prizgar Lands/Kelly Village Cultural Organization Laventille West Welfare Committee Kelly Village Youth Group Success/Laventille Women Improvement Group
Beetham	African Manufacturing Zones Limited La Beta Beetham Gardens Community Development Organization
Trou Macaque	Trou Macaque Plannings Youth and Seniors Group

AREA	GROUP
Picton	Spree Simon Committee Relief Centre Management Committee
Success Central	WARP Crew Cooperative Success Central Village Council Laventille United Upper Thomasine Development Committee Erica Street Sports Centre
Success East	Angel Network Concerned Citizens of Laventille and Environs
Rock City/La Pena	Wesleyan Holiness Church Rock City Housing Cooperative Society Limited
Success General	Laventille Drug Abuse Demand Reduction Community Laventille Rhythm Section Concerned Citizens Group LAEBSCO

Thank you, Mr. Speaker.

Housing Units
(Almond Drive, Morvant)

3. Mr. Fitzgerald Hinds (*Laventille East/Morvant*) asked the hon. Minister of Housing and Settlements:

- (a) Would the Minister indicate the total number of housing units located at the new NHA housing development known as Almond Drive Flats/Apartments, Lady Young Road, Morvant?
- (b) Would the Minister outline the Government's policy regarding the allocation of these apartments and further outline the fundamental terms of a typical agreement for one of these units?

- (c) Would the Minister indicate the number of units already purchased and allocated to the new owner(s)?

The Minister of Housing and Settlements (Hon. Sadiq Baksh): Mr. Speaker, the total number of housing units located at Almond Drive Flats and Apartments at Lady Young Road, Morvant is 112 consisting of 56 two-bedroom units and 56 three-bedroom units. The Government's policy regarding the allocation of these apartments is as follows:

The applicant must:

1. be 18 years of age or over;
2. be a citizen of Trinidad and Tobago;
3. provide 10 per cent of the purchase price of the unit;
4. submit a Board of Inland Revenue number; and
5. neither be an owner or part owner of a house or a piece of land.

The fundamental terms of a typical agreement for one of these units include the following:

1. A grant to the purchaser of a lease for a term of 199 years.
2. The premises must be occupied when the lease is executed and the purchase price is paid by the date fixed.
3. The Ministry must show good and marketable title to the premises.
4. If through default of the purchaser the balance of the purchase price is not paid by the fixed date, and/or the lease has not been executed and completed, the agreement shall be terminated, and further, the NHA shall be entitled to deduct expenses incurred and to refund the purchaser the balance of the deposit.
5. If through the default of the NHA the purchaser is not able to complete the transaction on the date fixed, the purchaser shall be entitled to a refund of any deposit made.
6. The NHA shall institute the necessary arrangement in respect of a company for the operation, management and maintenance of common areas of the housing development.

Mr. Speaker, all of the 112 units have been allocated with 10 two-bedroom units and six three-bedroom units already occupied.

I thank you.

Mr. Hinds: Would the hon. Minister indicate whether it remains a part of his Government's policy to construct and to provide rental apartments for low-income earners in our society?

Hon. S. Baksh: Mr. Speaker, the Government's policy is the provision of low-income housing for the population of Trinidad and Tobago and to lead people away from rental units to ownership. This Government instituted a policy of increasing the lease rental tenureship from 30 years to 199 years for the first time in the history of Trinidad and Tobago. [*Desk thumping*] It is our Government's policy to provide an opportunity for ownership of low-income houses in Trinidad and Tobago. [*Desk thumping*]

Mr. Hinds: Is the hon. Minister mindful of the fact that there are many persons in our country who are unable to access even the houses of which he is speaking and are, therefore, unable to purchase those houses at \$160,000—\$180,000, as they are being offered?

Hon. S. Baksh: Mr. Speaker, yes, the Minister is aware of that, but as we develop a trail from rental units to ownership, the people who own the new apartments will allow the present rental apartments to become available, thus allowing them access as a foundation step to moving into ownership.

Mr. Hinds: Is the Minister saying with that reply that those units that are now occupied by tenants under rent agreements are being vacated, and the units that are sold will be occupied by them? Or is the Minister recognizing that new persons with needs for housing are coming into the market, as it were?

Hon. S. Baksh: Mr. Speaker, this Government's policy is to develop a holistic approach to housing and it will include a number of measures that include some new owners and some from rental units, but it is the desire of this Government to ensure that we provide an opportunity for ownership of houses.

Mr. Valley: Mr. Speaker, I wonder whether the Minister could point us to or inform us as to how soon one can view that holistic approach to the Government's housing policy?

Hon. S. Baksh: Mr. Speaker, the development of a holistic housing policy for Trinidad and Tobago started five years ago when we immediately started to look at squatter regularization, the provision of lands by an Act in 1998 for the establishment of the Land Settlement Agency and also, over the last five years, my predecessor instituted measures that will see the National Housing Authority (NHA) revamped to be able to provide the services that it was intended to provide since 1962.

Thank you.

Mr. Valley: Mr. Speaker, I am simply asking the Minister where I can find a document outlining this holistic approach to the housing policy.

Hon. S. Baksh: Mr. Speaker, I can point the Member to two documents: the Manifesto of the United National Congress, 2001 with a commitment to making Trinidad and Tobago an intelligent nation to ensure that we provide a faster rate of development and the provision of housing is part of that policy. The second document is one that is available at the Ministry of Housing and Settlements in terms of the Ministry's strategic plan for the years 1998—2002. [*Desk thumping*]

Mr. Speaker: I think the question has been exhaustively answered. We will proceed with question No. 1.

**Investigative Report
(Mr. Bob Linquist)**

1. Mr. Kenneth Valley (*Diego Martin Central*) asked the hon. Attorney General and Minister of Legal Affairs:

- (a) Would the hon. Attorney General and Minister of Legal Affairs please state whether he has commissioned any investigative report from Mr. Bob Linquist, an anti-corruption forensic expert?
- (b) If the answer to (a) is in the affirmative, would he state whether he has received any such report and if so would he lay the report in this House?

The Attorney General and Minister of Legal Affairs (Hon. Ramesh Lawrence Maharaj): Mr. Speaker, the honourable House is advised that Mr. Bob Linquist was engaged to work with an anti-corruption squad spearheaded by the Deputy Commissioner of Police and established to investigate allegations of corruption in a number of agencies. An interim report has been submitted and it is not appropriate to lay this interim report in the House, as the matters are still the subject of enquiries.

Mr. Valley: A supplemental question, Mr. Speaker. Would the hon. Attorney General inform the House whether he plans to refer this issue of the \$12-million man for the investigation of Mr. Linquist?

Hon. R. L. Maharaj: Mr. Speaker, I do not know exactly what the hon. Member is talking about, but I am sure the squad which comprised police officers will take all these matters into consideration, and it does not prevent the hon. Member for Diego Martin Central from referring matters to them because they can approach the police.

Mr. Manning: Mr. Speaker, would the hon. Attorney General tell us whether any matters relating to this investigation by Mr. Linnquist have as yet been referred to the Director of Public Prosecutions (DPP) or any other agency of the State, and if so, what has been referred and what is the stage of the investigation?

Hon. R. L. Maharaj: Mr. Speaker, I thought that the hon. Member for San Fernando East would have been the Prime Minister by now because he said that by the 19th of February he would have been the Prime Minister and he would have had a big cabinet, but anyhow, Mr. Speaker, I do not know whether the police have referred or discussed the matter with the DPP, but the matter is still under inquiry.

Mr. Manning: Second supplemental, would the hon. Attorney General indicate to this honourable House whether any minister of Government has been fingered in possible impropriety in the report of Mr. Linnquist?

Hon. R. L. Maharaj: Mr. Speaker, I do not know what the hon. Member for San Fernando East means by “fingered”. Which finger? The thumb?

Mr. Manning: I am sorry, Mr. Speaker.

Mr. Speaker: Would you explain what you mean by “fingering” to the hon. Member?

Mr. Manning: I would have thought that you would have understood the term, Mr. Speaker, but if you do not, I really meant “identified”.

Hon. R. L. Maharaj: Mr. Speaker, as I answered in the question, the matter is still under inquiry and it would not be proper for any matter to be disclosed.

2.00 p.m.

CONSTITUTION (AMDT.) BILL

Bill to amend the Constitution of Trinidad and Tobago [*The Attorney General and Minister of Legal Affairs*]; read the first time.

SPECIAL RESERVE POLICE (AMDT.) BILL.

Bill to amend the Special Reserve Police Act, Chap. 15:03 [*The Attorney General and Minister of Legal Affairs*]; read the first time.

**CUSTOMS ACT THIRD SCHEDULE
(LIST OF CONDITIONAL DUTY EXEMPTIONS)**

The Minister of Enterprise Development, Foreign Affairs and Tourism (Hon. Mervyn Assam): Mr. Speaker, I beg to move.

Whereas it is provided by section 56(1) of the Customs Act that the House of Representatives may from time to time by Resolution exempt from import duties of customs, goods which are imported or entered into Trinidad and Tobago for use by any person for any purpose specified in the Resolution for such period as the House of Representatives may determine:

And whereas the Resolution of the Legislative Council dated December 21, 1959, providing that certain classes of goods would be exempt from import duty was from time to time extended by further Resolution of the Senate and the House of Representatives:

And whereas by Legal Notice No. 235 dated December 19, 1994 the last Resolution in respect of the goods identified below came into effect on January 1, 1995 and expired on December 31, 2000:

And whereas it is expedient that certain goods be exempt from import duties of customs as of January 1, 2001:

Be it resolved that the House of Representatives, in accordance with and subject to the provisions of section 56 of the Customs Act, exempt from import duties of customs the classes of goods imported or entered for use in Trinidad and Tobago for the respective purposes set out in the List of Conditional Duty Exemptions given in the Third Schedule to the Customs Act, for the period beginning immediately after the expiration of the last such Resolution of Parliament and ending December 31, 2001.

Mr. Speaker, section 56 of the Customs Act, Chap. 78:01, provides that the House of Representatives may, from time to time, by resolution, exempt from import duties of customs certain classes of goods imported or entered for use into Trinidad and Tobago. These classes of goods and their respective purposes are set out in the List of Conditional Duty Exemptions given in the Third Schedule to the Customs Act. This incentive regime has been in operation since 1960. The resolution of the Legislative Council dated December 2, 1959 provided that certain classes of goods would be exempt from import duty, and has, from time to time, been extended by further resolution of this honourable House. The last resolution came into effect on January 1, 1995, and expired on December 31, 2000.

The classes of goods imported for the purposes set out in the Third Schedule to the Customs Act, include material for the manufacture of soap, leather goods, electrical goods, jewellery, spectacles and machinery, among many others. Over the years, a total of some 3,200 companies have been granted import duty concessions. Mr. Speaker, 633 companies remain as active concessionaires. The number has fallen dramatically over the period of time.

Currently, applications for the grant of import duty concessions are made through the Tourism and Industrial Development Company of Trinidad and Tobago (TIDCO). Depending on its relevance to the application, TIDCO takes the following factors into consideration:

- (1) revenue to be foregone;
- (2) level of investment;
- (3) project financing;
- (4) state of the industry, including the number of existing concessionaires;
- (5) the manufacturing process involved, how deep it is;
- (6) introduction and/or transfer of new technology;
- (7) linkages backward and forward to other industries;
- (8) foreign exchange usage and, of course, foreign exchange earnings;
- (9) environmental impacts, because some companies are expected to undertake an environmental impact assessment; and, of course,
- (10) employment generation.

Mr. Speaker, it is to be noted that there has been a fall-off in the number of concessionaires as the reduction of tariffs over the years has reduced the need by companies for the grant of these concessions. As we liberalize and globalize and tariffs are reduced to almost zero, many of these concessions will be eliminated over time. That is why we are moving from a five-year period to one year; that is, these concessions, if they are approved by this honourable House, will expire on December 31, 2001.

Trade liberalization has not only opened industries to keener competition, but has also presented new opportunities for our manufacturing and services sectors. Since liberalization, Mr. Speaker, export performance has shown steady improvement. The major impetus to this expansion is the growth in the non-oil sector, which has quadrupled its exports over the last 10 years or so. Growth in this sector was led by manufacturing, 10.9 per cent, and services, 7.2 per cent.

The country must develop, urgently, world-class businessmen and women in both services and manufacturing to respond to the imperatives of globalization and to the challenges in this dynamic world trading and rules-based environment, which is, obviously, overseen by the World Trade Organization (WTO).

While individual businesses, whether large or small, must assume the main responsibility for achieving improvements in the planning and execution of competitive strategies to carve out new markets, move their products up the value chain and achieve the world-class standard of efficiency, the role of Government is to facilitate, complement and support these operations by developing the necessary institutional, financial and regulatory frameworks.

In order to gauge the effectiveness of our grant of concessions to the manufacturing sector since the passage of the last resolution, a study is being undertaken to report on the performance of concessionaires. This study is expected to be completed very shortly, providing, inter alia, statistics on revenue foregone, benefits to the economy derived from the grant of concessions, an assessment of the impact of the concessions on the performance of the various subsectors, and the achievement of the objectives that we set when the original grants were, in fact, given.

An analysis of the report would provide information to guide adjustments to the Third Schedule with a view to stimulating increased economic activity in critical areas of the manufacturing and services sectors. The grant of this extension of the resolution, exempting certain classes of goods from import duties of customs for a period of one year, is required pending finalization of the report on the review of the performance of concessionaires and the consequential analyses and decisions that will be undertaken. As soon as this is completed, we will come back to the Parliament to advise hon. Members of the conclusions of this report.

Mr. Speaker, I beg to move.

Question proposed.

Mr. Kenneth Valley (*Diego Martin Central*): Mr. Speaker, the Motion before us, in fact, can be considered a formality. The whole purpose is to provide exemptions, especially to our manufacturing sector, to provide, or to assist in providing, a level playing field as they face international competition.

Customs Act Third Schedule
[MR. VALLEY]

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The argument is simple: a manufacturer in the United States does not have to pay import duties if he buys products or capital goods and so forth in the United States to be processed, or rather, semi-processed goods in its manufacturing process; therefore, if we want to compete with those manufacturers, if we want to be able to sell in the United States, one has to give similar concessions to our manufacturers.

We would notice that the last Legal Notice was dated December 19, 1994, for a period ending December 31, 2000. We note that this is March 2001; the Legal Notice or this Motion asks that this resolution expire December 31, 2001. Mr. Speaker, note the time frame. We are now talking about a nine-month life of this resolution. Note the fact that the last Legal Notice expired since December 31, 2000, so there is a gap, first of all. We are now going for a shorter period.

You would know also, Mr. Speaker, that the manufacturing sector has been complaining that because of the impasse with the Government, this Motion could not have come to the Parliament, since they were fighting with the President. I see that they are now fighting with the Director of Personnel Administration—*[Interruption]*—the Director of Public Prosecutions. I am sure they are fighting with him too; they fight with everybody. Well, they are fighting with the DPA, because I see that there is some Bill on the Order Paper saying that they want to bring contract permanent secretaries; that is another matter. I am sure they are having a fight with the DPA and the Public Service Commission.

Coming back to this Motion, Mr. Speaker, here we have a Government charged with the responsibility of ensuring continuing economic growth—with a hiatus of three months, manufacturers cannot clear their goods, because of their fight—then they come and tell us that the President is causing economic decline, when, in fact, if the truth be told, this economy—and anybody who is in the retail sector would tell you—has been in decline since about March of last year, and we can see from the stock market. The decline is continuing because of the absence of some type of overall economic plan to move the economy forward.

2.15 p.m.

The Member spoke for some 20—25 minutes but he has not explained to us as yet why he is coming with this resolution for this short period knowing the importance of this exemption to the manufacturing sector. Why is this expiring on December 31, 2001, whereas, on the last occasion it was so fit to have that exemption for a longer period allowing our manufacturing sector to plan their business in an orderly manner?

Mr. Speaker, a proactive government would have done this resolution before the last Parliament was prorogued to ensure that the manufacturing sector is not hampered by the shenanigans. When you are an illegitimate government, when there is no morality surrounding what you do, when simply because it is not clearly in black and white and you feel free to do it, it does not matter what people think—this is what we have.

I see some people are criticizing a certain individual for statements made, and I feel those criticisms are misdirected because it is that Government that is setting the environment for anarchy in Trinidad and Tobago. [*Desk thumping*] Understand that, and sometimes I feel they are deliberately providing the environment for a state of emergency in Trinidad and Tobago. [*Desk thumping*] One cannot—and he is smiling. I am feeling that I hit the nail on the head. They are provoking a situation so that they can call a state of emergency and then tell the President he must do it.

When a government in a democracy persists in appointing seven losers to our Parliament, and when that Government decides that it must go to war with the President, go to war with the Judiciary, go to war with the Director of Public Prosecutions (DPP), then we are setting the stage—and all of that coming after they stole the election, Mr. Speaker. [*Desk thumping*]

Mr. Speaker, a certain individual, a Commissioner at the Elections and Boundaries Commission (EBC) is running hither, thither and yon speaking. I feel it is the issue of fools rushing in where wise men fear to tread because one is not hearing from the chairman or the CEO of the EBC, but this gentleman is talking and I say that when the facts are made known, I think he is going to be highly embarrassed because, as a fact, there had been massive electoral fraud in the last election. That is the reality of the situation.

Mr. Sudama: Sour grapes.

Mr. K. Valley: Sour grapes? That is the reality. We lost in 1995 and we had no problem; as a matter of fact, I am quite happy. But when you interfere with the fundamentals of our democracy in that manner—

Mr. Sudama: You are attacking the EBC.

Mr. K. Valley: Attacking the EBC? It is time that the truth be told.

Mr. Speaker: Member, I think you are more than experienced enough. You are straying from the Motion, so I caution you to return to the matter at hand, please.

Mr. K. Valley: Mr. Speaker, let me provide the nexus. The point I am making is that here we have a Motion, and the whole purpose of the Motion is to provide an environment to assist our manufacturers in international competition, but we see it has just come, in a sense, as an afterthought. The point I am making is that while the Government is busy leading us down that slippery slope to anarchy, it is not taking care of our bills and, most significantly, it can do a thousand of these things but if there is no good governance, the manufacturers would not be assisted. That good governance is a precondition to our economic survival.

Mr. Speaker, I make the point that in the early 1970s, Jamaica was a paradise doing quite well, and in a short period of time, because of governmental excesses in the late 1970s, Jamaica is now, in a sense, a basket case in the Caribbean with some 45—46 Jamaican dollars to the US dollar.

Look where Guyana with its great potential is, all because of excursions by governments. We had an excellent foundation here in Trinidad and Tobago and, over the last five years, that foundation has been eroded and eroded, and it would not be long, unless we take stock and check at this point and correct our course. In five or, perhaps, six years, there will be no distinction between the Jamaicas of this world and the Guyanas of this world and Trinidad and Tobago. They may laugh, but unless there is good governance—and this has been proven time and time again—we can bring 1,001 of these types of motions. [*Desk thumping*]

Mr. Speaker, honestly, sometimes for me it is completely upsetting and Members would know that none of us on this side have anything against them personally, but it is what they do. Here we have a country which for years cannot get over losing an election. Honestly, to the PNM that is accustomed winning election after election it is no problem to us, and let that be known. There was no problem with the 1995 election, there was no problem with the 1986 election, none, but when it is open and glaring, I can talk because I am doing the analysis.

I have the 1995 Electoral List as well as the 2000 Electoral List and if you see the people they are moving out, in my own constituency. It is right through you know, Mr. Speaker, even in your own constituency. I do not know whether you knew about it, but they deleted and 62 of my deletions were found in Tobago East and West. They hate their Member of Parliament and gone to live in Tobago East and West. We will do the field work, we have just finished Barataria and the situation is scandalous. I have written the chairman of the EBC and I am still waiting on a reply. I asked him to tell me whether he has transfer forms for all the names coming in or going out and I am waiting for him to answer me. Let him run hither, thither talking glibly without doing the work that is required to see what is really happening in his shop. [*Desk thumping*]

Mr. Speaker, I make the simple point that this Motion is a formality. There would come a point in time when I think we would simply allow manufacturers to bring in their goods and there would be no requirement for the Minister of Enterprise Development, Foreign Affairs and Tourism to come to the Parliament, from time to time, with a Motion such as this. It is required still simply to provide protection, hopefully in a transition phase, but it should be sufficiently long so that there must be the ability to plan your business in some manner. Business needs certainty under the law. I am making the more fundamental point that a prerequisite of good economics, or providing an environment for economic growth, one of the fundamental preconditions is good governance. I rest my case.

Thank you.

Mr. Hedwige Bereaux (*La Brea*): Mr. Speaker, I do not propose to be very long in dealing with this Motion before the House. However, I have indicated—and I say it without fear of contradiction—that there are some persons in this Parliament who, in my view, are illegitimate, improperly here in this Parliament, and they are improperly here because they arrived in this Parliament by an improper means, by rules, by illegal means.

Mr. Ramsaran: That has nothing to do with the Motion.

Mr. H. Bereaux: It has a lot to do with the Motion, because this Motion which provides for the extending of certain exemptions was moved by the hon. Member for Tunapuna. [*Interruption*] I have to say honourable; I do not want to get on the wrong side of the Speaker. I do not want to have to tell him how he came here, so I will say honourable. This was moved by the hon. Member for Tunapuna and, Mr. Speaker, there is a shadow.

Mr. Speaker: Let me caution you that that is a form of disrespect to the Chair. It is early days yet in this Parliament and I want to let you know that this Chair will receive the fullest respect or I will implement the Standing Orders of this Parliament.

You have also started by straying from the Motion and I allowed you a little latitude for your preamble but I take it that you will soon return to the Motion at hand and be cautioned.

Mr. H. Bereaux: Mr. Speaker, I hear you. [*Interruption*]

Mr. Speaker: Member for Laventille East/Morvant, you are loud enough that you are disrupting my concentration on what the Member is saying and from following the proceedings. I am also cautioning you to discontinue from making those loud outbursts.

Mr. H. Breaux: Mr. Speaker, I recognize that your concentration is very easily disturbed and, in the circumstances, I will read the Motion, but you must appreciate, as I said—[*Member for Tunapuna walks out*] Thank you, Member for Tunapuna, when you leave I will be more comfortable, seeing that you should not be here in the first instance. [*Desk thumping*]

2.30 p.m.

As I was saying Mr. Speaker, the Motion says:

“Whereas it is provided by section 56(1) of the Customs Act that the House of Representatives may from time to time by resolution exempt from import duties of customs, goods which are imported or entered into Trinidad and Tobago for use by any person for any purpose specified in the resolution for such period as the House of Representatives may determine;”

The hon. Member indicated a number of manufacturers who depend for the operations of their businesses on this particular exemption. These manufacturers, as the hon. Member for Diego Martin indicated, have had to wait two months and more to have these particular exemptions brought before Parliament. This is symptomatic of the manner in which this Government operates. When it is the important things, the things that involve the prosperity of this country, they do not do those things. The manufacturers’ representatives were on television day after day complaining that because of the failure of this Government to arrange for the exemptions they were having problems. Some of them even began laying off people, in a country where we have an unemployment problem; but this is symptomatic of how the Government is behaving.

When in this country have we ever had, prior to now, a Member of this honourable House charged for fraud? Whenever in this country have we ever had a former Member of this House, while he was a Member of the Cabinet, behave in a manner which has caused him to have 27 counts of fraud brought against him?

Mr. Speaker: That matter is sub judice. It is currently before the Court and whatever is said in this House can influence the outcome of that case. The Hon. Member is an attorney and knows better than that. I am asking you to refrain from making reference to that matter.

Mr. H. Breaux: Mr. Speaker, let us be proper in what we are doing. If you are telling me that as an attorney I know better than that, I will then give you my legal opinion and go forward, but if you want to rule, you rule.

Mr. Speaker: I do not need your legal opinion. I am merely advising you that in accordance with the Standing Orders, the matters you are referring to are currently before the Court and it is therefore, sub judice and whatever is said in this Parliament can influence the outcome of that decision. I am ruling that you refrain from addressing those matters. I trust that you will accept my ruling.

Mr. H. Bereaux: I accept your ruling. All I was saying—

Hon. Member: Proceed.

Mr. H. Bereaux: I am proceeding—and you are involved in improper things too, Member for Oropouche. Your constituency provided a number of voter-padding people—[*Interruption*]

Mr. Maharaj: I normally do not like to object but I think it is time to object and I object on the grounds that if a Member of this House wants to impute any improper motives or allegations of misconduct, that is for a substantive motion. A debate cannot be used to throw these allegations; and for the press to report them, it is unfair to the dignity of the Parliament as an institution. If they come with a substantive motion, we will then respond.

Mr. Speaker: That objection is sustained. The Member was specifically referring to the Member for Oropouche, imputing improper motives, so that remark will be withdrawn.

Mr. H. Bereaux: I do not see how I was imputing any improper motives, but if you say so. It seems as though people who are elected in this House are now prevented from speaking, but I will proceed. I was reading the Motion:

“And whereas the resolution of the Legislative Council dated December 21, 1959, providing that certain classes of goods would be exempt from import duty was from time to time extended by further resolution of the Senate and the House of Representatives;

And whereas by Legal Notice No. 235 dated December 19, 1994 the last resolution in respect of the goods identified below came into effect on January 1, 1995 and expired on December 31, 2000;”

The hon. Minister—I do not want to impute any improper motives to him—would have us believe that because of some great performance, the Motion must now be extended for one year. He has provided us with no information in order for us to be satisfied that what he is saying is correct. He has come here and said, ‘we will extend the Motion for one year and we are doing a study to see whether, in fact, we should even take it for a longer period’. I would have expected him to

extend it for a longer period; after having done the study and decided that there was no longer any need for the period to be extended for more than one year, then we would have come here to cut it short; but that is the way that they do it. They spend more time castigating people like the police—and I see the Prime Minister is here now. He is involved with interfering with the police and seeing everything else, except what he should see about the economy of Trinidad and Tobago.

Mr. Speaker, we have no problem with supporting the Motion, only we would like a government that is more proactive when dealing with the business of this country. Moreover, we would like them to do the honest thing and get out because they know they are there illegally. I am saying to the people of this country that this Government is not a government to be obeyed. Thank you, Mr. Speaker.

Mr. Patrick Manning (*San Fernando East*): I rise to make a brief intervention in this debate, on the Motion that calls for the extension of exemptions from customs duties and import duties, for certain categories of goods that are used in the manufacturing process, as part of the export thrust, and therefore, the job creation thrust of the Government of Trinidad and Tobago.

Before I get into the substance of the matter before us, I think it is necessary, in your capacity as Speaker, to clarify for the benefit of this honourable House and particularly for the benefit of hon. Members on this side, the sub judice ruling. It is important that it be clarified. Is it that merely because a matter is sub judice that no reference whatsoever could be made—*[Interruption]*

Mr. Maharaj: Mr. Speaker, I object because the hon. Member is questioning your ruling. Then all Members in this House can get up to speak on his interpretation. If he wants an explanation we can arrange a seminar or he can file a substantive motion. There was a seminar and the Member for Diego Martin Central came but he did not attend, so if he wanted an explanation he could have come.

2.40 p.m.

Mr. P. Manning: Mr. Speaker, the Attorney General was just full of sound and fury and really saying nothing. I just want to put it on the record, again—I do not know why he is getting on like that. Why is he so agitated? I have been addressing an issue to the Speaker and I have heard no objection from Mr. Speaker. I have heard none. If Mr. Speaker objected, of course, I know exactly how we deal with that. I am merely saying that, for the benefit—*[Interruption]*

Mr. Speaker: Order, please!

Mr. P. Manning: —of this honourable House, we would just like to know exactly how the sub judice rule operates; if it means that no reference could be made to anything that is before the court, or whether it means that you cannot refer to matters before the court in a particular way. We would like to know, not today, perhaps later.

Mr. Speaker: I know the Member is saying, not today, but let me just say in response to what you are asking, that that matter was covered extensively in the seminar, which you and many Members did not attend, but what I will do in response to your request, I will make available to you the information on sub judice in due course.

Mr. P. Manning: Mr. Speaker, I am not really trying to get into any conflict with the Speaker, I merely raised the point. I could have done it privately, but I did it publicly only because the matter came up in the Parliament this afternoon and, therefore, for the benefit, not just of hon. Members, but of those in the national community who look on at these things and who follow the proceedings of Parliament, it is necessary that I make a formal request to you in your capacity as Speaker.

The hon. Minister from Tunapuna, the Minister of—I do not remember his designation; I am not trying to be facetious; it is pretty long; I understand that his portfolio now is quite extensive—did come before the honourable House today and asked us to agree to an extension of exemptions from customs duties for certain categories of goods and he did tell us that traditionally these exemptions would have been sought for a period of five years, but that in the context of a liberalized economy where the environment is changing as rapidly as it is changing, that a one-year period appears to him and to the Government to be more appropriate than the traditional five-year period of exemption. Is this a fair reflection of what you have said?

Assent indicated.

Mr. Speaker, that is one side of the story. I wonder if the hon. Minister had any discussions at all with some of the organizations that might be involved, coming as he is, after two months in the year have already gone, and therefore, in effect, seeking an exemption for a maximum of a ten-month period. The question that arises is: is a ten-month period an appropriate planning term for the conduct of business operations? In other words, it is possible that the hon. Minister spoke to the companies involved and had their approval to do this. But if this were so, regrettably, he did not choose to take the Parliament into his confidence in making his contribution on that matter.

Mr. Speaker, we understand the objective and I think we all agree—it was the Minister himself who said—that since there has been trade liberalization in this country, exports have quadrupled from the non-oil manufacturing sector. At least the hon. Minister gave credit to those who may have gone before him, that, indeed, life did not begin in December 1995, and that it is not necessarily about to come to an end. I think the Minister was quite generous.

The quadrupling of exports, the stimulation of economic activity that that represents, is merely part of an overall strategy to ensure job creation in Trinidad and Tobago. That is the major effect of all these actions—the exemption from income taxes and so on; it is job creation—and that, as the Minister himself spoke about, the climate in which the investment has to take place—and he was quite right in so saying—I am sure that he himself would recognize that the tax exemptions that he is seeking today represent only one part, and as important a part as it might be, it represents only one small part of all the factors—the duty exemptions—that go into the creating of the climate to which the hon. Minister so eloquently referred today.

He went on to say also that in a liberalized environment—and quite correctly he said it—the role of the state, essentially, is that of facilitator and we, on this side, can have no quarrel with that point of view. It is a point of view that we share. The role of the state, essentially, is that of facilitator. It is because of that and it is because of the recognition and understanding by the hon. Minister—and I take it, hon. Members opposite—that the Government's role is to facilitate the creation of an investment climate, a particular climate that not only will attract domestic investments, but a climate that also will attract foreign investment, and its attraction being an essential part of PNM economic policy and, I imagine, the economic policy of the political party to which the Minister subscribes; that the creation of the environment is something to which some greater attention ought to be paid.

Just before we demitted office in 1995—well, for some time before that—there was a standing committee of the Cabinet that was chaired at the time by the Prime Minister. It was the committee on—I think it was called—industrial development. We established a standing committee because we felt that that aspect of the country's economic development, and, in effect, that aspect of the country's social development—one leads to the next—was so important at that point in time that we had just liberalized the economy or were in the process of completing the liberalization, that we were putting such a great store on investment as an instrument of social transformation, that we thought that all the

agencies that necessarily would impact on the creation of the appropriate environment would come together around the same table to, among other things, facilitate an expediting of the decision-making process. It went one step further than that. Such a committee was chaired by the Prime Minister because it was felt that the weight of the Office of the Prime Minister should be brought to bear on the conduct of those affairs, so important did we identify them to be.

One of the things that we had done was that we had brought very close to completion—the gestation period was almost over—a Foreign Investment Act, where we subsumed under one item of legislation, all that would have been required for a foreign investor coming into the country—his ability to identify all that would be required of him—so that he or she can make a proper investment—facilitation.

One of the problems that investors have is that all that is available to them is not necessarily subsumed under one Act. You have to go to this piece of legislation, to that piece and that piece, and so on, and it becomes very confusing in an international environment where most countries now have gone the route of trade liberalization; that everybody is competing against everybody else and it is the countries that succeed in making it easy to invest that are likely to attract the investors over and above countries that tend to make it more difficult. If an investor has to look at this and that and that, rather than go to one piece of legislation, it is more likely that he will go to the country where the one piece of legislation is available, rather than the several other pieces which, in many instances, he does not easily understand—the Foreign Investment Act.

2.50 p.m.

Mr. Speaker, it is a matter of record that the Foreign Investment Act, which was almost completed more than five years ago, is, regrettably, still not before this Parliament for our deliberation and consideration. [*Desk thumping*] I raise this publicly only because I have raised it privately with the Minister on many occasions! The PNM has a special interest in it because we have a special interest in the country's development. We spent a lot of time and effort trying to bring it to fruition and we were almost there. Today, it is still not before us.

Mr. Speaker, as we are called upon to deliberate on duty exemptions we will agree. We will agree because we consider these matters as part of an overall strategy, but the overall strategy seems to be moving at a pace that will not achieve the desired objectives of the Foreign Investment Act. Secondly, in the context of the environment that is created, we have to ask ourselves: What are the

considerations that go into an assessment of that environment by someone who is trying to come to a country and make investments particularly for the first time? What are the considerations?

Mr. Speaker, I am not sure if you are aware that in the United States of America, in the gas-based industries of the energy sector, a situation has developed just before Christmas where natural gas prices had hit a high of some US \$10 per thousand cubic feet. In the boom years when prices were quite high—this is in the years following the first oil price shock in 1973—the border price of gas between the United States of America and Mexico and the United States of America and Canada, was US \$4.94. It was considered to be very high so one can properly put into perspective a natural gas price in the United States of America, today, that just before the Christmas season was US \$10 per thousand cubic feet. Today, even though it has fallen back somewhat, the prices are still of the order of US \$6.00 and US \$7.00 per million cubic feet.

The effect of that is to make it uneconomical to manufacture ammonia and methanol in the United States of America; and to the extent that such plants still exist in the United States—because environmental conditions have now been made to apply to those industries—they are being shut down because they are uneconomical to operate, having regard to the world market prices of ammonia and methanol. Those prices, incidentally, have started to rise. In the western hemisphere, because the United States of America is the largest market, the alternatives are—taking into account, incidentally, the considerations of American national security—Venezuela, Chile and Trinidad and Tobago. Those are the three alternatives.

Mr. Speaker, in Chile, first of all, the distances are just too far away and, therefore, not seen immediately as a proper alternative and in Venezuela there is some political instability. Therefore, the investors have stood back and are watching the political situation in Venezuela a little more closely. Let us, however, not get into Venezuela's affairs in this discourse. The real alternative, therefore, is Trinidad and Tobago. Trinidad and Tobago runs the risk, and we stand a chance of reaping a very rich harvest provided, of course, that the conditions in Trinidad and Tobago are right. We have always been noted for democracy and political stability, but all of a sudden, in Trinidad and Tobago there is a prime minister who feels that he must attack each and every institution of the State and bring about a climate in this country that is causing investors to stand back and say, "Let us look at it a little longer before we decide to put our money in any investments in Trinidad and Tobago." [*Desk thumping*] That is the fact of the matter.

Therefore, Mr. Speaker, if you feel that we pay no price for the excesses of the hon. Prime Minister who, incidentally, is Minister of National Security, you are making the mistake of your life. The latest one was last night or night before, when the Prime Minister attacked the Commissioner of Police, and the police service on the whole. He then attacked the Director of Public Prosecutions publicly in an international forum in which there were representatives of foreign countries present; many of those countries being countries from which we are seeking to attract investments into Trinidad and Tobago. That is what has happened. Therefore, it is all right for the Prime Minister to get up and speak but what message, therefore, is being sent outside? What are we doing? What, in fact, are we doing to the investment climate in Trinidad and Tobago? It is all well and good to ask for exemptions—to which we would agree—but is it enough? Where does the bigger problem lie? Is the bigger problem here now, or, is it the excesses of the Prime Minister of Trinidad and Tobago? [*Desk thumping*] Where does it lie?

Mr. Speaker, if you believe that jumping up and attacking the press is something that is left unnoticed by those outside Trinidad and Tobago, you are making the mistake of your life. That is the strategy that Adolf Hitler pursued in Nazi Germany. Therefore, it is the strategy that the communist countries used in Eastern Europe after World War II. It is a strategy that is not unknown to us. It is a strategy that is not unknown to the world. It is a strategy that is not unknown to the investors; the same people you are trying to attract so that you can create jobs and make a better way of life for your people. We might be much better off if we did not have any approval of these concessions that are before us today, or if we had a more responsible Prime Minister whose public utterances could stand the test of public scrutiny. We might be much better off.

I just want to return to the question of the natural gas prices, and persons seeking to invest in ammonia and methanol in Trinidad and Tobago. Quite apart from their concerns about the political stability of the country at this time, and the climate that is created, I warn the Prime Minister of Trinidad and Tobago that there are persons with whom he is *in loco parentis*—in other words, persons with whom he has a close association—who have begun to go abroad to investors in the energy sector, in ammonia and methanol, and saying to them: “If you want to invest in these industries in Trinidad you can only do so if you come through us.” In other words, “I am the way, the truth and the life”, arrogating unto themselves, the position of Jesus Christ. That is what they are saying. It is a serious allegation and they could pretend they do not know it if they want. I know it, I know that they know it, and I wonder, myself, if they are not a part of it. [*Desk thumping*]

3.00 p.m.

In fact, we have ample evidence to suggest that they are. Such greed—because now, that is the best way to describe it—and such improper behaviour can only result in the people wishing to invest in Trinidad and Tobago going elsewhere to the detriment of our economic development, job creation initiatives and a better way of life for the people of Trinidad and Tobago.

Thank you.

The Minister of Enterprise Development, Foreign Affairs and Tourism (Hon. Mervyn Assam): Mr. Speaker, when I entered this honourable House this afternoon to move this Motion—which although very important for manufacturers and, by extension, the economy, is rather a simple motion—I thought that as a Christian in this season of Lent, I would not have been tempted as Christ was tempted on the mountain by the devil, when he tried to show him all the dominions of the world. I thought I was going to enjoy a pacific afternoon in this honourable Chamber. I could not understand why a motion which seeks to renew a particular Order granting exemptions to manufacturers could have provoked such anger and acrimony from the Members opposite, particularly, the Member for Diego Martin Central.

The Member for La Brea said nothing, so it would be a waste of my time to make any comment on his non-contribution. However, it is incumbent on me to respond to some of the accusations, allegations and erroneous statements made by Members opposite.

In the first instance, I am amazed that someone who was a former minister of trade, even though at the time I believe he was present when the Marrakech Agreement was signed by the then Minister of Foreign Affairs. He should have made himself familiar with the contents of the Marrakech Agreement which brought into being the World Trade Organization and its various requirements in which we now operate as a rules based trading system. He came here and displayed monumental ignorance of what is taking place in the world trading system today, as did his Leader, the Member for San Fernando East. The reason they did that, perhaps, is based on both ignorance and malice.

The Member for Diego Martin Central said that the Order expired on December, 31, 2000, a hiatus of three months. I do not know how he is counting three months, because from December 31, 2000 to March 2, 2001 could never be a hiatus of three months. He said we should have brought the Order before the election. In other words, we should have brought the Order just before the House

was dissolved in November. That is totally impractical. If we had brought it at that time, we would have been criticized for bringing it too early and electioneering. They would have said that it was impractical, we were bringing it too early and the Order had not expired. In other words, you do you are damned and you do not do and you are still damned. That is the mentality of some Members opposite. I do not want to brand all as yet.

What happened? There were both intervening and supervening events after December 11, 2000. The Government and Parliament were not properly constituted simply because there was a delay in certain quarters in appointing a prime minister who had to take his time to appoint a Cabinet. Even when we said that we wanted Parliament to convene on January 5, there was a delay. It was convened on January 12, if my dates are correct.

In the meantime this Minister ensured that manufacturers could have brought in their raw materials, goods and products by posting a bond with the Customs and Excise Division of the Ministry of Finance. If we must have a competitive and efficient private sector, they should have had enough goods and raw materials in their warehouses to produce goods for the same hiatus that the Member for Diego Martin Central was talking about. They knew obviously, that we were going to a general election some time between the end of the year and early 2001, and all the complications associated with bringing a motion to this House to revalidate this Order would have taken place. That argument is a non-argument.

Then he asked why I was coming for this short period of time, if I did not know the importance of this to the manufacturer. This is precisely what I said, although the Member for San Fernando East said that I should have brought Parliament into my confidence and I did not explain. I went to great lengths to explain everything that was contained in the Motion in my presentation. Apparently, he had fallen asleep. He is accustomed to coming to Parliament and going into a state of dormition. Perhaps he was in a state of dormition when I was speaking.

He talked about the level of contribution. He makes the same speech every time he gets up because he was once Minister of Energy. It is the same thing about gas price and investors. It is a rehash and repetition as though he has a tape recorder in his pocket, pulls it out and gives it to Parliament. Go to *Hansard*, it is the same speech all the time.

Why am I coming for this short period? It is for two reasons. I explained that we had conducted a comprehensive survey and study of 633 concessionaires—it was 3,200—to see whether these concessionaires had complied with the

requirements and objectives which were set when they got the concession. No review has been done for some time. As a responsible minister to the people of Trinidad and Tobago I had a study undertaken. It took some time, but soon, it will be on my desk. The second reason which he does not know although he was a former minister of trade—

Mr. Valley: A very good one at that.

Hon. M. Assam: Because we are members of the World Trade Organization and we need to become a competitive nation, all those areas which are perceived to be subsidies must be eliminated by 2002. He does not even know that. He could jump high or low. In the next round of the World Trade Organization which we expect to commence when we meet in Qatar in November this year, 2002 is the cut-off period for subsidies. That is why the former Minister of Finance came to this honourable House and almost telegraphed to the manufacturing community that export allowances would cease at that time. [*Interruption*]

3.10 p.m.

Mr. Speaker, I said anything that is perceived as a subsidy. You do not even understand the rules of the game, so you keep quiet. You have never been, like myself, to the World Trade Organization in Geneva, to present the trade policy of this country and to be grilled for three days by the judges of the World Trade Organization. [*Desk thumping*] I underwent and was exposed to that exercise for three consecutive long days by the judges of the World Trade Organization tribunal. So you do not know and, of course, I excelled because I have the report; it is on my desk. So that the rationale for this short period is very clear.

We want our people to become more competitive and we want to tell them that any perceived subsidy which is not allowed under the World Trade Organization compliance regime would have to be removed and, therefore, we are giving them sufficient notice which you did not give them when you, in a very peremptory way, removed the negative list without sufficient notice, and you had the entire manufacturing community reeling to the extent that when they did the study—the Trinidad and Tobago Manufacturing Association got a study done by a certain lecturer in economics whose name I will not call. He predicted that within five years the manufacturing sector would be totally demolished. You would see the demise where 60 per cent of manufacturers would go out of business occasioned by the loss of 15,000 jobs. You did it. [*Interruption*] That was the study then. You are not listening. Apparently, you are asleep again.

Mr. Manning: Would the hon. Minister be kind enough to give way?

Hon. M. Assam: Oh yes.

Mr. Manning: Mr. Speaker, I thank the hon. Minister for giving way. I wonder if the hon. Minister will agree that ever since trade liberalization in the country, the unemployment rate has fallen steadily and consistently. In other words, the fears that were being expressed by some manufactures at that time appear much more clearly now in hindsight to have been determined by considerations of self-interest which were entirely unfounded. Right or wrong?

Hon. M. Assam: Wrong.

Mr. Manning: What do you mean by wrong?

Hon. M. Assam: The Member for Diego Martin Central went on to unleash an attack on this Government and Members on this side. He said, “Seven losers have been sworn in to the Senate.” If they were losers, how come we are in the Government. He must understand it is only parties that lose. Individuals do not lose. You do not understand that concept of party government and party politics. Read *C.L.R. James* and you will understand what party politics is all about. You do not understand party politics. I would not argue with you. Your ignorance is quite clear that you do not understand party government and party politics. Individuals do not lose, it is parties that lose, and I will come to that. So that there is precedence all over the Caribbean Commonwealth, in the first instance, where people who face the polls and did not emerge at the top have been appointed both senators and ministers in Caribbean Commonwealth governments. As a matter of fact, in the last election, five senators who had not succeeded at the polls were appointed by the Barbadian government. I could go through the whole list—Barbados, Jamaica, Grenada, St. Kitts, Dominica but I would not waste the time of the Parliament—to show you there is precedence. It happens in the United Kingdom parliament where people who “lose” at the polls—those who are deemed to be losers at the polls—are bumped up to the House of Lords and end up as ministers of government. In fact, a classic case is Lord Hume who was made Prime Minister of the United Kingdom. While he was a Member of the House of Lords, he was made prime minister. Of course, he had to resign his period and he went down, got a safe seat, was elected and became prime minister and he sat in the Lower House. [*Interruption*] You do not know what you are talking about. You do not even understand constitutionalism.

Mr. Speaker: The level is getting a bit too high. Please cool it.

Hon. M. Assam: The same thing happened in Canada. The successor to the late, Pierre Elliot Trudeau was not a member of the House, ran in the leadership race, became the leader of the liberal party and was elected Prime Minister without a seat. They do not read. They do not know anything about constitution and constitution making. So keep quiet. When you want to be educated come to me and I will teach you about constitutionilism. Then he said this is an illegitimate government.

Mr. Speaker, the United National Congress, in 1995, got just under 10,000 votes less. Actually, it was 9,999 votes in the aggregate less than the PNM. In the year 2000, in every one of the 34 constituencies in Trinidad every member of the United National Congress whether he is sitting in this House today, or “is a loser” increased his or her votes by over two and three thousand and, in some cases, by 100 per cent increase in the votes. Therefore, as a consequence, in the year 2000 the PNM only increased its votes, between 1995 and 2000, by 27,000 votes. That was all they got. [*Interruption*]

Mr. Valley: Would you give way?

Hon. M. Assam: I am not giving way.

Mr. Valley: You cannot give way because you thief. You thief and you pad. You were too obscene.

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

Hon. M. Assam: I gave way to the Member for San Fernando East because he gave a gentlemanly contribution although it is something we have heard before. You were too obscene in your contribution, and I am not giving way. I am going to punish you for your obscenity.

The PNM, between 1995 and 2000 increased its votes in the aggregate nationwide, including Tobago because it fought the two seats in Tobago. We only fought 34 seats. The PNM fought 36 seats and increased in the aggregate throughout Trinidad and Tobago by 27,000 votes. We fought 34 seats in Trinidad and we increased our majority by 67,000 votes. [*Desk thumping*] So that we got in the aggregate 40,000 more votes than the PNM although we did not contest the two Tobago seats, and Members call that illegitimate government and voter padding. They say no morality and we stole the election. [*Interruption*] I do not want to hear your story at all. Apparently, you did not do maths in school. Your arithmetic is bad, you did not do sums in school and that is your problem. It is a good thing you were not made a Minister of Finance, you would have done worse than Mottley. He does not even know basic arithmetic.

3.20 p.m.

Now, Mr. Speaker, he said that this Government is setting the environment for anarchy and a state of emergency in Trinidad and Tobago. We governed this country for five years and a few days—from November 6 until the elections—we did not lock up anybody. Do you know that in less than four years he called a state of emergency? In less than four years, the People's National Movement government, led by the then Prime Minister and Member for San Fernando East, called a state of emergency in less than four years. Do you know what was the consequence of that? The suspension of civil liberties because the Constitution was suspended. The suspension of civil liberties and the interdiction of my liberties took place under that Member. I will never forgive him.

The man incarcerated a Speaker. That is going to be in the Guinness Book of Records in Commonwealth politics. Never in the history of Commonwealth politics was a Speaker locked up and they say they have respect for women. *[Interruption]* He has no respect for you, Member for Arouca South, because he locked up a woman. You are the next one he will lock up. Look out!

When the Member for Diego Martin Central got up and said that we are setting the stage for anarchy, they did it already. If we are following them and they say that they are the bastions of democracy, then we are following their democratic traditions, if that is the case. They are the ones who declared a state of emergency and suspended civil liberties by suspending the Constitution and arresting a Speaker who was a woman.

He talked about governance—and I assume he means good governance—but not only did they declare a state of emergency, not only did they arrest a Speaker who was female, but they wanted to fire the Commissioner of Police. He said that we are attacking the Director of Public Prosecutions; we are attacking the Director of Public Administration, but they wanted to fire the Commissioner of Police, get rid of service commissions and appoint a police management board headed by the Prime Minister and the Minister of National Security. *[Interruption]* That is why, for the first time in the history of this country, 240 policemen marched around the Red House in protest against the dictatorial tendencies of the then Prime Minister. *[Interruption]* They marched around here to protest your authoritarianism. *[Interruption]* I could not care less. He cannot take it.

They wanted to get rid of service commissions; they wanted to get rid of the Commissioner of Police; they got rid of the Speaker. Imagine that! They got rid of the Speaker. Now, because they lost the election, they are attacking the Elections and Boundaries Commission. They say we are attacking institutions.

Hear the institutions they attacked. They attacked the institution of Speaker, the institution of the service commissions, the office of the Commissioner of Police, and now they are attacking the Elections and Boundaries Commission. They went on to personalize it, this afternoon. They said “a commissioner” and everybody knows which commissioner they are talking about. “A commissioner is going to get himself into trouble eventually”, he said. He threatened a commissioner.

He said that we are bringing a Constitution amendment bill to appoint a person who is not a public servant as a permanent secretary. Again, I will teach them something. New Zealand did that many years ago. They do not read. They do not understand. They do not have a breath of knowledge. They do not have what is called a *Weltanschauung*. They must have a cosmological approach to politics. They must read.

New Zealand did that years ago. What is Trinidad and Tobago doing? Trinidad and Tobago is way behind. [*Interruption*] You can only say that in here. I suspect you are not a good lawyer because you do not believe in the presumption of innocence. [*Interruption*] I understand that. She is not a lawyer, Mr. Speaker. She does not understand the principle. [*Interruption*]

Mr. Speaker: I think we can conduct the business better and allow the Member to give his presentation. I took note that the Members on the Government side allowed you to make your contributions uninterrupted. I think you can extend that courtesy. Please proceed.

Hon. M. Assam: As I was saying, the Member for Arouca South is not a lawyer because she does not understand the principle of the presumption of innocence, which is basic to our common law. [*Interruption*] I will say no more about that.

Let me deal with some of the insinuations. One has to understand the mind of the Member for San Fernando East. He was trying to weave a picture of instability in Trinidad and Tobago, particularly political instability and, as a consequence of that weave, he was trying to tell the national community and by extension the international community, that Trinidad and Tobago is not a desirable place for investment. That is the dangerous mind, the convoluted mind of the Member for San Fernando East.

Mr. Manning: Mr. Speaker, with the greatest respect, I really do not believe the hon. Minister believes that. I did no such thing. I was merely trying to caution the Prime Minister and hon. Members opposite of the consequences of the actions of the Prime Minister of Trinidad and Tobago. That is all.

Hon. M. Assam: Mr. Speaker, the Member for San Fernando East has lost a lot of credibility in the House, so I must interpret what he said. Before the Parliament was dissolved last year, he said that if he lost the election he would walk. He is still sitting. He also said that he was going to be the Prime Minister on February 19, he is still on the opposite side. He has lost credibility substantially and, consequently, whatever he says must be put under a microscope and analyzed very carefully because he has a convoluted mind.

He said that there must be a climate to attract both foreign and local investment and attention ought to be paid to the environment. He went on to say that as Prime Minister he chaired a committee on something about industrial development—I believe it was that; I was not too sure. He was such an insecure Prime Minister that he wanted to chair everything. He chaired the energy committee, the industrial development committee; he chaired cabinet; he chaired constituency meetings; he chaired party group meetings; he wanted to chair everything.

He was a cheerleader. It is a pity he does not come in here with his pom poms. He wants to chair everything and when there was a survey which revealed that Minister of Finance and the then Sen. Penelope Beckles were more popular than himself, he chopped them down. He brought down the guillotine on them to the extent that when he chopped the former Sen. Penelope Beckles, the Member for Diego Martin Central said, “I cannot work any more with this man. He is a spiteful, vindictive ‘fella’. I will resign.” He resigned one night and like the Lord appeared to him during the night, he changed his mind the next morning. He pulled back the resignation.

They are talking about integrity. They are talking about credibility. They are talking about people with honour and nobility. Come on! Let us be careful.

3.30 p.m.

Mr. Speaker, I would not call any name but a certain Member opposite said to me—I met him in the washroom in the last session, I am surprised he is here. He came in agitated. I said: “What is wrong with you, did you lose a case in the court today?” He said, “No, you know my Leader does not speak to me.”

Mr. Maharaj: Who said that?

Hon. M. Assam: I would not call the name. [*Interruption*] I cannot give you everything at once but I will reveal the name in time. He said the reason he chaired the meetings was because he wanted to bring the weight of the Office of Prime Minister. Mr. Speaker, you know it was really the albatross of that Prime

Minister that created so much confusion and that caused his Government to disintegrate under four years. Instead of the Prime Minister and Minister in this Government chairing any meeting, you know what we did, Mr. Speaker, we established a standing committee on trade and related matters. A member of the private sector chairs that committee, more particularly, the President of the Trinidad and Tobago Manufacturers' Association.

Mr. Speaker, that is the confidence we reposed in the private sector and that is the kind of responsibility and dignity we attached to the private sector. We gave them that honour to chair that committee and also to be part of all our external negotiating. [*Interruption*] Of course it is. You said the Prime Minister did it in your time, so if the TTMA President is replacing you it has to be an honour because you have so much weight. It must be dead weight. It has to be dead weight. It cannot be ordinary weight. Plenty dead weight that you brought to that office. Mr. Speaker, then he went on to say they left—they always left something you know. You know how much inheritance we got but up to now I have not seen the inheritance. They always were going to do something; they should have done something.

They left a Foreign Investment Act where they had pooled together all the various pieces of legislation that gave fiscal incentives to would-be investors, local or foreign. Mr. Speaker, we went beyond that. We said the term “foreign investment” is too emotive and it does not give the impression that you are having a level playing field when you say “foreign investment”. We have, therefore, gone forward and said no foreign investment; we want an Investment Promotion Act. That is what we want, Mr. Speaker, that is what we are doing and that is what would be coming to Parliament, not a Foreign Investment Act. [*Interruption*] Precisely. An Investment Promotion Act which levels the playing field so that everybody who is an investor: local, regional or foreign would obtain the same benefits and will also be part of the whole economic thrust and development of Trinidad and Tobago.

He went on to say that people would go elsewhere to invest. I am amazed that our record of performance and achievement in the last five years could allow for such an inane statement by the Member for San Fernando East, that people would go to invest elsewhere. Apparently he has not seen the direct foreign investment figures over the last five years, which is only second to Canada in the Western Hemisphere. Trinidad and Tobago is that recipient.

Mr. Manning: That predated you.

Hon. M. Assam: Yes, it predated me, of course. Do you know why? It is because you were there and you have now become dinosaurial. You should be in a museum because everything predates me. You are a dinosaur and that is why you are there and you will continue to be there as a dinosaur. *[Interruption]* I said dinosaur because you predate all of us. I do not know by how many eons but you are a dinosaur and you will stay right there. *[Interruption]* Of course, I am totally generous to you because I see you are not going to mend your ways. I thought you were going to come into this Parliament more humbly, prostrating yourself before us; begging forgiveness for the irrationalities and the rash utterances that you made in the last Parliament. *[Interruption]* No, not frustrate, prostrate.

This Government is proud of its economic achievements over the last five years. It is proud of its investment record. It is proud of the market access we have created by negotiating trade agreements with different countries and is in the process of negotiating trade agreement with blocs at the present time. We are proud of our political and social stability and if we are attacked, we will answer. We are not going to lie down and roll over and die; anyone who attacks us, we will answer. This is not an illegitimate Government. This Government was elected by over 305,000 people, over 40,000 more people than your party got and we only contested in Trinidad. This is a legitimate Government. We increased our voting majority in every single constituency throughout Trinidad and you are talking about voter padding. What utter foolishness!

There is no government that has produced a plethora of legislation as this Government did to provide the facilitatory environment and the regulatory framework; the macro-economic framework, to ensure that investors come to this country and are assured that their investments are safe and they can repatriate their profits and their dividends whenever they desire. Which Government brought in all the Intellectual Property legislation? This Government. That is a fundamental set of legislation. Which government has been negotiating more double taxation agreement? This Government. Which government has been negotiating investment protection promotion agreement? This Government has been doing it. Which government has entered into more Memorandums of Understanding with different countries in order to promote scientific, technical, cultural and economic co-operation? This Government has been doing it. *[Interruption]* You can say what you want.

What about the new Companies Act? The new Companies Act was with the PNM—irrespective of who was the Prime Minister—party for over 20 years; over 20 years' gestation. We came into office and the then Minister of Legal Affairs was able to pass the Companies Act within two years of our coming into office.

Mr. Speaker, one of the most critical pieces of legislation that this country requires is the Telecommunications Bill. It is critical. It is the only way you can revolutionize telecommunication; you can reduce the cost of business; reduce transactional cost; create connectivity; bring people into the Internet and bring people into the wider world and provide that backbone that is so necessary to introduce e-commerce, e-business and e-government. It is this Government that will be doing that. The hon. Minister of Communications and Information Technology will be doing that very shortly in another place and would bring it to this honourable House. That is the quality, vision, innovativeness and the management capabilities of the Members on this side and he wants to sit there and criticize this Government. I am amazed at those who are so deaf and will not hear and those who are so blind and will not see.

Mr. Speaker, I had not intended, whatsoever, to become involved in this lengthy debate. I thought I was just going to come here on the day after Ash Wednesday in sack cloth and ashes, piloting my simple Motion in a most Christian-like way without offending anyone, so that the manufacturers of this country can now be relieved of posting bonds and now retire the bonds which they had posted over the last six weeks and enjoy the benefit of the renewed order which exempts them from custom duties on certain products and inputs. I thought that is what I was going to do this afternoon. I never thought that the Member opposite would come here and use this as an occasion to malign this Government.

I do not know why they do not go on another trajectory. I think you would be better serving your party and the country if you were to start on a new trajectory. That is a more positive, developmental kind of qualitative debate in this Parliament, so that people will begin to respect you and by February 19, 2015, you might have become so respectable, if you are still around—because I see you are fighting for your political and leadership life. That is the only reason you intervened today, you know. You want the gallery to know that you are still alive. You want the newspapers to know that you are still alive and that you are not dead.

3.40 p.m.

Mr. Speaker: I would just like to let you know you have three minutes left.

Hon. Member: Three minutes too much.

Hon. M. Assam: Three minutes too much. Mr. Speaker, I wish to thank you for giving me the opportunity of introducing this important Motion which will

further improve the economic life of Trinidad and Tobago, particularly in the manufacturing sector, and would redound eventually to all the citizens of Trinidad and Tobago. I beg to move. [*Desk thumping*]

Question put and agreed to.

Resolved:

That the House of Representatives, in accordance with and subject to the provisions of section 56 of the Customs Act, exempt from import duties of customs the classes of goods imported or entered for use in Trinidad and Tobago for the respective purposes set out in the List of Conditional Duty Exemptions given in the Third Schedule to the Customs Act, for the period beginning immediately after the expiration of the last such Resolution of Parliament and ending December 31, 2001.

PRIVATE SECURITY AGENCIES BILL

[Second Day]

Order read for resuming adjourned debate on question [February 9, 2001]:

That the Bill be now read a second time.

Question again proposed.

Mr. Fitzgerald Hinds (*Laventille East/Morvant*): [*Desk thumping*] Hon. Members, I am privileged to participate in the debate on this Bill, an Act to regulate the licensing and operation of private security agencies, the employment of security officers and matters incidental thereto.

Mr. Speaker, the hon. Attorney General piloted this Bill just about two weeks ago. As I listened to him, it occurred to me that this might be yet another occasion when the nation would have a number of promises put to them in the form of legislation dressed up in nice and very comforting words, but with little effect in the reality. In fact, the Attorney General seemed to be as convinced as I am that we really are not serious about this legislation, as I remember him presenting it with very little enthusiasm. It reminded me of a song that I enjoyed, particularly within the last year or so, by an artiste called Glen Washington. One of the themes of the song is about “dry bones”.

The Attorney General seems to reserve his spiritedness and his energy and enthusiasm for what has become his usual attacks on judges and other institutions in this country, the President and so on. We have looked at the terms of this legislation and we have a few comments that we would make. We hope, for the benefit of Trinidad and Tobago, that the Government would take seriously the recommendations we propose to make.

First of all, the Attorney General, in my view, sought to politicize the debate—not surprisingly—and sought to win some kind of political mileage. Having, according to the Member for Tunapuna, come here legitimately, one would have thought that that course of conduct would no longer be necessary, you would be confident, you would do what you have to do, but it is as if the campaign continues. We understand why. The Attorney General presented the legislation and spent a lot of time talking about the fact that, previously, members of the private security firms and estate police, supplemental police generally, had been discriminated against—those are his words—for many years since 1906 in that they were unable to join a trade union of their choice. He did not take time out to tell us or to tell the nation why that might have been so, so I must.

Historically, estate constables, on being precepted, were obliged to become part of the Estate Police Association and section 38(2) of that legislation said that the EPA, the Estate Police Association, could not make any representations in respect of discipline, promotions or transfers of estate constables. What were the reasons for that? There were historical reasons for that. It is not that anybody maliciously decided to discriminate. In 1906, under the conditions that existed in Trinidad and Tobago then, workers' rights were not as much a concern and treated with the kind of respect that we expect workers' rights would be treated with today and that the law imposes in large part. In 1906, the environment was very, very different.

When an estate constable was precepted, he fell under the Supplemental Police Act and it is the regulations of that Act that regulated the question of discipline, promotion and transfers. It is for that reason I gather that, while he belonged to the association, representations were not permitted to be made on his behalf in those areas because, historically, the estate constable was given authority. The relationship between him and his employer was the master/servant relationship, and that is a legal concept, and the master/servant relationship was one where rights of the servant were not well regarded or respected. That has changed over the years in many ways.

Secondly, because of the nature of that relationship, and the fact that he had little protection, no one could have told the estate owner—as I would want to call him or her—what to do and how to deal with his employee, his servant. It is for that reason that no association could have interfered with that relationship, as it were; but the EPA could still have made representations regarding other terms and conditions of employment in relation to estate constables with the exception of, as I said, discipline, promotion and transfers, these being regulated by the Supplemental Police Act. So that no one stopped representations in the other areas from being made.

The estate constables in the government service, in statutory bodies and in State enterprises had negotiations for terms and conditions, I would say, along with other employees of the State or the statutory bodies or the State enterprises. They were in the establishment, as it were. Those in the private enterprise sector were, for the reasons I have explained, largely at the whim of their employer. Historically, when a man became an estate constable, he had authority to deal with the property of his master in that particular estate. You would find that when he was precepted, the precept would have read that he had authority on the particular estate or in the police division specifically where that estate was situated, but it was limited.

We have seen a significant increase, a boom, in the need for estate constables and security services in general. With this increase in numbers you find that now people will naturally focus on greater protection because you have more voices, louder voices, calling for their protection and security and so on. So that the Attorney General presented this so-called newfound ability to join trade unions of their choice as something of a panacea for all the problems in that industry and I will demonstrate later even how this legislation will not necessarily improve those.

I cite, in support of this view, the fact that the police service has an association, the fire service has an association, but that does not necessarily mean that their terms and conditions are perfect, or that every police officer enjoys the terms and conditions that he or she expects or wants to enjoy. So the fact that you have an association and the fact that you are permitted to join a trade union does not necessarily mean an improvement in everything that you would want, but the Attorney General presented it as such.

So I simply want to inform those who are interested in this, estate constables and security officers, that they should not hold their breath and believe, as they are being led to, that this legislation will resolve all of their problems. It does not mean that they will have a more efficient or easier system of promotion at all. It does not mean that there will no longer be any bad or punitive transfers. In the police service, sometimes officers are transferred as a form of punishment. That is not supposed to be so, but it happens. No association is able to stop that. So I want them to understand this.

Then the Attorney General went a little further and he gave the impression—and he quoted a case. He quoted the then Justice Hassanali saying—and of course in that case Justice Hassanali outlined the master/servant relationship and spoke about the circumstances that surrounded the estate constable. What he did not tell us is that the Industrial Court is replete with examples and cases of many persons, including estate constables, who have had their rights protected in that court. In

fact, only about three months ago I was personally involved in such a case. An estate constable attached to the National Petroleum Marketing Company Limited was wrongfully dismissed. He sought redress in the Industrial Court and he got it, and he received damages. So that the Attorney General lent the impression that no protection was given to persons in this modern era and that simply is not the truth; but then they know how it is with this Government. They are perpetual misleaders.

While I mention the police service—it has been mentioned here already today—the police service is in an uproar today because this Bill deals with supplemental police. It is a Bill that provides for security services and they supplement the efforts of the established Trinidad and Tobago Police Service or the Special Reserve Police Service or the Security Services of Trinidad and Tobago in general.

3.55 p.m.

They make a very important contribution and, therefore, this is an important matter, but the Police Service is in uproar at the moment because of the comments we have heard earlier today coming from the mouth of the Prime Minister as he spoke about rogue elements in the Police Service. Someone earlier today in this Parliament quite correctly asked, what about rogue ministers and what about rogue Prime Ministers? We will not get answers to those questions from him.

When we talk about rogues, I listened to the Member for Tunapuna in an earlier debate here today. When we talk about rogues, there are politicians in this country—fortunately from the other side and not from this side—who represent something of, in my humble view, a gallery of that type. As a matter of fact, the Attorney General made reference to the fact that we had a seminar here recently. He went inside the seminar, so I am permitted to do that.

It occurred to me that if the Constitution of this country did not define the fact that one could not have a criminal conviction and be a Member of Parliament in this honourable House, we may have people with criminal convictions in here. The Member for Couva North may have brought them. He demonstrated that in Tobago in the Tobago House of Assembly (THA) elections. I understand he must have sympathy for criminals because he has embraced them. *[Interruption]*

Neither do I drink bay rum and get drunk, and what I cannot drink, I want to sell, as I am being reminded. No one ever had to elbow me far away from my colleagues in my colleague's birthday party. That does not happen, so I can

understand his sympathy for criminals. He too has experienced what it was to be before the court on criminal charges. These are not honourable men and I make no apology for that.

Mrs. Persad-Bissessar: What is this foolishness here, man?

Mr. F. Hinds: It is foolishness? It is real! There is a rogues' gallery, an album, on the other side. Who did not vote pad, entertained vote padding to be elected by fraud. Who was not on sex charges is on murder charges and fraud charges. This is becoming a rehabilitation centre, the Parliament of Trinidad and Tobago, so it appears, and that is what this country is coming to and I am vexed.

Mr. Speaker: Will you take your seat, please? You are beginning to stray from the Bill, so I am cautioning you to please come back to the Bill.

Mr. Bereaux: Congratulations, Mr. Speaker. You said please.

Mr. F. Hinds: This is what my country is coming to and there is nothing to laugh about for me. [*Words expunged*] We want to encourage the young people to do better and walk in the right way. Not with their leadership. It is impossible! Let me continue. The list goes on.

Mr. Maharaj: Mr. Speaker.

Mr. F. Hinds: What is the point of order? I am not giving way.

Mr. Maharaj: The point of order is that the hon. Member has referred to [*Words expunged*] running the country. Under Standing Order 36(10), Mr. Speaker, I do not intend to sit in this House and allow the Standing Orders to be breached. I make my submission and it is up to you to rule. It states:

“The conduct of the Governor—”

Who is now the President.

“Members of the Senate or the House of Representatives, or of Judges or other persons engaged in the administration of justice shall not be raised except upon a substantive motion moved for the purpose;”

The purpose of that is if the hon. Member for Laventille East/Morvant believes that of persons in this House, all or any one, [*Words expunged*], he could bring a motion and we could respond to it and then he will have to substantiate it. He cannot use the debate on the Private Security Agencies Bill and attack Members of this House, because what will happen is that when we have to respond, we will respond likewise.

Mr. Speaker: The point of order is sustained and I am going to give the Member the opportunity to withdraw those statements.

Mr. F. Hinds rose.

Take your seat! I will give the Member the opportunity to withdraw those statements.

Mr. F. Hinds: Mr. Speaker, if you choose to expunge what I have said from the record it is open to you to do so. But I do not believe—

Mr. Speaker: Take your seat! I gave the Member the opportunity to withdraw those statements and he refused to, therefore, those statements will be expunged from the record. [*Words expunged*]

Proceed and let me caution you that you have been straying from the Bill at hand and I am asking you to stay within the debate. I need not read it for you. You have read it into the record. You may proceed.

Mr. F. Hinds: There are estate constables across this country, thousands of them, and the public at large is depending on us to pass legislation to improve their working environment and to make Trinidad and Tobago a safer place, a virtual impossibility in the present political circumstances.

At any rate, PLIPDECO, the Point Lisas Industrial Estate, sits in the Attorney General's—the Member for Couva South—constituency—between his and that of the Member for Couva North. He came here two weeks ago talking about this legislation, but there are estate constables right on that estate who are being oppressed at the moment right under his nose.

When they saw this Bill was up for debate in the Parliament I received a piece of correspondence in my mailbox and I read it. It highlights the fact that there are as many as 125 members of their security staff of whom only about 28 are permanent. Therefore, 90-plus are not permanent and on contract. Some with 10 years' service are on three-year contracts. Some with four years' service are on one-year contracts. Terms and conditions are poor. No long term benefit, no pension, no gratuity, no room for promotion. One corporal resigned at 18 years' service. He left with nothing; no insurance coverage.

Many of the security officers are not precepted. About 20 of them are on one-year contracts and they receive \$7.50 an hour. I want the Attorney General to tell me, when he gets up to wind up in this debate, how this Bill will assist those individuals. That is what I want to hear. I did not come here for talk alone. I want some action now.

I want him to tell me how the fact that they could now join trade unions and all the other things this Bill says, will improve this. I want him to tell me, as the Member of Parliament for that area, how was it on New Year's Day of this year there was a major ammonia spill in that Point Lisas, PLIPDECO, and he did not come here with a definite matter of urgent public importance. Like he did not know about it?

How is it that the national community is hearing about it perhaps now for the first time? How is it that Mr. Nirmal Rampersad, the chairman of PLIPDECO, a very good friend of the Government, sits in office, ammonia wreaked havoc with the health of many people on the first day of this year, and the nation did not know about it? The bulk of the people affected by it were security officers, people who we are talking about here today.

It came from PCS Nitrogen. Nine people were hospitalized at the Augustus Long Hospital. Workers had to be evacuated. No report was made to the Environmental Management Authority (EMA). The Fire Service in Couva received no report and, possibly, the factory inspector, no report. Right in Couva South and Couva North, under the watch of the Prime Minister and the Attorney General. I want them to tell us how this Bill will deal with that.

It was not the first time. It happened before and when one of the security officers dealt with the issue and tried to deal with it, in fact, he was summarily dismissed. The person in charge on that day was one Captain Badaloo. The Attorney General could make investigations. I want to call on the Attorney General to initiate an investigation into this. If what I have said in this Parliament today is true, the chairman of PLIPDECO and others of their friends should be made to resign promptly!

Mr. Maharaj: Even Mr. Boynes is laughing at you!

Mr. F. Hinds: You know he is laughing at me? That is what I want to hear. Let me continue with the Bill. The Attorney General spoke about massive consultation. Well, we have to take a good look at the fundamentals of this Bill. This Bill differentiates, in effect, between estate constables and security officers in the public service, if I can say the public service to include the state enterprises, the statutory bodies and in the various Government departments, and on the other hand, those who are involved in what we call "in-house security systems".

This Government, in this Bill, is distinguishing between government and private. I am arguing and I want the Attorney General to take note that this is a false and improper distinction. It does not address the issue. Rather, the distinction should be between those firms that are established primarily for the

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purpose of selling security services and those firms whose business is not about security, but they employ security officers to protect their property and the lives of their employees.

I want the Attorney General to look closely at this, because, hon. Members, there are estate constables attached to the Ministry of Health, the Ministry of Agriculture, and in other areas of the Government service who are able to be precepted. When one is precepted, one falls under the regime of the Supplemental Police Act. On the other hand, there are, for example, the banks, PLIPDECO, Petrotrin, and there are other institutions whose primary business is not security; those like Amalgamated and Imjin. They are established for the purpose of offering security services to members of the public.

4.10 p.m.

The Attorney General spoke about consultation. A letter was sent to the hon. Prime Minister—the Prime Minister—dated February 20, 2001; just about two weeks ago. This letter came from a committee of persons who represented all the so-called in-house security operations, including the banks and so on. In that letter they complained to the Prime Minister, hoping that he would pass it on to the Attorney General; hoping, of course, that he would pass it on to the drafters and that we would see their concerns taken into account.

I just want to read a couple of lines from that letter that was sent to the hon. Prime Minister:

“We are fully supportive of regulation for the Commercial Security Sector, but we are of the view that the right model must be selected and that there should be wide consultation with the Security Community.

We assert, that the consultation held by the Ministry...”

The Ministry of the Attorney General and the Ministry of National Security—

“with a certain...few Executives of The Security Managers Association of Trinidad and Tobago (S.M.A.T.T.), The Association of Security Companies of Trinidad and Tobago, (A.S.C.O.T.T.) and The Estate Police Association, (E.P.A.), was unfortunate and we respectfully seek your kind assistance in redressing this situation for the good of the industry and the country...”

We have met with the majority of the Proprietary Security Departments and the various leaders have expressed surprise and deep concern about the Provisions of the Bill and the fact that no one consulted them in any cause or matter relating to such an important piece of Legislation which will touch the lives of many employees and their families and by extension the general public.”

Mr. Speaker, here you have these people who operate in places like the banks, the Hilton Hotel, Crowne Plaza and what have you, saying, as late as February 20, that they were surprised to know that a bill was in the atmosphere, much less to have been consulted upon it. The Attorney General came here and told us a lot about consultations on the last occasion when he presented it. That too is simply not true.

The first issue is that they are concerned that you should have, as I said, on the one hand, the private or the commercial security firms, and on the other hand, those who are not primarily in the business of security. That is a serious dichotomy, and I would like the Attorney General to pay some attention to it.

I would like simply to read clause 2 of the Bill, the definition section. It talks about a “private security agency” or “agency”, and this means:

“a sole trader, firm, partnership or body corporate registered or continued under the Companies Act, 1995, which employs security officers for the protection of persons and property, including its employees and property or the installation of electronic security systems and monitoring services and is approved for that purpose by the Minister;”

A very wide definition taking in the question of the in-house security firms. These bodies wish to have been heard—they still would like to be heard—and to show the inefficiency of that arrangement.

The distinction, of course, does not take into account the small private firm which employs its own security of, let us say, three, four or five officers. It does not. To make matters worse, this Bill imposes a licence fee of \$50,000 every two years or \$25,000, again, every two years, depending on whether, in the first instance, the firm was VAT registered or not. Mr. Speaker, \$50,000 or \$25,000 represents, in some cases for the small operator, probably his profits for the entire year. To have arbitrarily arrived at a figure of \$50,000 or \$25,000, without consultation with all the stakeholders, really could be tantamount to oppression.

This is a Government that says it cares about small operators and small businesses. They come here and talk glibly about this almost on a weekly basis. But the little fellow, even the private security firms, the commercial security firms—I know one or two in my own constituency, small operators trying to get off the ground, trying to sell security services—have advised their Member of Parliament that \$50,000 would cripple them, throw them out of business.

How did they arrive at the figures of \$50,000 or \$25,000? It came, perhaps, from the Attorney General's head; but, of course, for all the members of that Government, that is small potatoes, small money; \$50,000 is a joke. When they talk, they are talking millions and hundreds of millions. The Member for Tunapuna came in this Parliament and told us that the loss of \$100 million at Chaguaramas for the Miss Universe Pageant was no big thing, it was an investment and that we would see the benefit of it in time to come.

We have been asking them about \$10 million paid to a firm with the same airport scandal. Whoosh! No answers. The then Minister of Finance has gone to his private life: smoking his cigars, having a very good time, and Trinidad and Tobago does not yet know what happened to the \$10 million paid to that firm. No answers! Today, we have a new Minister of Finance, and the show goes on. So when I hear Members on this side and members of the public express outrage about what is happening in our country, and when you see some emotionalism coming from me, and, perhaps, a tinge of anger, it is quite justifiable. I make no apology for it, because they are running our country to the ground morally, spiritually and economically—in every wise. We will not stand by and just watch it. We must do something about it.

If we do not come here and talk about it, the legitimate forum for discussion and an exchange of ideas, representing the people that we do here, then the alternative to that would be chaos on the streets. So they should thank God that we are coming here and talking to them, because people are upset. [*Desk thumping*] There is a state of unease in the country. [*Interruption*] You do not know; you do not care. The champagne, the wine, the cigars and the golf; you do not know. [*Desk thumping*] But the little fellow who is trying to run his firm to make a few dollars, you impose this licence fee on him. You did not communicate with all of them. You need to stop and think it over; think it through again.

The first recommendation I would like to make, therefore, is that we look at the commercial security firm and define it so as to exclude the in-house, or what they call the "proprietary security units", like the banks, hotels and what have you. As the Bill now stands, only the government departments, the State enterprises and statutory bodies are exempt from the licence fee. All other security firms or businesses with security firms in-house are subject to the licence fee. It is only the government departments, the statutory bodies and the State enterprises, in accordance with the Bill that has been presented, that are exempt from those exorbitant fees.

As for the Security Management Association and the Association of Security Companies that I made reference to a while ago, I am advised—I do not know—that they are both really effectively dysfunctional. Only the EPA is a functional association, and could have legitimately spoken. That is the information I got, as I was briefed to make a contribution in this debate. It is for the Attorney General to determine whether he heard from the right people or from a dysfunctional organization, and was guided by them to formulate policy and leave it in the hands of the drafters.

In fact, I must tell the Attorney General, because he would have received a copy of the letter, the Minister of National Security and the Prime Minister too, that they are of the view—and a substantial sector they represent are also of the view—that someone is running a programme to shut down the in-house security arrangements, so that there would be a monopoly, in the sense that you must buy the security service from the private or commercial-type system. The Government must be careful not to be used in order to achieve that nefarious purpose. It must be careful, although this Government, if I might say so, is quite nefarious itself.

I am advised hon. Members that in Canada, the United States of America, England and in the other Caribbean territories, there is no such legislation. That is to say, the legislation does not simply distinguish between those in the public sector, if you like, and those that are not. Rather it looks at the commercial type as opposed to the in-house type and the governmental type, which should all continue to fall under the normal Supplemental Police Act arrangements.

The Supplemental Police (Amdt.) Bill that is also before us, and that will come up for debate after this, takes these out of the ambit of the Supplemental Police Act, in a sense. If the Government persists with this line, of course, the in-house security units, whether they have three, four, 20 or 100 security personnel, they will be made to pay these exorbitant sums. That will be in addition to the VAT, corporation tax and all the other expenses that they must ordinarily meet.

I want to look at clause 4 of the Bill more specifically, as I proceed. Clause 4 deals with the application for the issue of the licence. It states:

“(1) An application for the issue of a licence to operate a private security agency shall be made to the Minister on the prescribed form and shall be accompanied...”

by a number of things—

“(a) a valid Police Certificate of Character”

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I was quite happy to see the word “valid” before Police Certificate of Character, because under the watch of the UNC Government the word “valid” is important, because a person may have something on a form, but it is totally invalid. So I was quite happy to see the use of the word “valid” before Police Certificate of Character. As the Prime Minister said—let me not quote him because I may bite my tongue; let me not do that. [*Interruption*]

I know you would know that; this is why you had to be elbowed at a birthday party by the Member for Tunapuna. You will know, but you cannot help it. [*Interruption*] I know, and you will continue to drink bay rum and get drunk and make a nuisance of yourself. I hope the Speaker is hearing what the Prime Minister is saying and why I am responding to him as I am. I hope the Speaker is hearing what he is saying. [*Interruption*]

Mr. Speaker: Please take your seat. If you address the Chair, you will not go in the direction you are going. I am listening to your debate, Member, and if you will address the Chair you will ignore the asides. Please proceed.

Mr. F. Hinds: Thank you, Mr. Speaker, but if the Prime Minister continues to hurl insults at me, I will hurl truths at him, and remind him of his devious ways. [*Desk thumping*] I will remind him of Gokool, Magistrate Mohipp and the rest. Anytime he throws lies and insults at me, I will throw the truth at him. [*Desk thumping*] I fear nothing, understand that. [*Crosstalk*]

I will take your advice, Mr. Speaker, and proceed. [*Interruption*]

Mr. Bereaux: “Doh” bother with him.

Mr. Speaker: The speaking time of the hon. Member has expired.

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

Question put and agreed to.

4.25 p.m.

Mr. F. Hinds: This Bill imposes a responsibility on an insurance company because the security firm—according to this Bill—should have liability insurance. The Bill imposes a sanction if the insurance company refuses, or fails, to inform the Minister that the insurance is no longer in force—it imposes a fine of \$250,000 on the insurance company. So the insurance company takes business from a security firm because the law says that a security firm must have liability insurance.

If the policy lapses for any reason, the Government, in this Bill, is imposing the responsibility on the insurance company to inform the Minister. I think the sanction should not be so much on the insurance company as it should be on the security agency or its directors. Two hundred and fifty thousand dollars in any event is too high, and it should be the obligation of the agency to inform the Minister, and the director should be fined and a report should be made to the Registrar of Agencies because you should have a register kept by a registrar of all the security firms, their operation, and their licences and so forth. The sanction should be against the security firms and its directors, not against the insurance company. That is a point I hope the Attorney General would take into account.

Clause 6 says:

“Where the Minister refuses to issue or renew a licence, he shall inform the applicant, giving his reasons therefore, in writing.”

This simply codifies the common law now, if you like, and procedures under judicial review. Today, with the development of judicial review it is quite trite. If a man is refused a licence and there is some reason, he can ask for judicial review on that, so this really does not say very much.

The Attorney General, in fairness to him, did mention the question of judicial review when he piloted the Bill, but the Minister here, in deciding whether to grant or renew a licence, in my humble view would not be exercising any quasi judicial function. He will be deciding and, therefore, I am recommending that—rather than simply having a procedure for judicial review, which is in the law in any event—an appeal committee or an appeal board be set up. One was set up for the firearm users’ licences. If you apply to the Commissioner for a firearm users’ licence and he refuses, one has recourse to an appeal board now. I suggest an appeal process because the procedure that the Minister embarks upon may be quite flawless. The substantive decision is what troubles the applicant who did not get his licence, or who was refused renewal and, therefore, I recommend that we set up an appeal process and that committee’s decision could even, and most probably, be final.

In terms of the fee, I want to say that in Ontario, Canada, the fee for the licence on an annual basis is Can. \$1,000. In the United States of America it is even less than Canada; in England there is no fee; in other parts of the Caribbean there is no such high fee. I do not know how this Government arrived at this massive fee of \$250,000 and yet it talks about care for the little man.

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Clause 29 of this Bill quite sensibly suggests that the titles used by the regular police service should not be used by the security firms. I merely suggest to the Attorney General that he can stipulate in the Schedule that these security firms use as their head for example: a Chief Security Officer, Deputy Chief, Assistant Chief, Senior Security Officer, Security Supervisors I, II and III, Security Officers I and II. That sort of structure will allow for the different titles and not use the titles such as Corporal and Estate Corporal, which are used in the regular police service. Where you are dealing with electronic security firms you could simply put the word “technical” before these designations and that would go a long way toward resolving these problems.

I want to go back very quickly to clause 9 of the Bill which speaks about the inspection of premises, and under this clause it says:

“...the Minister may authorise, in writing, a police officer of the rank of Inspector or above...”

who will now be an authorised officer—

“...to enter an agency at any time, with the consent of the employer, and inspect or search the agency and vehicles, examine books, records and other documents and interview the owner of the agency, security officers and other members of staff...”

if they feel there is some reason they should do it.

Mr. Speaker: The House is suspended for 30 minutes.

4.30 p.m.: *Sitting suspended.*

5.04 p.m.: *Sitting resumed.*

Mr. F. Hinds: As I was saying, clause 9(4) of this Bill has to do with the fact that an authorized officer of the rank of inspector and above can go into premises, seize books and so on, to see whether there is any violation of the Bill which is before us. Subclause (4) says:

“Every warrant issued under this section shall continue in force until the purpose for which the entry is required has been satisfied.”

An authorized officer goes to a magistrate and swears to information and says that the agency might refuse him and that admission would be denied, therefore, there is reasonable ground for entry. He gets a warrant. Subclause (4) says:

“This warrant shall continue in force until the purpose for which the entry is required has been satisfied.”

In those terms, interpreting those words seems to give an unending life to that warrant. In other words, the authorized officer can simply say the purpose for which he got the warrant has not been satisfied. So he gets a warrant, he goes in, he comes out; his purpose was not satisfied, so he keeps the same warrant and is permitted to enter again. Is this the purpose and intention of this subclause? If not, it needs tightening up, otherwise it would give unlimited life to that warrant which would very much contravene the principles surrounding the issuance of a warrant, bearing in mind, of course, that a warrant represents the abeyance of one's constitutional rights to privacy, use of property and freedoms. A warrant is a very unique and unusual arrangement, in the strict constitutional sense. It is a departure from the establishment and recognition of one's constitutional rights and to give unlimited life to a warrant would be troublesome indeed. I recommend firmly, on behalf of the people of Trinidad and Tobago, that the Attorney General should rethink it.

Clause 10 deals with the suspension of a licence. It says in effect:

“Where an inspection conducted pursuant to... clause 9, reveals evidence of a contravention of this Act...the Commissioner shall submit a written report to the Minister...

- (2) Upon such report being made, the Minister shall give the agency the opportunity of being heard and may, if he deems such action to be reasonable in the circumstances, suspend the licence and the agency shall cease operations forthwith.”

It means that if a security officer or a member of staff of a security agency does something in contravention of this Bill, outside of the knowledge of the directors or the managers, or even the supervisors, the licence can be suspended. I think that is too punitive. I think that we need to see that the directors or the managers, or the company owners had known about the breach, otherwise it simply means that an employee can cause you to lose your licence completely outside of your knowledge. I think we need to insert the words:

"Where the contravention on the part of the staff or a security officer was carried out with the full knowledge of or with the knowledge of the company."

Other than that, it can pose some problems.

If a police constable, for example, does something wrong, he is sued, the Commissioner is sued, the Attorney General is sued, but of course, that does not bring personal detriment to the Attorney General or the Commissioner of Police.

If I have a firm and one of my employees acts in contravention of the law, according to this clause, I am now made to suffer personally. My income is gone, if my licence is taken away, for something that happened outside of my knowledge. That is troublesome and I suggest that the Attorney General should take some time and have a good look at it.

5.10 p.m.

Clause 13 of the Bill deals with the question of application for a precept; nothing new, really. When one is made a security officer, the employer applies to the Commissioner of Police for a precept and when the investigation is carried out on the individual—he has a clean character record evidenced by a police certificate of character, a valid one, under the UNC, I would want to add; he is over the age of 18. He qualifies, in other words; no criminal conviction and what have you. So you know, you cannot have a criminal conviction to get a precept, but according to the UNC, with a criminal conviction you could sit in the Tobago House of Assembly.

This legislation says that you must have a clean character record, otherwise you cannot get a precept. So to be a security officer if you have a criminal conviction, you cannot get a precept, but according to the same UNC Government, led by the Prime Minister and the Attorney General, you could be a member of the Tobago House of Assembly just because the Tobago House of Assembly legislation did not specifically say that criminal convictions or convicted persons are not welcome.

This is why earlier today I said, if this Constitution did not say we cannot be here with criminal convictions, then I know that we would have had some over there. I have no doubts, because that demonstrates the ethic and the ethos of the UNC Government. They encourage that kind of person and personality and behaviour, and I say so on the basis of plenty evidence. But I do not want to walk that way again. You know yourselves. Man know thyself.

Clause 13(2) says:

"The application shall be accompanied by evidence that the security officer has—

- (a) satisfied the requirements of section 12(1);
- (b) been employed by the agency for not less than six months;"

It means that if a person leaves one security firm where he had his precept and he comes to another security firm one month later, he will not be issued with a precept for the new firm because this legislation is simply saying he cannot have it for six months. That is unproductive and counterproductive.

I think we could include in this clause, a situation where—or you can say, hon. Attorney General—unless he came from another security firm. In other words, if he came from teaching or as a mechanic or whatever, then we expect that he should wait for the six months so that his employer could see that he is a serious and stable person, the type of person he wants in his employ, and the type of person to whom he should expose the general public. I could understand that. But if the fellow came from one security outfit to another one, why should he wait six months in those circumstances? To my mind, it is counterproductive and I urge the Attorney General to address that.

The question of firearms: when one applies for, and one is granted with a precept, the employer could apply for a firearm users' certificate and he is so granted. That is covered in the Bill; nothing new, really, nothing to scream about. That has been so from time immemorial, so it really does not add anything.

I just want to say this: I know the Attorney General would not take it too much on board, but it is the Commissioner of Police who will monitor the activities of the security services; it is the Commissioner of Police who issues the precept; it is a Commissioner of Police who issues the FUEC; it is the Commissioner of Police who will make the inquiry to decide whether a firm should be granted the security licence or otherwise; it is the Commissioner of Police who will authorize his inspector or senior rank to be the authorized officer. All of the monitoring is taking place by the Commissioner of Police. Why is the person to apply for a licence to the Minister, when the Minister then passes it to the Commissioner of Police for inquiry and for monitoring and for the regulation of it?

Just like the firearm, I think it could quite easily have been left with the Commissioner of Police, much as the Supplemental Police Act is generally monitored, and what have you, by the Commissioner of Police. But I imagine the Government has some good reason why it wants to give its Minister of National Security that power, perhaps because of he who sits in that chair today, I do not know.

Clause 17(1) says:

“A security officer shall be provided...”

that mandatory term:

“...shall be provided with a badge, baton and manual describing the powers.” For a small security firm, or for a security firm—if you have 120 men, not all are on duty at the same time. It may not be economical to buy 120 batons. In the Trinidad and Tobago Police Service—and the Ministry of National Security and the Government is their employer—not every policeman has a baton today. I guarantee that. Not every policeman could get a firearm in a police station now to which he is attached today.

So when we are here talking—this is why I said at the beginning of my contribution, this thing sounds like a joke to me. We are establishing a regime to govern those who will supplement the protective services of this country offered by the police and the other established security services, and those are inadequately staffed; those are inadequately fortified with equipment. We are now bringing this, but the police do not have enough equipment to do what they have to do. We hear them being called rogue cops. The Prime Minister was praising the police for the last five years, you know. They used the Police Commissioner at the opening of a police station—I think it is Arouca—stood up and said, “UNC crime; PNC crime”. They took 12 police vehicles, lined them up for a press opportunity; took the same 12 vehicles, carried them to another police station for another photograph; took the same 12 and carried them to a third place, all “mamaguy”, all UNC facade.

The Prime Minister was praising the police, but today he calls them rogue cops. Is it because they are doing so well with finding those in his bosom who have been guilty of, or who are to be charged for voter padding? Or is it because today we saw the dishonourable image of a Cabinet Minister—and I am not even saying “ex”; Dhanraj is UNC, UNC is Dhanraj! The spirit of Dhanraj is the spirit of the UNC, and all that Dhanraj does is all that the UNC does. I do not create any distinction. So when I saw Dhanraj this morning in handcuffs, I pictured him sitting right where the Member for Point-a-Pierre is sitting. It may happen again, who knows.

Mr. Speaker: I do not know if—

Mr. F. Hinds: I mean, see him in a photograph—

Mr. Speaker: Hon. Member, take your seat please. I do not know if you were in the Chamber this morning when I cautioned the Member for La Brea, that that matter is before the courts at this time and anything that is said in this House and said under parliamentary privilege can be used to influence the outcome of that case. I asked him to refrain and I am asking you as well.

Mr. F. Hinds: So, I am saying that the security firm may not find it sensible to buy 120 batons for 120 people, all of whom may not be on duty. They may want to pass on the baton when they take on the duty. To impose a duty that they shall buy batons for all, is a serious question.

There are also some places where security officers work where a baton might be completely out of place. For example, if I walked into a hotel and I saw a security officer in there with long baton with a red or blue tip, I might feel rather intimidated; in the waiting room of a hospital. There are some environments where you would not want to display a baton because of the nature of the work that you are doing. I heard somebody from the other side comment to the Member for San Fernando East today about him having no respect for women and all of that. I can never forget—and I say this, so help me God; it was the will of God; this is the living truth. Today as I was walking to the Parliament to come here I ran into a woman. She identified herself to me. About a year and a half ago, I went into the drug store in the Barataria area by Third Avenue—Health Net—to buy some over-the-counter medication and I was absolutely astounded to see a woman, approximately aged 35, armed with a firearm, doing guard duty in that drug store. I was shocked!

I understand how it goes. Her employer could put her in this very risky environment with a firearm, because when the bandits come for the gun—you saw what they did to Officer Lee on Independence Square by the Ministry of Health recently. To see a woman in that risky situation, blew my mind. I had spoken to her and she said that they were short-staffed and all of that. Interestingly enough, I am coming here today to debate this and the woman—I did not recognize her; she identified herself to me—told me that she was working in another drug store somewhere in the Diego Martin area now, in another high risk environment.

I would think that something must be strange, if not wrong, about a society where our mothers and our women must be put in an environment where they have to do that type of work. One may say it is a matter of their own choice, but according to her, it has to do with necessity. She has to live; she has to take care of her children and that is what is available. I think a government should be addressing its mind to making the life of our womenfolk a lot easier and safer, and they could make their contribution in other ways. But these are not matters that concern this Government, so I would not detain myself or detain Members with that. As matter of fact, what used to be the Ministry of Culture and Gender Affairs is now gone, but we will deal with that on another occasion. [*Interruption*] Mr. Speaker, I am being bombarded with utterances from the other side and I want your protection.

5.20 p.m.

Mr. Speaker: The Member is asking for protection. Would Members please give him that protection?

Mr. F. Hinds: I thank you very kindly.

Here at Part IV, clause 19, again, the employer has a duty to inform the Commissioner of Police once the security guard leaves his employ. I am finding an anomaly in this. You go to the Minister for the licence, but for everything else it is the Commissioner of Police. Why the Minister? I would like the Attorney General to tell me, in a rational, sensible, simple and very banal way, why the Minister of National Security for the licence as opposed to the Commissioner of Police who, traditionally, manages the operation regarding security officers?

Mr. Speaker, as I wend my way to the conclusion, I recommend, yet again, as forcefully or forcibly as I may, the dichotomy that has been established in this legislation be redone. This legislation creates a dichotomy between security officers who operate in the public service—that is to say, in government departments like Mr. Lee who died on Independence Square—statutory bodies and State enterprises. On the other hand, it lumps the commercial security firms with the proprietary or in-house security operations. These operations are not primarily security service operations. Their primary concern is security of hotels, banks, insurance or port facilities such as PLIPDECO. Their primary concern is not security, yet, whether they have three, four, five or 50 security officers they will be obliged, under this legislation, to meet the exorbitant demand—the highest anywhere in the world—of \$25,000 and \$50,000 depending on whether they are VAT registered or contrariwise.

We are recommending this on the basis of the fact that those who are involved in the in-house security units—Royal Bank, First Citizens Bank and so on—have not been consulted so they could not make this point. I make it on their behalf. They want to be heard. It is not too late. There is no urgency in this so another week or two would not stop anything. Talk to the people, consult with them and you will hear that they want to be left alone to continue to operate under the regime of the Supplemental Police Act which any precepted officer would wind up under, in any event, once he is precepted. We are recommending that you rethink this dichotomy and establish a line between the in-house and proprietary security, on the one hand, and those who are essentially in the business of selling security services on the other.

Mr. Speaker, I think I have said as much as could usefully be said on this Bill. I would simply add this on the question of trade union membership, since I began there. The Attorney General highlighted the fact that security officers could now join some association as though it was something so noble and novel; it was this new thing and they had no say before. The Estate Police Association could have represented them on issues other than transfers, promotions and discipline because that came under the regime of the supplemental police. Nothing stopped a security officer, who was wrongly dismissed, from going to the Industrial Court. I gave an example of a matter in which I was personally involved. The Attorney General knows it full well, but he said it to the gallery and for public consumption. Later on in his presentation hear what he said as stated in the *Hansard* on February 9, 2001 when he piloted the Bill:

“Part IV of this Bill deals with the ‘Termination of Employment.’ This part is important because, as I had indicated before, estate constables who are employed both at the level of the private sector and the government agency do not really enjoy protection.”

Now you get the sting in the tail that is typically UNC. It is never what it seems. Hear the softer line:

“Obviously, what has happened over the years is that employers in both sectors have tried, in many instances, to adhere to the principles of good industrial relations but, as far as the security workers are concerned, they did not have legal protection.”

What he has admitted to there is the fact, as I explained in the NP security officers case, that all security officers, if they were wrongly dismissed or badly treated could have gone to the Industrial Court and would have found satisfaction. In fact, in most cases, modern employers observe, as far as I know, good industrial relations practices. They do not wait on the law for that. They will not throw out a fellow tomorrow. They understand how the Industrial Relations Act operates and that where there is no employment contract that law applies.

In terms of trade union membership, that is good in principle. I would think allowing people to be in a union of their choice is good, but how does it work in practice? If a company has 130 security officers, will that company find itself negotiating with five or six different trade unions on behalf of its security staff? That is chaos and confusion. Fortunately, there is an institution known as the Registration, Recognition and Certification Board and in order to represent workers in an industry or firm, you need to get recognition. If you have more than

[MR. HINDS]

50 per cent support of the workers who need representation, well then, yes, you will be recognized. That does not mean only one will operate there because another union may come in. We need to take a look at that because at least, in practice, it could be a bit difficult.

Mr. Speaker, I want to make the point again, as I conclude, that the police service has an association that looks after its members' interests. As a matter of fact, once you join the police service you have no choice in becoming a member of the police association; money is deducted from salaries. I speak from personal experience.

Mr. Speaker: The Member has just two minutes to wind up.

Mr. F. Hinds: So, too, the fire service. The defence force does not have that kind of association or union, but it does not mean that everything is chaotic in there. I am simply saying that the presence of a union to represent workers does not necessarily mean terms and conditions would be any better. During the election campaign the Prime Minister had promised a \$10 minimum wage and when he saw the seriousness—the Member for San Fernando East replied to him—wildness and folly of his submission about the \$10 minimum wage and the impact it would have on the industry, he reneged and wiggled a bit in typical slimy, slippery UNC style. He wiggled out of it, but the nation was listening. I think if the Government really wants to improve terms and conditions, this Bill will not take us there. This Bill is not a panacea for that and I urge the Government to consider the submissions that we have thus far made and make good the lot of the security officers and the role they perform in Trinidad and Tobago. I thank you.

Mr. Kenneth Valley (*Diego Martin Central*): Mr. Speaker, I would make a very small contribution on this Bill in support of the line taken by my colleague, the Member for Laventille East/Morvant. One of the difficulties we have with the legislation is that it seems to fail to make the distinction between the traditional arrangement used by employers or estates, as it were, for having persons guard their property, and the birth and development of the new industry, private security firms.

5.30 p.m.

If we look at the existing legislation which is contained in the laws of Trinidad and Tobago, Chap. 15:02, we would see that the Supplemental Police Act re-estate and estate constable, allows for persons, estate or business houses and so on to make arrangements for the security of their property and so employ estate

constables. That has gone on for some time. One thought the purpose of this legislation is to bring in the new industry which is the private security agencies offering a public service to other businesses and perhaps individuals. Since that is a public business one thought it is critical to have some licensing arrangement other than what is provided in the estate constable arrangement.

However, under the definition of private security agency the legislation seems to take into consideration those firms which are not in the business of private security, but simply have security personnel on staff to take care of their property. One finds it amazing when one looks at the other legislation that is to come before us. Perhaps, it is anticipation. The other legislation takes the point that one ought to exclude governmental departments, statutory authorities and state enterprises from the private security firms.

I ask: What is the difference between a state enterprise and Republic Bank? First Citizens Bank is a state enterprise. They may have their security arrangement. They are not in the business of private security, but because they have properties to protect they may find it worthwhile to have persons on staff to guard their property. In the case of First Citizens Bank, they can do so under the Supplemental Police Act. If it were Royal Bank or Republic Bank, they would come under private security legislation.

I hope in winding up the Attorney General would tell us the difference between these two organizations and why they warrant a difference in treatment. While we have no problem with legislation to protect the public from security firms offering that public service, I suggest that the current arrangement as provided by Chap. 15:02 in the Supplemental Police Act be maintained, not simply for governmental departments, statutory boards and state enterprises, but for all those internal arrangements made by employees.

All internal arrangements should remain under the Supplemental Police Act. Where there is a firm in the business of private security offering service to the public, that should come under this new legislation. All that would be required in the legislation before us is an amendment to the definition of private security agency. Let me assure the Attorney General that it is not that I do not want anything, or want anything. I am just dealing with the logic of a position.

The definition of private security agency talks about employing security officers for the protection of persons and property, including its employees and property. I think that should be deleted.

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I have another difficulty. When I look at the definition of private security agency and that of security officer, I am confused because they seem to be circular. A private security agency means:

“a sole trader, firm, partnership, or body corporate registered or continued under the Companies Act, 1995, which employs security officers...”

I look at the definition of security officer because I want to know who is one. A security officer means:

“a person who is employed by a private security agency.”

We need some clarity there. I am thinking about the firm with what we used to call a watchman. How is a watchman different from a security officer? It is not clear to me. I think we need more clarity there. Other than those two small points, I agree with the submission of my colleague and I hope the Government will consider it before passing this legislation.

The first one is particularly important because if we fail to do that, given the fees we talk about, it may be very burdensome on some organizations. More than anything else, I think that the Government has a duty to deal with public safety to the extent that the private security firm offering to provide service for everyone, is regulated. The internal arrangement ought to remain under that legislation.

Thank you.

Mr. Nathaniel Moore (*Tobago East*): Mr. Speaker, I would like to make one or two comments on this Bill which were drawn to my attention by a few persons in the security industry. I think I owe it to them to do so.

From my observation, this Bill has not come too early at all, or at least measures to alleviate many of the problems which the people in this industry, particularly the employees, face. I listen to the stories of these people who are employed as security officers, about long working hours, harsh working conditions and very meagre payment. Much of the advice and the comments I have heard already from previous Members were pointed out to me. I would like to deal with them as quickly as I can.

The first one deals with clause 7 of the Bill about the fees to be paid by these agencies. I am told that particularly for the small agencies, a fee like this would be almost impossible. One gentleman suggested that we sectionize the firms in the industry according to size; perhaps, the larger the firm the larger the fee. He suggested firms with 50 or less than 50 officers; between 200 and 500; 500 and 1000; and over 1000. After differentiating in terms of size, charge a fee accordingly.

5.40 p.m.

This present fee would be very burdensome for a small firm and it would serve to put them out of business. The gentlemen who discussed this with me pointed out that there are so many other fees which must be paid by these firms which already exist and to add this burdensome fee to it, would actually drive the smaller firms out of business. In fact, he thinks we should make a special case for Tobago. Of course, Tobago as a smaller society does not even have the opportunities as there are in Trinidad with a larger population, a larger volume of business and greater needs or demands for security, and, as such, a security firm in Tobago if it is not a branch of a firm from Trinidad will necessarily be a smaller branch. I have heard this afternoon from the Member for Port of Spain East that there are several small firms in Trinidad as well. Some of these people are very honest about their business and they need some type of encouragement and some kind of help to continue their work in order to avoid going under. So the call here is for a modification of the licence fee to suit a very small company of about 100 plus.

A gentleman with whom I spoke in Trinidad said he has 117 officers and there is no way he could operate if he has to pay this \$50,000 because if he pays VAT—he is a VAT registered company. He is also suggesting that there might be some system in which there is a smaller fee and something like another fee which is refundable over the two-year period could be charged and repaid after two years. In fact, he wanted to know, and he was in doubt whether the fee was payable also on the renewing of his licence—at the original registration of it. But in reading the Bill, it seems to me that this sum would have to be paid every two years and that is very burdensome and impossible for the smaller firms to meet.

In Part III clause 12 (1) it says:

“A person who—

- (a) is a citizen or resident of Trinidad and Tobago;
- (b) is over eighteen years of age;
- (c) is of sound health, as evidenced by a certificate issued by a registered medical practitioner;
- (d) passes a drug test for any of the dangerous drugs listed in the schedule to the Dangerous Drugs Act;
- (e) is of good character, as evidenced by a valid Police Certificate of Character; and
- (f) successfully completes the programme of training approved by the Commissioner.

The suggestion is that the programme of training not be approved simply by the Commissioner but perhaps, in consultation with an organization like NIHERST or COSTAATT since he believes that if these institutions recognize the training programme, it may be widely accepted not only in the country, but in the region—and this is just a suggestion.

In clause 13 (2) it says:

“The application shall be accompanied by evidence that the security officer has—

- (a) satisfied the requirements of section 12(1);
- (b) been employed by the agency for not less than six months; and
- (c) successfully completed the precept examination as administered by the Commissioner.”

And he suggested NIHERST.

He asked the question: What about holders of precepts by previous employment? Should these people be exempted from meeting the requirement at this time? I would like the Attorney General to answer these questions for the good of the gentleman. Then we move on to clause 15. In fact, I was told that security officers do not necessarily like the term “estate constables” because the word “estate” has a kind of plantation connotation. Many people in the rural areas when they hear the word “estate” are only thinking about plantations and not estates as such. Many of the officers do not like the name and hope that it could be changed. Whether you must give in to them or you educate them as to the real meaning of the word “estate” is a different opinion.

Clause 16(1), says:

“A precepted security officer, while engaged in the performance of his duties and in respect only of those persons and property for which he is responsible, shall have such power, authority, privilege and immunity and be liable for his actions in the same manner, as a constable in the Police Service.”

One person suggested that the word “only” should be removed “in respect only of those persons and property for which he is responsible.” His argument is that since these officers would be coming under the purview of the Commissioner, it would be unfair if such persons could stand by and see some crime being committed without intervening. In a general sense, this Bill is making provision

for these people to operate as police officers only in respect of the estate to which they are assigned, because persons of that level should be responsible enough to be able to intervene in situations where crime might be committed, rather than having them operate solely on that property and for those for whom they are employed or to whom they are engaged directly .

5.50 p.m.

Clause 17(1) says:

“A security officer shall be provided with a badge, baton and manual describing the powers and duties of a security officer.”

The suggestion is that this should be for a precepted officer rather than any security officer. I do not know what is the real reason this gentleman made this suggestion, but I repeat it.

Clause 21 makes provision for the handing back of articles of appointment issued to deceased officers. The suggestion is that a subclause (3) be added, in which the officer concerned indicates some responsible person, whether relative or not, who, on such occasions, would be responsible for returning the articles in case of his death or total disability.

Clause 28 of the Bill states:

“Any insurance benefits payable to an employer for or on behalf of a security officer shall be paid to the security officer, his beneficiary or estate, as the case may be.”

One employee is suggesting that the sum payable to this person from proceeds of the insurance should be minus whatever was spent under clause 27. Clause 27 states:

“Where a security officer sustains injury while in the discharge of his duty, the employer shall meet all the costs of medical attention...”

I think this point was made already. Clause 29 states:

- "(1) No private security agency shall describe any of its officers by reference to any of the titles set out in the First and Second Schedules to the Police Service Act.
- (2) No security officer shall describe himself by reference to any of the titles set out in the First and Second Schedules to the Police Service Act.”

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The question was asked, "What titles do we use?" There are Commissioners of Affidavit and Superintendents in different areas, not only in the police service. The idea is that these ranks or nomenclatures are used in so many areas, not necessarily restricted to the police service, so why deprive the private security firm of using these same titles to describe the officers? He is suggesting that if they ought not to, then why not, in the Bill, suggest the titles by which they should be ranked or classified.

In terms of sanctions to security officers, they follow the normal police service patterns and impose sanctions in terms of fines for breaches in behaviour by the officers but this Bill does not say anything about it. One gentleman wanted to know if they could continue, or whether the Bill will make separate sanctions for these officers.

For the security officers themselves, they want to know if the \$10 minimum wage promised on the campaign trail will be honoured. I can understand why they asked this because one owner told me he pays the minimum wage to officers. I find that miserable payment for people working in security affairs with the level of risk, the long hours and the conditions under which they work. It goes to show that the people need some attention if they are just given minimum wages.

Not too long ago a newspaper carried an advertisement in which a security firm was advertising that they were paying well: they were offering \$8 to \$10 an hour. They thought that was good enough for security people. We cannot be too surprised if some security people are sorry for themselves, with the kind of measly payment they receive.

One officer noted that the Bill was silent on using animals such as security dogs. There was no provision for a canine section. He knew about the Dangerous Dogs Act but saw nothing in the Act to guide the security people on the use and ownership of these dangerous dogs. When I looked at the Dangerous Dogs Act, the nearest I saw to it was a reference to a dog being employed by a constable or a servant of the state having certain exemptions. The gentlemen would really like to know why the Bill does not make provision for a canine section. They need guidance on that.

Mr. Speaker, these are the observations that I remember that I must make concerning representations made to me by people in the industry. There is one addition. One gentleman thinks that precepting should not cost anything to the officer. He says that the regular police officers are not charged separately for firearms licences and he does not see why the private security people should have to bear that expense.

For what they are worth, Mr. Speaker, these are some observations and concerns by people in the industry. I mentioned the Tobago case where we normally have small agencies because of the small volume of business in Tobago. I think the gentleman who made the observation has made a good case for that. We do not know how the Bill may be structured so that smaller firms can exist side by side with larger firms down here and still work effectively. In all fairness to these security agencies, some kind of incentive should be given to them to avoid their having to close business, faced with high costs in running their firms.

6.00 p.m.

Mr. Speaker, I join the other speakers to make an appeal on behalf of these smaller businesses, that we do all we can to save them. In Tobago, especially, unemployment is a big problem and we would not like to see many people lose their jobs because employers could not afford to expand their firms to meet the demands of this Bill. We would like everybody to exist so I make an appeal on their behalf.

Thank you, Mr. Speaker. I hope that people who are waiting for help and redress would not be disappointed.

The Attorney General and Minister of Legal Affairs (Hon. Ramesh Lawrence Maharaj): Mr. Speaker, may I thank hon. Members on the other side for their contributions in this matter. I wish to assure them that their submissions would be considered. I do not propose to complete my contribution today but I want to tell them that the points made have been noted, and the technical people would certainly look at them. I, too, would look at them.

I think there can be no doubt—and I did not get the impression that people were opposed to the policy contained in the Bill, with the exception of a proposed modification of the policy by the hon. Member for Diego Martin Central—that the law, as it exists at the present time—there is a situation where this 1906 law permits companies to employ security officers and they are denied the basic protection that workers have.

In my contribution when I opened the debate on this Bill, I pointed to the provision in the Supplemental Police Ordinance and to the fact that as a matter of record, employers take advantage of these security officers. As a matter of fact the advantage was greater when the minimum wage of the day did not exist. When it existed there were companies that were circumventing the law because there was not the collective bargaining process. Although persons were entitled to become a member of a trade union, which was compulsory under the Ordinance, the trade union had to negotiate with its hands behind its back because it was not permitted, in law, to negotiate in respect of vital matters affecting workers.

Mr. Speaker, I think there can be no objection to a policy in which the security officers industry would be regulated—the point made by the hon. Member for Diego Martin Central, which will be further considered. I merely want to show how inconsistent it can be if the Government accepts that proposal. Under the Bill the law would apply to a company which is doing private security business as an enterprise and it would also apply to other companies: it may be a bank, or other companies that would employ security officers. They would also have to get a precept because we want to ensure that the public is protected. If we accept the proposal of the hon. Member for Diego Martin Central, it would mean that security officers who are employed with security companies would be subjected to different kinds of rules and regulations.

Mr. Valley: Mr. Speaker, again, I ask your indulgence. Hon. Minister, if you look at the changes you are making to the Supplemental Police Act, you would see that the inconsistency you are talking about would be maintained. You are saying that taking out the government departments, the statutory authorities and state enterprises and those persons who remain under the Supplemental Police Act would have to be precepted also. It is the same concept you are talking about. I am saying under the Supplemental Police Act there are arrangements in place to take care of those things and if you leave the internal arrangements under the Act, there would really be no conflict.

Hon. R. L. Maharaj: When I opened the debate, Mr. Speaker, I mentioned that this Bill would deal with the officers employed by private security firms. The other Bill on the Order Paper, which is the Supplemental Police (Amdt) Bill, would deal with security officers employed by the State and state corporations, and the same rules would apply to them whether they are employed by the State, being paid by private security, a firm or employed by a private company. Otherwise you can have a situation in which the private company would circumvent the law by having private security officers and pay them wages which are way below and give them terms and conditions which would not be in accordance with the Act. There would then be a situation where you would have two sets of standards and then you can even have an attack on the legislation to say that it is unequal treatment. We still have an open mind but it seems to me that on the face of it, it would not be in the public interest to do this.

Mr. Valley: Mr. Speaker, there are two Bills; you are saying that the governmental departments would fall under one Bill and the conditions here, relating to terms and conditions, would be the same as that one. If that is so, then if you leave the other internal arrangements under this Bill they would be bound under the same terms and conditions.

Hon. R. L. Maharaj: Mr. Speaker, before the Government was changed in 1995—from 1906 to 1995, that is 89 years, the forces in government, whoever they were, recognized that there was need to change. The then Government came up with the Security Agencies and Security Officers Bill of 1995, and after the draftsman at the ministry worked for a very long time to come up with this Bill, when it reached the other place, it had to be withdrawn because there were criticisms about the Bill, in that, if you want to deal with private security officers, deal with them in a separate piece of legislation and if you want to deal with government security officers deal with them in separate legislation because in some cases there will be different kinds of circumstances and therefore you want to compartmentalize it. That was one of the criticisms; there were other criticisms, I have just been reading the *Hansard*.

Mr. Speaker, this measure is one that has taken a very long time to formulate and as a matter of fact on the next occasion I would go through to show the extensive consultations which the framers of this Bill had with the ministries involved. I think I would like to put on record today that the hon. Member for Laventille East/Morvant spent a lot of time reading from a letter dated February 20, 2001, which was signed by Mr. Thompson. It dealt with the Private Security Agencies Bill and was a very voluminous document. He purported to say that this represented the views of the people in the private security business. Nobody else signed this document and the investigations from the ministries, both the Ministry of the Attorney General and the Ministry of National Security, have revealed this is only the view of Mr. Thompson, although he said this represents all the organizations. As a matter of fact, when I resume on the next occasion I will make a very detailed statement on that matter to show that it was in an attempt to try to get this Bill delayed that all these submissions were put and, as a matter of fact, it would show that some of the matters he referred to were totally inaccurate.

6.10 p.m.

I say that, Mr. Speaker, because the officials of both ministries contacted this afternoon the Security Managers Association of Trinidad and Tobago and the Association of Securities Companies of Trinidad and Tobago and these are the functional associations representing over 90 per cent of the security industry. They again reconfirmed that the associations involved in the security industry were effectively and properly represented; they were consulted and they indicated that the Bill meets the demands of the members, and the members have expressed general satisfaction with the Bill.

Mr. Speaker, there was another matter which the hon. Member for Laventille East/Morvant raised and I do not know—I must confess, I felt very sorry for him this afternoon. As a matter of fact, I am in no way trying to—I am sorry he is not here. I felt very sorry for him because he seemed to be very sad. It seemed that he had no enthusiasm. He did not have any motivation and I never really heard him speak in such low tone. The only conclusion I could come to is that, at the caucus, he was asked to make this contribution and he had to make it because he could not be serious when he talked about these matters at Point Lisas saying that the workers are in jeopardy and that the Government has not done anything to protect these workers from these environmental dangers. He quoted Mr. Nirmal Rampersad and he talked about this incident, saying it happened in the constituency involving both the Member for Couva North and the Member for Couva South.

Mr. Speaker, the record of this Parliament would show that this Government attempted to deal with these problems by introducing in this House the Occupational Safety and Health Bill and that Bill had mechanisms in which employers would have to meet certain standards and there would be certain material information which would have to be given to workers and steps would have had to be taken to meet certain standards, and the Opposition voted against the Bill. The Bill [*Interruption*] needed the support of the Opposition but what happened—[*Interruption*] What again? What again?

The Opposition has raised that as a means of opposing this Bill. Apart from the hon. Member for Diego Martin Central, there have been no suggestions, alternatives put, in relation to this matter and they are saying that we are not concerned—[*Interruption*] I could understand how the Member for Arouca North is worried—with workers' rights. [*Interruption*] That is what the allegation is, we are not concerned with workers' rights [*Interruption*] but, Mr. Speaker, we brought legislation to protect and safeguard workers' rights.

We gave the Opposition an opportunity to show that their concern is with the life of workers, with their safety, that their heart is with them; when workers leave to go to work, when they are on the job, and they showed that their hearts are not with them. Their hearts are only with them at election time when they want their votes [*Interruption*] because the Opposition voted against it and, Mr. Speaker, what we have done is reintroduced the Bill. Am I not correct? We would see again where their interests are.

What has happened is that a group of business people in the country does not want some of these measures and they have found agents to try to prevent the measures from coming into force. Here it is, this measure would protect workers, protect the public, and therefore, Mr. Speaker, I would expect that if the Opposition—they should do like the hon. Member for Diego Martin Central. If they are opposing the measure, say, “Well, all right, we are happy with this Bill”, or generally with the Bill, “but we want you to look at this particular matter”.

Mr. Narine: Thank you very much Member for Couva South. Mr. Speaker, I would just like to remind the Attorney General that on the last occasion we met—the Government and the Opposition met in the committee room and we had seven points, out of the 110 clauses that were laid in that Bill, that we wanted to be considered. You gave us the assurance in the committee room yet you came here and allowed the Bill to fall. Thank you.

Hon. R. L. Maharaj: Mr. Speaker, is the hon. Member saying that I went across to his seat and opened his mouth and told him to say no to the Bill? He could not be serious. The record would reflect [*Interruption*] that when [*Interruption*] the vote was taken he said no. [*Interruption*] The clauses he wanted would be clauses, obviously, which would not protect the rights of workers. [*Interruption*] Mr. Speaker, he could say anything now. [*Interruption*] We will bring back the Bill again, [*Interruption*] but the fact of the matter is that they—[*Interruption*]

Mr. Narine: Untruth.

Hon. R. L. Maharaj: Mr. Speaker, what has happened—[*Interruption*]

Mr. Narine: I must come on that side with that untruth?

Mr. Speaker: Order, please, order.

Hon. R. L. Maharaj: Mr. Speaker, all of them said no because they knew [*Interruption*] that they had to support the business community as against the workers. We will give them an opportunity again, and we will see if they would [*Interruption*] redress their ways.

Mr. Narine: I thought he was different.

Hon. R. L. Maharaj: Mr. Speaker, we will produce the *Hansard* on the next occasion.

Mr. Narine: No, no, no; our committee meeting had no *Hansard*. You are telling untruths.

Hon. R. L. Maharaj: So that I, on the next occasion, would deal with some of the points which had been made. I would consider some of the matters but I think I want to deal [*Interruption*] on this occasion—[*Interruption*]

Mr. Narine: You are a waste.

Mr. Speaker: Order, order, order please!

Hon. R. L. Maharaj: Mr. Speaker, the submission was made that, the fact that a Minister of Government is charged for an offence, the whole of the UNC is guilty. [*Interruption*] I want the hon. Members on the other side to know that Mr. John O'Halloran was a minister of government and that he was found guilty of corruption and millions of dollars—[*Interruption*] He was found guilty of corruption, whether it was a civil court or a criminal court. His conduct was found to be corrupt. [*Interruption*] Well, according to the Member for Diego Martin Central, he was not corrupt, then. [*Interruption*] In other words, all of them are just like O'Halloran.

They are behaving like O'Halloran. They are not corrupt. His conduct was found to be corrupt and, as a result of that, moneys which were stolen from the people of Trinidad and Tobago were returned to the people of Trinidad and Tobago. Is the hon. Member for Laventille East/Morvant saying that because he was a member of the PNM, every PNM member is corrupt? Mr. Speaker, I would again like hon. Members to understand that [*Words expunged*] There is a finding against Mr. O'Halloran that his conduct was corrupt and as a result of that—[*Interruption*] So is the PNM saying that his conduct was not corrupt yet his estate had to return the money? Look how evasive they could be; [*Words expunged*] and due process of law would be complied with. What this shows, however, is that you would have thought that under a PNM administration any minister or former minister would have been prosecuted? No; because the way they get on is that they would interfere with the process. [*Interruption*]

Mr. Speaker: Let me just remind you that with the two Members who made mention of that case, I had the matter withdrawn. I would also ask you to refrain from referring to that matter currently before the court.

Hon. R. L. Maharaj: Much obliged, Mr. Speaker. I was just referring to the parts which were not struck out, the parts in which—[*Laughter*]—the parts which were not struck out.

Mr. Speaker: If that part was not struck out, then it should be struck out and I would ask you not to make mention of it.

Hon. R. L. Maharaj: So, Mr. Speaker, can I take it, then, that the *Hansard* would take steps so that all the parts which referred—[*Interruption*]

Mr. Speaker: Yes.

Hon. R. L. Maharaj: I am much obliged, Mr. Speaker. Having said that, the hon. Member for Tobago East has made some pertinent points. One of the matters which he has mentioned has to do with the licence fees with respect to small companies. That is a matter which was considered very carefully and there are two grades, one which is VAT registered and one which is not VAT registered. The VAT registered is \$50,000 if I remember from the legislation the one which is not VAT registered is \$25,000. Notwithstanding that, however, we would look at it again and see whether we can make any further concession to that and some other matters. So I would ask for my contribution in this matter to be deferred until the next sitting of the House.

ARRANGEMENT OF BUSINESS

The Attorney General and Minister of Legal Affairs (Hon. Ramesh Lawrence Maharaj): Mr. Speaker, may I ask that we proceed to the Motion on the Senate amendments and then we would do the two Motions on the Adjournment.

Agreed to.

PLANT PROTECTION (AMDT.) BILL Senate Amendments

The Minister of Food Production and Marine Resources (Hon. Trevor Sudama): Mr. Speaker, I beg to move,

That the Senate amendments to the Plant Protection (Amdt.) Bill, 2001 listed in the Appendix on the Supplemental Order Paper be now considered.

Question proposed.

Question put and agreed to.

Mr. Speaker: I think what we should do, with the leave of the House, if the House has no objections, we would read all the amendments at one time and then we will put the question at the end. I think this would be expedient. Please proceed.

Clause 3(a).

Senate amendment read as follows:

In the definition of “pest” substitute the word “plant” for the word “vegetable”.

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

Question proposed.

Question put and agreed to.

Clause 3(b).

Senate amendment read as follows:

Delete the definition of “plant pest” and substitute as follows:

“‘plant pest’ means any organism or stage of an organism or of a biotechnically produced variant of any such organism capable of having a deleterious effect on a plant or plant product.”

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

Question proposed.

Question put and agreed to.

Clause 4.

Senate amendment read as follows:

Delete clause 4 and substitute the following clause:

“4. Section 3 of the Act is amended by repealing subsection (2) and substituting the following subsection:

‘(2) A person who contravenes subsection (1) is guilty of an offence and is liable—

- (a) on a first conviction to a fine of five thousand dollars or to imprisonment for two years or to both; and
- (b) on a second or subsequent conviction to a fine of ten thousand dollars or to imprisonment for two years or to both.’”

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

Question proposed.

Question put and agreed to.

Clause 6.

Senate amendment read as follows:

1. Add after 4A (i) a new subclause (j)
 - (j) prohibit the importation of a particular species of organism or of a biotechnically developed variant of such organism capable of having a deleterious effect on a plant or plant product.
2. In the proposed section 4B (1), delete the words “or an officer authorised by him” and substitute the words “or an officer authorized by the Chief Technical Officer”.

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

Question proposed.

Question put and agreed to.

Clause 11.

Senate amendment read as follows:

In the proposed section 8A, delete the word “him” in the first place in which it occurs and substitute the words “the Chief Technical Officer”.

and

In the proposed section 8B, delete the word “him” wherever it occurs and substitute the words “the Chief Technical Officer”.

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

Question proposed.

Question put and agreed to.

6.25 p.m.

ADJOURNMENT

The Attorney General and Minister of Legal Affairs (Hon. Ramesh Lawrence Maharaj): Mr. Speaker, I beg to move that this House do now stand adjourned to Friday, March 9, 2001 at 1.30 p.m.

Adjournment
[HON. R. L. MAHARAJ]

Friday, March 02, 2001

On that date, in addition to completing the debate on this Bill, we shall do the Supplemental Police (Amdt.) Bill. There were two motions on the Order Paper which were supposed to be done today, but based on the representations of the Opposition, we deferred them. These are Motions No. 2, with respect to the Cinematograph and Video Entertainment Act, Chap. 20:10 and No. 3, with respect to the Education Act, Chap. 39:01. Mr. Speaker, there is also the Special Reserve Police (Amdt.) Bill. If we have time, we shall also do that.

Mr. Speaker: Members, before I put the question on the adjournment, there are two matters for the motion on the adjournment from the Member for Laventille East/Morvant; both matters to the Minister of Housing and Settlements.

**Incomplete Development Works
(Upper Sixth Avenue, Malick, Barataria)**

Mr. Fitzgerald Hinds (*Laventille East/Morvant*): Mr. Speaker, it is with concern for the well-being and the comfort of the residents of Malick, Barataria, Upper Sixth Avenue in particular and Tenth Street, so-called, that I raise this Motion on the Adjournment. The Motion reads:

“The adverse effect on residents of and visitors to the Upper Sixth Avenue, Malick, Barataria area caused by the incomplete development works under the Squatter Regularization Programme scheduled for completion in 1995.”

The programme began some time in 1986, a squatter regularization programme. With regard to all of these lands, it was decided by the then administration to regularize the squatter situation and, in so doing, it was decided, and the people were promised, that infrastructural works would have been completed, that is to say, the basic amenities: roads, water, lights, and sewer system.

The government of the day contracted a certain firm, and I know it but I choose not to mention it, to carry out these works and the works began around that time, from my information. I was not representing the people at that time, of course. Some thing or things went wrong and the contractor ceased his operation. Having done that, I am advised that the contractor was taken to court by the government of the day and that matter went and there appears to have been no real resolution.

The upshot of all of that is that roads which were cut by the contractor remained in that crude fashion. These roads are in a very densely populated area, I am told, in the so-called Tenth Street area. There are approximately 300 homes

consisting of about 1,200 to 1,500 residents, and in the Upper Sixth Avenue area there are even more homes and consequently, many more residents. So, the hardship of which this Motion speaks is a genuine hardship brought upon thousands of our citizens.

Mr. Speaker, I am not about politicizing this. I am simply trying to make the lives of the citizens of this country better, whether they rest in Malick or in the constituency of Laventille East/Morvant. It matters not and it will not matter to the Government that boasts about being a Government of national unity and a Government that seeks the well-being of all the people of the country. With that as a backdrop, I do not propose to politicize these issues. I leave that as is.

I merely want to bring to the attention of this honourable House that the residents have made it very clear to me, and I verily believe their submissions. I have walked those roads myself, I have been in there, the cut roadways are without drains. When it rains, the rain runs on what used to be the surface of the road. Now there are craters in the road, the water having washed away some large chunks of it as deep as two and three feet. I have seen some myself. These roads are impassable. Vehicular traffic cannot go there. I tried to drive there recently and I had to desist from that unhealthy and very unsafe and risky effort, I might say.

Water remains a problem because that was not done. The work had gotten to the point where the contractor had planned it out, cut the roads and that was the extent of it—no water, no lights, no sewer system. In a densely populated area such as that, it is particularly trying. The PVC pipes were laid by the contractor and, as I said PVC, it reminded me of something, but they were laid, the water that I spoke about eroding what was then the surface of the road exposed these pipes and they have become disrupted and damaged over time. The sewer catchments that were put in have now become exposed, as well, and there are large heaps of dirt on the road.

Mr. Speaker, with a mere five years representing people in this country and Laventille East/Morvant in particular, it is very clear to me, two small aspects of human psychology. If one enters an environment and meets it clean and upstanding, then one tends to treat it in that way and one is reluctant, loathe even, to cause it to be otherwise.

We will find that—it is my observation and I am no sociologist, just an ordinary human observation—when people live in circumstances as dire as the one I have just described, they tend to feel less good about themselves and their

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communities. They tend to react in a way that reflects the way they feel about themselves. I think I am beginning to give credence to the view that if one improves the circumstances under which people live, they will behave differently because they feel differently and we might see a degrading or downgrading of the kind of antisocial activity that is known to this country, unfortunately, and throughout the world. I submit that the Government, if it is serious, can take this issue and not politicize it, but move briskly to resolve some of the problems that I have highlighted in respect of that particular area and ease the suffering of the people.

In respect of the contract, and so forth, it was done under an Inter-American Development Bank (IADB) loan programme and the loan was for some \$200 million, some of which included expenditure for the Malick area. As I said, the roads are now impassable to vehicular traffic, there are gaping holes in the road, when it rains water comes in and fills up the holes, mosquitoes are bred in there, they proliferate and we run the risk of diseases that they can purvey. These craters in the road expose the children of the community to great risk.

I am told of a particular case where a child slipped into one of these craters and suffered fairly serious and severe injury. The councillor for the area has been making representations time and time again, and I have heard him myself on the radio in a very plaintive tone talking to the Government, knowing as I do, that this Government has boasted of managing the economy of Trinidad and Tobago so well, recognizing as I do that this Government came to office and met a strong and growing economy. I am not politicizing the issue. Those are facts.

For the last five years, the Government spent a tremendous amount of this country's resources on all manner of things and I need not repeat them today. I see the Member for Tunapuna looking into my eyes. He is expecting me to speak about the Miss Universe Pageant, but I will not. I will disappoint him. I know when the councillor speaks, he speaks to the national community, he calls on the Minister of Works and Transport as he then was and calls on the Minister of Local Government. Of course, that Minister of Local Government is not with us anymore, and now we are talking to the Minister of Infrastructure Development and the Minister of Local Government, and to some extent, the Minister of Housing and Settlements because he is with that Ministry of Settlements overseeing the business of squatter regularization.

The regional corporation has done its best to alleviate the problems. I am satisfied that it has. It really has done its best, but they too are very strapped for cash, starved, of course; perhaps not maliciously, but they are not receiving the

kinds of moneys they would like to receive from central government and, therefore, the complaints of the neighbours to the local government representative had to go unheeded, he not being able to take money out of his private account to alleviate their problems.

Then, obviously, they came to the Member of Parliament and it is against that backdrop that I have brought this Motion to the House, putting it in a very plaintive manner to the Minister hoping that we can find some way forward in all of this. The work for the project, if the Minister does not know, began some time in 1993 and there were some difficulties. The project stopped in 1996. No real explanation was given. The Project Execution Unit of the Ministry of Housing and Settlements was overseeing that, and I suspect that they still do.

The regional corporation, receiving complaints through the councillor for the area, Councillor Harvey Boris, met with the Ministry of Housing and Settlements on a few occasions to find a solution, but so far nothing has been done. Fortunately, in terms of the roads, 60 per cent of roads have been cut, so it is a mere 40 per cent to go. Some drainage was done by the regional corporation and in a fairly advanced state. I think about 40 per cent of the drainage that was necessary has not yet been completed. These are the circumstances, hon. Members, and I make the plea to the Minister to take a very serious view of this.

The resources that might be required to complete the work may not be beyond the reach of the Government, and I hope that something will be done very shortly and very swiftly to alleviate the plight of my constituents and more than that, the people of Trinidad and Tobago.

I thank you.

The Minister of Housing and Settlements (Hon. Sadiq Baksh): Mr. Speaker, we, too, on this side, are very concerned about this particular matter. The matter raised by the Member for Laventille East/Morvant in terms of the adverse effect on residents and visitors of Upper Sixth Avenue, Malick, Barataria caused by incomplete development works under the Squatter Regularization Programme scheduled for completion in September, 1995.

Mr. Speaker, I wish to inform this honourable House that the Malick Squatter Regularization Programme is one of 11 projects which were identified under funding from the Inter-American Development Bank and, in fact, the project did start in 1986 but was formalized in 1993 when they invited tenders. One will be interested to learn that the contract in the sum of \$13,649,729.50, excluding VAT, was awarded in March of 1994 and, although the Member did not represent that area at that time, the government of the day did look after that particular project.

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The contract was scheduled for completion in September. The provisions of the contract embodied infrastructure works in the areas of roads, water, drainage, electricity and sewage disposal. These facilities were to be developed to standards required by the agencies.

Mr. Speaker, by the time this administration assumed office in 1995, the project was plagued by numerous problems and the contractor, in October of that year, went into bankruptcy thus causing a long delay and a number of court matters.

6.40 p.m.

Mr. Speaker, you may wish to note that this project comprises an area in excess of 46.5 acres, which is characterized—as the Member said—by unfinished roads, open trenches, eroded drains and exposed water mains, including overgrown shrubs. The Ministry of Housing and Settlements, over the last three years, has been involved in addressing some of these urgent infrastructural problems in the area through community-based self-help projects. Over \$600,000 has been expended to date.

The Ministry will continue to undertake the most urgent works utilizing the self-help project. However, the proposed substantive and other remedial work will be looked at in our development programme in the future.

Mr. Speaker, I thank you.

Mr. Speaker: The second matter, the Member for Laventille East/Morvant.

**Defective Sewerage Disposal System
(Leon and Dorata Streets Communities)**

Mr. Fitzgerald Hinds (*Laventille East/Morvant*): Hon. Members, this matter concerns residents of the Leon and Dorata Streets communities in the constituency of Laventille East/Morvant.

Some time ago I received a telephone call from a very irate and distressed mother, who reported to me that her four-year-old son having opened their back door on the ground floor of the low-cost National Housing units constructed many years ago—rentals to accommodate persons who needed houses in that market, if I can say so. These houses were constructed, I think, in the 1960s, and over time, naturally, just like a human body or a piece of equipment, they demonstrated signs of wear and tear. Today, those buildings could do with a bit of paint, re-roofing in some cases. People living in those buildings get wet on their very beds when it rains.

This is not the issue that I really wanted to raise today. It has to do with a defective sewerage disposal system in the particular housing block. This block houses several units, and, of course, it is a common block so the system is there. There is a sewerage disposal system at the back of the building.

The lady informed me that this has been defective for some time, clogged up, and now when people flush their toilets in the respective housing units, because of the degenerated state of the sewer system, raw sewage emerges from between and below the concrete and floats about in the backyard. Many children living in the community are afflicted with various skin diseases and infections, the most common of which is ringworm. Families on the ground floor are now forced to keep those doors locked, because to open them means walking straight into a very exposed sewer system.

I need not tell Members of this House the health risks that that situation poses. Flies are attracted to that kind of environment. Flies are ill-disciplined creatures; having gone to that environment they rest on people's food, their faces and so forth. Again, there is stagnated water as a consequence; mosquitoes are also a serious problem. I actually saw the exposed raw sewage. It astounded me, and I promised them that I would raise the matter with the appropriate authority.

I was advised that some remedial work was attempted. The National Housing Authority brought in a crew and sought to resolve the problem. That seemed not to have worked and, in fact, exacerbated the problem, so that the situation continues apace. I then wrote a letter to the Minister responsible and he responded to me very promptly, but he really did not tell me when the matter would be resolved. He did say that it would be resolved fairly swiftly.

To this date, as I speak, I have gotten a report that the National Housing Authority, using the facility of the Water and Sewerage Authority, sent in a crew. I think that some efforts are being made to rectify the problem. I look forward to a speedy resolution, again, not merely in the interest of the people of Leon and Dorata Streets, or my constituents in Laventille East/Morvant, but in the interest of a common humanity that we all share across Trinidad and Tobago.

I would be very happy if the Minister could report to me today that the situation has been entirely resolved. If not, I would like to hear from him when that is likely, so when I meet with my constituents on Saturday morning at 10 o'clock as I propose to do, I can report to them that their problem has been solved or is well on the way to such a resolution.

I thank you, Mr. Speaker.

The Minister of Housing and Settlements (Hon. Sadiq Baksh): Mr. Speaker, in addressing the concerns raised by the Member for Laventille East/Morvant, with respect to the urgent need for maintenance and repair works on the defective sewerage disposal system of the National Housing Authority apartments situated at Leon Street Laventille, I wish to inform this honourable House that it has always been the policy of the National Housing Authority to hand over all sewerage treatment plants and waste water systems on its housing estates to the Water and Sewerage Authority, the competent authority to handle these systems.

Over the years the NHA has been experiencing difficulties in implementing its policy, notwithstanding the discussions with WASA for the takeover of all water systems. Such discussions are still ongoing. It is my intention, however, to bring this longstanding matter to conclusion. In the interim, NHA pays WASA to undertake repair works on the sewer systems of its many housing estates. With respect to Leon Street, Laventille, the NHA was informed in January that the sewer system in two apartment buildings on Leon Street, Laventille was choked.

Mr. Speaker, it is useful to note that these buildings were constructed in 1963, and as the Member identified, they are now 37 years old. Given the age of the buildings, all systems would have far surpassed their expected lifespan. It was found that pipes to the sewer manhole dropped, and the gradient for proper connection was altered. This resulted in a choked system.

It is extremely difficult to maintain all the apartments under the control of the NHA because of the enormity of the task at this time and the rentals that we charge. Notwithstanding that, the Ministry of Housing and Settlements contracted WASA with regard to the problem. The Water and Sewerage Authority was paid the sum of \$31,000 and supplied with pipes to regrade the lines to the sewer manholes at both buildings.

Repair work commenced on Monday 5, February 2001, and full repairs at Building One were completed. Repair works at Building Two commenced on March 2 and are expected to be completed within three weeks. Maintenance will continue to be undertaken in buildings throughout the system in an effort to renew these buildings and to upgrade them to habitable standards.

Thank you, Mr. Speaker.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 6.49 p.m.