

*Papers Laid**Friday, March 14, 2003***HOUSE OF REPRESENTATIVES***Friday, March 14, 2003*

The House met at 1.30 p.m.

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

1. The Mutual Assistance (Agreement between Trinidad and Tobago and the United Kingdom) Order, 2003. [*The Minister of Health (Hon. Colm Imbert)*]
2. The Mutual Assistance (Agreement between Trinidad and Tobago and Canada) Order, 2003. [*Hon. C. Imbert*]
3. The Mutual Assistance (Agreement between Trinidad and Tobago and the United States of America) Order, 2003. [*Hon. C. Imbert*]
4. The Motor Vehicles and Road Traffic (Amdt.) Regulations, 2003. [*Hon. C. Imbert*]
5. Report of the Auditor General of the Republic of Trinidad and Tobago on the financial statements of the Eastern Regional Health Authority for the year ended September 30, 1999. [*Hon. C. Imbert*]
6. Report of the Auditor General of the Republic of Trinidad and Tobago on the accounts and financial statements of the Project Execution Unit of the Ministry of Housing and Settlements for the year ended September 30, 2000 in respect of the National Settlements Programme as required by Loan Contract No. 584/OC-TT between the Government of the Republic of Trinidad and Tobago and the Inter-American Development Bank. [*Hon. C. Imbert*]

*Papers 5 and 6 to be referred to the Public Accounts Committee.***ANSWERS TO QUESTIONS**

**The Minister of Health (Hon. Colm Imbert):** Mr. Deputy Speaker, with regard to questions for oral answer, the Government will be answering questions 35, 36, 37 and 47. With regard to the written answers, the following answers will be available today—some have already been circulated—25, 29 and 57.

**Mr. Singh:** Mr. Deputy Speaker, question 22 has been deferred on three occasions. It is now some four weeks plus outstanding. It has been the first question appearing on the Order Paper on several occasions and the Government seems incapable of or incompetent to answer that question.

**Hon. C. Imbert:** Mr. Deputy Speaker, question 22 will be answered at the next sitting.

**Mr. Singh:** Mr. Deputy Speaker, on the previous occasion, which was February 14, 2003 you will notice that the asterisk said that questions 22, 27 and 49 were deferred for one week. On a previous occasion it was deferred for two weeks. It seems that this is a complete deferral of a question. Similarly, with respect to the written answers required, question number 22 on the Order Paper and question number 24 under "Oral Answers" have been deferred since February 15, 2003 and the acting Leader of Government Business seems incapable of getting his minister to respond.

**Hon. C. Imbert:** Mr. Deputy Speaker, questions 22 and 24 will be answered at the next sitting.

**Mr. Singh:** Is that a commitment?

**Hon. C. Imbert:** Yes, Mr. Deputy Speaker.

**Mr. Deputy Speaker:** Hon. Members, the question is that question 24 for oral answer be deferred for one week, at which time the undertaking has been given that, on that day, question 24 for oral answer will be answered.

*Question put.*

The House divided:        Ayes    14        Noes    14

AYES

Valley, Hon. K.

Manning, Hon. P.

Imbert, Hon. C.

Robinson-Regis, Hon. C.

Narine, Hon. J.

Williams, Hon. E.

Beckles, Hon. P.

Achong, Hon. L.

Rahael, Hon. J.

Khan, Hon. F.

James, Hon. E.

Hart, Hon. E.  
Calendar, Hon. S.  
Roberts, Hon. A.  
NOES  
Singh, G.  
Yetming, G.  
Persad-Bissessar, Mrs. K.  
Ramnath, K.  
Ramsaran, M.  
Khan, Dr. F.  
Rafeeq, Dr. H.  
Sharma, C.  
Partap, H.  
Lucky, Miss. G.  
Nanan, Dr. A.  
Panday, S.  
Baksh, N.  
Moonilal, Dr. R.

**Mr. Deputy Speaker:** Then the Deputy Speaker will vote to keep the status quo and, as such, I vote that it be deferred for one week. [*Interruption*] By the way, hon. Members, the status quo—the question is to be answered and it will be answered in one week's time.

Hon. Members, in respect of questions for written answer, the question is that questions 25, 29 and 57 be deferred for one week.

**Hon. Members:** No, no. [*Interruption*]

**The Minister of Trade and Industry and Minister in the Ministry of Finance (Hon. Kenneth Valley):** Mr. Deputy Speaker, I just want to consult my team for about five minutes. Could I ask for a suspension of this sitting for about five minutes?

**Mr. Deputy Speaker:** Hon. Members, the sitting of this House is suspended for 10 minutes.

**1.41 p.m.:** *Sitting suspended.*

**1.50 p.m.:** *Sitting resumed.*

**Mr. Deputy Speaker:** Hon. Members, the question is that questions numbers 22, 27 and 49, which are for written answer, be deferred for one week.

*Question put and agreed to.*

*Questions, by leave, deferred.*

#### WRITTEN ANSWERS TO QUESTIONS

*The following questions stood on the Order Paper:*

#### **Water and Sewerage Authority (Monthly Expenditure/Revenue)**

- 22.** Would the Minister of Public Utilities and the Environment indicate the monthly revenue and expenditure of WASA from December 2001 to January 2003? [*Mr. G. Singh*]

#### **National Entrepreneurial Development Company (Loans)**

- 27.** Would the Minister of Labour and Small and Micro Enterprise Development submit, in writing, a list of the names of persons who secured loans from the National Entrepreneurial Development Company (NEDCO) and state the amount of money loaned to each recipient? [*Mr. H. Partap*]

#### **Community Centres (Construction of)**

- 49.** (a) Would the Minister of Works and Transport submit to this House the list of community centres and complexes to be built in fiscal year 2003?
- (b) Would the Minister indicate the dates of commencement of construction and the cost of each such community facility to be built? [*Mr. M. Ramsaran*]

*Questions, by leave, deferred.*

*The following questions were asked:*

**National Entrepreneurial Development Company  
(Staffing details)**

- 25.** Would the Minister of Labour and Small and Micro Enterprise Development provide a list of the names of the members of staff and the positions they hold at the head office of the National Entrepreneurial Development Company (NEDCO) and the branch offices in Port of Spain, Chaguanas, Tunapuna, Sangre Grande, San Fernando, Point Fortin, Moruga, Tobago, Rio Claro and Arima? [*Mr. H. Partap*]

**Director Information Technology  
(Applicant and Interview Details)**

- 29.** (a) Would the Minister of Labour and Small and Micro Enterprise Development provide, in writing, a list of the names of persons who applied for the position of Director, Information Technology in the Ministry of Labour and Small and Micro Enterprise Development and state the ranking given to each applicant by the interview panel and the name of the person selected for the position?
- (b) Would the Minister provide the names of the persons and their respective positions who comprised the interview panel for this contract post?
- (c) Would the Minister provide details of the salary and other benefits payable to the holder of this contract post? [*Mr. H. Partap*]

**Eric Williams Medical Sciences Complex  
(Tender Details)**

- 57.** (a) Could the Minister of Health provide a comprehensive list of tenderers who submitted offers in response to the invitation for the maintenance of the grounds of the Eric Williams Medical Sciences Complex and Mt. Hope Women's Hospital for the current period?
- (b) Could the Minister also indicate the amount of offer of each tenderer and inform this House of the name of the company that was granted the contract?
- (c) Would the Minister detail the reasons which guided the eventual award of the contract and state whether the lowest tenderer was rejected? [*Mr. N. Baksh*]

*Vide end of sitting for written answers.*

## ORAL ANSWERS TO QUESTIONS

**WASA Settlement  
(Legal Matters)**

*The following question stood on the Order Paper in the name of Mr. Ganga Singh (Caroni East):*

- 24.** Would the Minister of Public Utilities and the Environment indicate whether any legal matters were settled by WASA during the period December 2001 to January 2003?

*Question, by leave, deferred.*

**Road Works Completion  
(Madras Road and St. Helena Main Road)**

- 35. Mr. Ganga Singh (Caroni East)** asked the Minister of Works and Transport:

Would the Minister indicate when the pavement works on the Madras Road and St. Helena Main Road will be completed?

**The Minister of Works and Transport (Hon. Franklin Khan):** Mr. Deputy Speaker, works on the Madras Road and the St. Helena Main Road, also called the Caroni South Bank Road, comprise the construction of box drains and sidewalks. The length of the roadways for these construction works is approximately 1,000 metres, and 1,500 metres respectively. During 2001—2002, under the Road Improvement Fund (RIF), 110 metres of box drains and sidewalks were completed on the Madras Road at a cost of \$162,000. On the St. Helena Main Road \$250,000 worth of materials had been purchased under the RIF programme for construction of 240 metres of box drain and sidewalks.

However, due to the urgency for the reconstruction of the Caparo Valley/Brasso Road bridge, which collapsed in November 2002, which was during heavy flooding, the work force was reassigned to carry out and complete works on the bridge. Since then, Mr. Deputy Speaker, works have resumed on this project during the first workweek of February 2003 and is expected to be completed by May 30, 2003. It should be noted, however, that due to the nature of the work, as well as the length of the road for which box drains and sidewalks have to be constructed, the project will continue over the next fiscal year. [*Desk thumping*]

**Landslip Repair Status  
(Mamoral Main Road)**

**36. Mr. Ganga Singh** asked the Minister of Works and Transport:

Would the Minister indicate the status of the works to repair the landslip on the 2½-mile mark Mamoral Main Road?

**The Minister of Works and Transport (Hon. Franklin Khan):** Mr. Deputy Speaker, construction on this project, which is the landslip at the 2½-mile mark Mamoral Main Road, is currently 35 per cent complete and is expected to be completed by mid 2003, around June of this year.

**Mr. Sharma:** Mr. Deputy Speaker, would you permit a supplemental? Is the Minister aware that at this particular landslip there are no signs indicating such and, as a result, it is posing a danger?

**Hon. F. Khan:** I am not so aware but, if that is the case, I will check and, as a matter of haste and urgency, put in the relevant safety signs. [*Desk thumping*]

**Caroni East Agricultural Access Roads**

**37. Mr. Ganga Singh** asked the Minister of Works and Transport:

Would the Minister indicate whether there is an approved programme of agricultural access roads for the constituency of Caroni East for 2003 and, if so, could he give details?

**The Minister of Agriculture, Land and Marine Resources (Hon. John Rahael):** Mr. Deputy Speaker, that question should have been directed to the Minister of Agriculture, Land and Marine Resources, and therefore I take pleasure in responding.

Mr. Deputy Speaker, there is an approved programme of agricultural access roads for the constituency of Caroni East. Rehabilitation works were planned for fiscal year 2003 for roads on the La Trinidad Estate, San Rafael.

**Mr. Singh:** Supplemental, Mr. Deputy Speaker. Is it my understanding that works on only one road, the La Trinidad Road, San Rafael, is the extent of the programme of agricultural access roads for Caroni East?

**Hon. J. Rahael:** Roads on the La Trinidad Estate, San Rafael.

**Mr. Sharma:** Mr. Deputy Speaker, would you permit a supplemental? Is the hon. Minister aware that moneys for access agricultural roads are being used for other projects in the Ministry?

**Mr. Deputy Speaker:** That is not a supplemental question.

**Hon. J. Rahael:** The answer is no, I do not know.

**Agricultural Access Roads  
(Location and Number of)**

**47. Mr. Manohar Ramsaran** (*Chaguanas*) asked the Minister of Local Government:

- (a) Could the Minister tell this House how many agricultural access roads are scheduled for rehabilitation in fiscal year 2003?
- (b) Could the Minister indicate the location of these roads and when the works will commence?

**The Minister of Agriculture, Land and Marine Resources (Hon. John Rahael):** Again Mr. Deputy Speaker, the question should have been directed to the Minister of Agriculture, Land and Marine Resources.

In fiscal year 2003, 13 agricultural access roads are scheduled for rehabilitation. The location of these agricultural access roads and proposed dates of commencement of works are as follows.

NAME OF ROAD	LOCATION/COUNTY	DATE OF COMMENCEMENT
Mt. Lambert Network	Mt. Lambert (St. George West)	January 2003
Catchipal Road	Caura (St. George West)	November 2002
La Trinidad Estate	San Rafael (St. George West)	November 2002
Union Food Crop Project	Mayaro (Nariva/Mayaro)	November 2002
Harrinanan Road	Sangre Grande (St. Andrew/St. David County)	March 2003



NAME OF ROAD	LOCATION/COUNTY	DATE OF COMMENCEMENT
El Recuerdo Land Settlement Road	Sangre Grande (St. Andrew/St. David County)	February 2003
Connelly Trace	Sangre Grande (St. Andrew/St. David County)	February 2003
Coora Road Project	Siparia (St. Patrick)	November 2002
Morgan Trace	Tabaquite (County Victoria)	December 2002
Edward Branch Trace	Siparia (St. Patrick County)	March 2003
Alta Garcia	Siparia (St. Patrick County)	March 2003
La Savanne	Moruga (County Victoria)	May 2003
Moreau	Moruga (County Victoria)	May 2003

Thank you.

#### **KIDNAPPING BILL**

Bill to provide for the punishment of kidnapping for ransom and other related offences and for matters incidental thereto [*The Minister of National Security*]; read the first time.

#### **MOTOR VEHICLES AND ROAD TRAFFIC (AMDT.) REGULATIONS**

**The Minister of Works and Transport (Hon. Franklin Khan):** Mr. Deputy Speaker, I beg to move the following Motion standing in my name:

*Whereas* it is provided by section 100 of the Motor Vehicles and Road Traffic Act, Chap. 48:50 (hereinafter referred to as “the Act”) that the Minister may make Regulations in respect of, inter alia, the better carrying out, generally, of the provisions of the Act and in particular for the inspection of motor and other vehicles at the times, places and manner of such inspection:

*Motor Vehicles (Amdt.) Regulations*  
[HON. F. KHAN]

*Friday, March 14, 2003*

*And whereas* it is also provided by section 100 of the Act that Regulations made under that section shall be subject to affirmative Resolution of Parliament:

*And whereas* the Minister has on the 20<sup>th</sup> day of February, 2003, made the Motor Vehicles and Road Traffic (Amdt.) Regulations, 2003 (hereinafter referred to as “the Regulations”):

*And whereas* it is expedient that the Regulations be now affirmed:

*Be it resolved* that the Motor Vehicles and Road Traffic (Amdt.) Regulations, 2003 be approved.

Mr. Deputy Speaker, this Motion seeks in essence, among other things, to amend the regulations to include certain measures of punitive action for owners who do not go to the private garages for inspection of vehicles that are five years and older. I will give some background to this legislation. Cabinet, by way of Minute No. 965 in 1998, and in an effort to effect measures for vehicular and road safety in Trinidad and Tobago, agreed that the Motor Vehicles and Road Traffic Regulations, made under section 100 of the Motor Vehicles and Road Traffic Act, be amended to allow inter alia for the inspection of private motor vehicles to be undertaken biannually by authorized private garages.

Section 100 of the Act provides that the Minister shall make regulations in respect of all or any matter listed in the Act including, as at paragraph 100G, the inspection of motor and other vehicles and the times, places and manner of their inspection. Such regulations are to be made by the affirmative resolution of Parliament.

Mr. Deputy Speaker, at that time in 1998, the salient details of the amended Regulations were as follows. Regulation 27 was amended to provide that all motor vehicles, whether for public or private use, are to be inspected on a biannual basis once the said vehicle is five years or older. A new regulation, 27A, provided for the authorization of premises so designated by the Licensing Authority to carry out inspections. It further indicated the manner in which authorization was to be sought by prospective owners of such properties or establishments. Another new regulation, 27B, empowered the Licensing Authority, the Transport Commissioner, to appoint premises as private garages as well as suitably qualified persons to be examiners, upon his being satisfied as to their qualifications and/or experience.

Another new regulation, Mr. Deputy Speaker, 27C, set out the conditions under which the aforementioned premises and examiners were required to conduct inspection. Examiners are required to be tested by the Licensing

Authority in order to meet competency standards established by the Authority and must inspect vehicles with the terms of their consent or authorization.

Another new piece of legislation, regulation 27D, established the conditions under which the authorizations of premises and examiners may be terminated by the Licensing Authority.

Regulation 27E, following 27D, made provisions for all the forms, records and documents required for use by the examiner and the premises that must be returned to the Licensing Authority upon termination of their authorization. It continued, Mr. Deputy Speaker, to regulation 27F, which established the procedure by which members of the public, whose vehicles have attained the statutory age limit, may apply to a private garage for inspection. Regulation 27G continued and this set out those conditions under which authorized premises may refuse an application to have a motor vehicle inspected. These included where the prescribed fees have not been paid or where a certified card copy, as evidence of ownership of the vehicle, had not been put forward by the applicant.

Regulation 27H, Mr. Deputy Speaker, set out the conditions as to the liability and responsibility for damage to vehicles as well as third parties during the course of the inspection, that is, the time at which the vehicles would be inspected at the private garages.

Regulation 27I outlined the procedures to be adopted by the examiner upon completion of the inspection.

Regulation 27J, Mr. Deputy Speaker, outlined the procedures to be carried out in such instances where a braking test, one of if not the most important element of the inspection, cannot be carried out in a particular establishment or premises.

Regulation 27K made provisions for the removal of vehicles from private garages submitted for examination at those premises in special circumstances, that is where inspections cannot be completed.

Very exhaustive, regulation 27L set out the procedures for an appeal to the minister by persons who, at the end of their inspection, have been refused the issue of a test certificate.

Regulation 27M, following on 27L, made provisions for the payment of fees for an examination done by the Licensing Authority for the purposes of an appeal.

Regulation 27N set out the prescribed fees for the motor vehicle examination.

Regulation 27O set out the prescribed fees for appeal and regulation 27P made provisions for the proper upkeep of records at premises and for the provision of periodic and regular returns of same to the Licensing Authority.

*Motor Vehicles (Amdt.) Regulations*  
[HON. F. KHAN]

*Friday, March 14, 2003*

Mr. Deputy Speaker, the amended regulations of 1998 also contain other consequential amendments that were not germane specifically to the private garages' inspection regime but had become necessary as a result of previous amendments to the Act as well as replacing outdated and superfluous provisions within the regulations. Here the story started and Members on the other side will remember.

The Motor Vehicles and Road Traffic (Amdt.) Regulations were eventually affirmed by both Houses of Parliament in 1999. It was subsequently discovered, however, that the 1999 affirmation motion of Parliament was flawed for the following reason. In 1997, the Act was amended at section 100 giving the minister with responsibility for motor vehicles and road traffic the power to make regulations, instead of the President who previously had that power. However, the 1999 motion of affirmation was in fact signed by the secretary to Cabinet on behalf of the President who no longer had the power to sign the regulations into law. Because of this, Mr. Deputy Speaker, it became necessary to go back to Parliament to validate the 1999 Regulations.

At the same time, based on a review of the regulations and on empirical and anecdotal evidence of examiners, proprietors and transport officers, it was also decided that further amendments were required to the regulations in order to correct errata and anomalies and to give further legal effectiveness to the Regulations.

Mr. Deputy Speaker, the first new legislative measures, an Act to validate the Motor Vehicles and Road Traffic (Amdt.) Regulations, were passed in both Houses of Parliament in 2001. The effect of this is that the Act was to validate all actions taken under the regulations as if they had effect from the signing of the original affirmation in 1999. Put another way, the flaws were healed, so to speak, if that is an acceptable legal term, in 2001.

The purpose of the amendments before this honourable House today is to include new regulations that carry some punitive measures with regard to the non-compliance of this law and, Mr. Deputy Speaker, I want to draw to your attention the fact that, even though the law was flawed in 1999 because of the way it was affirmed, this was in fact corrected in 2001. So, from 2001 to 2003, this country had an effective law that people who owned vehicles that are five years and older should go to the private garages for inspection. For the last 18 months to two years, very few people in this country, if any, saw it fit to go to the private garages to inspect their vehicle.

I look at this matter very seriously, Mr. Deputy Speaker, because the people about whom I speak, I know some of them. They are doctors—[*Interruption*] It is

not only poor people. They are doctors, they are lawyers, they are businessmen, they are money men, they are wealthy people, they are Africans, they are East Indians, they are Chinese, there are even pastors I know who have refused to inspect their vehicles where there was an effective law in place, only because there were no punitive measures to charge you if you did not so do. *[Interruption]* I will come to that shortly.

Mr. Deputy Speaker, the Motor Vehicles and Road Traffic (Amdt.) Regulations, 2003, the subject of the Motion before the House today, seeks to do the following. Regulation 27 now makes it a criminal offence for a registered owner of a motor vehicle, if he fails to produce his vehicle for inspection or drives a vehicle without obtaining an inspection sticker or test certificate. An owner becomes liable on summary conviction to a fine of up to \$5,000. It is further a criminal offence to fraudulently use an inspection sticker or test certificate without proper authorization to do so and persons caught so doing are liable, upon summary conviction, to imprisonment of up to one year and fines of up to \$15,000.

Regulation 27A is amended to make further provisions for the process by which authorization to examine vehicles may be renewed by the Licensing Authority. Examiners and owners of premises that fail to renew authorizations within the specified time must return all unused documents or face criminal sanction.

Mr. Deputy Speaker, another amendment, regulation 27C, is amended in order to streamline the process by which proprietors are required to notify the Licensing Authority of all examiners under his purview. My information, as was hinted by the Member for Siparia, is that section 91 of the Motor Vehicles and Road Traffic Act provides for a general penalty in those areas of the Regulations where an offence is not specifically provided for. This penalty was \$1,000 fine or imprisonment of up to six months. These regulations that I have just outlined now provide for specific offences and specific penalties that fit the nature of the offences. *[Interruption]*

Yes, Mr. Deputy Speaker, however, I have been told by the legal fraternity, and from experiences by the transport officers, that magistrates are reluctant to persecute offences under section 91 of the Act by virtue of the fact that no specific offence has been provided for. By introducing specific offences in these regulations, this situation is now being addressed. So, Mr. Deputy Speaker, we are making specific regulations under specific offences to charge people who do not comply with the Regulations.

Regulation 27M is amended to fortify the appeal procedure. The proprietor of premises must now refund to the Licensing Authority the cost expended by an

*Motor Vehicles (Amdt.) Regulations*  
[HON. F. KHAN]

*Friday, March 14, 2003*

applicant of a successful appeal. Regulation 27O is amended by making the Licensing Authority the proper authority to hear appeals, rather than the minister as was previously stated. The remainder of the amendments, Mr. Deputy Speaker, are divided into two basic categories: those amendments where terminology is corrected and substitutions are made and the other category is further consequential amendments as a result of the more subsequent amendments in the Motor Vehicles and Road Traffic Act.

So, Mr. Deputy Speaker, as I said, the reason for these amendments to the legislation is to bring specific punitive action for vehicle owners who own vehicles over five years and who have not been complying with the law, to make it more effective so that we can have a better situation on our roads. We all know that we continue to face the challenge of traffic management and road users, and roadworthy vehicles are an important component of this equation. These amendments to the legislation are obviously a step in the right direction and this is one of the many issues that we will be bringing to the fore in terms of improving road user consciousness and awareness in Trinidad and Tobago.

Mr. Deputy Speaker, I beg to move. [*Desk thumping*]

*Question proposed.*

**Miss Gillian Lucky (Pointe-a-Pierre):** Mr. Deputy Speaker, I must begin this afternoon by indicating my amazement not only at the actions of Members on the other side but more specifically at the justification that has just been given by the hon. Member for Ortoire/Mayaro for bringing this particular Motion within these walls today. It would be remiss of me if I stood in my place and said nothing because clearly, after the contribution made by others and me on this side, it will be a continuation of the display by Members on the other side of the abuse of power and process taking place in the Republic of Trinidad and Tobago. [*Desk thumping*] That is not said, Mr. Deputy Speaker, for dramatic effect because there are many who give me a lot of media coverage even when I do not speak and therefore I can only hope now that when I speak I will get even more. [*Desk thumping*]

Mr. Deputy Speaker, you know, it is said that imitation is the sincerest form of flattery and last week Members on the other side certainly chastised us when we walked out of Parliament based on a justifiable cause but I did not know that they were going to follow us this week. The only big difference is, they had no justifiable cause. Clearly it was a case of not doing their homework and hoping—bearing in mind the ruling which I in no way intend to overturn, because I considered I have learned today. I thought that maintaining the status quo, Mr. Deputy Speaker, meant that if a question was to be answered it would be answered.

**Mr. Deputy Speaker:** Hon. Member, I have made a ruling and I would appreciate if you do not question the ruling. [*Interruption*] Please, hon. Member, that does not form part of the debate. It is not relevant and I ask that you cease and do not refer to it any more.

**Miss G. Lucky:** Mr. Deputy Speaker, I will be bound by your ruling, however, I was not challenging it in any way and I just want that to be put on record. In fact, I was actually indicating that you, as Deputy Speaker, had made a ruling and that I was abiding by it, bearing in mind you, as Deputy Speaker, are deemed to know what the Standing Orders are and parliamentary procedures. We are bound, [*Desk thumping*] in the same way that we are going to show the Member for Ortoire/Mayaro that there are lawyers on this side who understand the law and merely standing up and parading and saying that the legal fraternity—and, Mr. Deputy Speaker, being a defence attorney and having been retained by the State, incidentally, to represent the State in prosecutions, getting fiats to prosecute is a very important rule of disclosure. So I am sure that the hon. Member for Ortoire/Mayaro, in the normal level and degree of transparency and accountability, will indicate the members of the legal fraternity to whom he spoke and the magistrates to whom he is referring, who have indicated that, despite the law, they are going to break the law and that they are not enforcing it. [*Desk thumping*] That is transparency. That is accountability. [*Interruption*] Yes, I will slow down because I intend to educate the public because it is clear that the other side does not want to be educated.

There is a new attitude in this country ever since the governance of the PNM in 2001 and we had the 18/18. That is why when the hon. Minister and Member for Ortoire/Mayaro indicates that the time period during which this law was not obeyed was 2001 to 2003, even though we had an effective law that was not being enforced, he should ask himself the question why. I answer it today, Mr. Deputy Speaker, by saying that during that time period of non-compliance we had and continue to have in government an administration that is not prepared to adhere to the law, an administration that is not prepared to listen to anyone, an administration which, as far as it is concerned, can do what it wants. [*Desk thumping*] We will not allow it on this side. Let me get right to the point. [*Interruption*] San Fernando has produced great things and I consider that I am one of them, and so is the hon. Member for San Fernando West. She just sits on the wrong side.

Yes, Mr. Deputy Speaker, [*Holding up document*] this is the Motor Vehicles and Road Traffic Act and the only aspect of the law—and I see the hon. Member

*Motor Vehicles (Amdt.) Regulations*  
[MISS LUCKY]

*Friday, March 14, 2003*

for Ortoire/Mayaro is busy looking for his technocrats who have the law with them. Do not worry, hon. Minister. I know you are not an attorney. They will advise you accordingly and they will also tell you that when I worked in their department I never misled this country on the law and, if ever I was wrong, I was shown that I was wrong and I conceded readily. That is the level of credibility of the people on this side. [*Desk thumping*]

Mr. Deputy Speaker, section 91(2) of the Motor Vehicles and Road Traffic Act states, and I quote:

“Any person who contravenes the provisions of any Regulations made under this Act is, unless otherwise specifically provided, liable to a fine of one thousand dollars or to imprisonment for six months.”

If the Member for Ortoire/Mayaro has friends who are doctors, lawyers and whichever else professionals who were not obeying the law, it was his duty to point out to them that it was the law and they ought to have obeyed the law. If you have friends who are prepared to disobey the law, then you should really check who your friends are. [*Desk thumping*] I cannot stand idly by and watch people just flagrantly disregard the law.

What this shows, and the drafters of this parent Act—if I may so refer to it, and I will refer to it in my contribution as the parent Act—recognize, is that Regulations will change from time to time. That is exactly what the UNC administration also recognized, so that when provision was made via the several amendments to the regulations—and regulations and amendments do not just take place under one regime, they have taken place ever since this Act, in fact, became the law, but the recognition by the drafters and the reason for section 91(2) is as the regulations change there must always be a provision to cater for those new regulations, a provision in which a penalty was imposed. So let me put the law forthrightly.

This law in existence dealing with the need to have motor vehicles five years and older inspected was good law when the last amendment was made and the deficiency cured under the UNC administration. What the hon. Minister must do is not blame the magistrates and use hearsay evidence that comes from his suspicious persons or ghosts in the legal fraternity but he must stand squarely and fairly and say that he is going to ensure now the enforcement of the law. There was no need to bring any punitive action unless—and I hate to give ideas to the other side but bringing legislation to make amendments to the parent Act could have done it. I am sure that when your technocrats look at the law—and I will say



nothing bad about state attorneys or technocrats who work with the State because I too worked there. I know when I was there they were very committed and hard working.

What I would indicate is I am sure that they are advising you and, yes, I see that the hon. Member for Ortoire/Mayaro is in fact walking down, perhaps to remind them that they will have to advise him on this point but, clearly, what has happened here is that the Government of the day has recognized they have to come up with some little excuse for the non-enforcement of the law and they seek once again to blame the United National Congress. May today be a lesson for them to learn that when you point one finger toward the other side three fingers are pointed back to you, a point always made by the Member for San Juan/Barataria in his contribution. [*Desk thumping*]

So, Mr. Deputy Speaker, in the first instance—and I will take it through the various stages because I am so sure that my position in law is right. You see, unlike others on the other side, who, when they decide to make big moves, like move Parliament from the Red House and put it elsewhere, they do not listen to other people, they do not find it necessary—the same way in which the hon. Member for San Fernando East has indicated that if there is war in Iraq our economy is going to do so well because there will be increased oil prices, even though the honourable Governor of the Central Bank is saying otherwise. He is saying that, if there is any war, this impending war will negatively affect the economy of Trinidad and Tobago and the region but nobody listens to the other side and therefore I am not really addressing the other side. I am addressing those who this law will affect and it really affects the Member for San Fernando East because, Mr. Deputy Speaker, only recently he pointed out that he has a PBC Mazda and, based on that registration number, that vehicle must be more than five years old. He apparently is not as fortunate as his other friends who have Benzes and BMWs so I want to do my duty and ensure that I advise my Prime Minister correctly. [*Interruption*]

Mr. Deputy Speaker, having pointed out what—[*Interruption*]

**Mr. Deputy Speaker:** Hon. Members, would you please—the Hansard reporter is just signalling that she is having some difficulty. Could you please be quiet?

**Mr. Ramnath:** She is very competent. I have known her since 1976.

**Miss G. Lucky:** Mr. Deputy Speaker, having indicated the provision section, 91(2), which clearly provided the necessary punitive action should there have been any breach [*Interruption*] of the relevant regulation dealing with the need to

*Motor Vehicles (Amdt.) Regulations*  
[MISS LUCKY]

*Friday, March 14, 2003*

have motor vehicles inspected, I wish now to point out the problems that are going to be caused if this particular Motion is in fact affirmed today, and I will tell you why.

When one looks at the proposed amendments to the regulations, one realizes that one will see that the punitive action—and three areas are to be highlighted by the Member for Ortoire/Mayaro, Mr. Deputy Speaker, and, in these three instances, under the regulations there will now be the imposition of, in two instances, either a term of imprisonment and/or a fine and, in one instance, a fine only. When therefore a sitting magistrate—already traumatized by the fact that they may be moved from the Port of Spain Magistrates' Court and, if they are, whether they can fit in Trinidad House, so while they have that particular trauma imposed by the other side because of their arrogance and because they refuse to have any consultation with those who know more and better—a magistrate who is already bombarded on a daily basis with a Magistrates' Court list that has over 200 cases on it and now the time comes for the magistrate, if a person is found guilty, to impose a sentence, the magistrate now has to determine, “Do I impose a sentence under section 91(2), which talks about a fine of a \$1,000 or to imprisonment for six months, or do I go to the Regulations and make the determination based on what is provided?” There are those who may say, “Well, easily, look at the particular regulation” because the explanation given by the hon. Minister and Member for Ortoire/Mayaro is that this is a specific offence for which there is a specific penalty provided.

However, for those of us, like the Member for Princes Town, who practise law, not bush law, but practise law on a daily basis, we would recognize that the magistrate could be faced if even not with that confusion in the lower court but certainly an appeal of the decision, because a lawyer would indicate that because there are two competing penalties now, the magistrate might have guided him or herself and imposed a sentence based on what is proposed in the Regulation as opposed to doing that which is correct and imposing what is provided for in section 91(2).

Mr. Deputy Speaker, I make the point again. If, as the hon. Member for Ortoire/Mayaro has indicated, there was need to get compliance of the law because people were not obeying it and a further justification, Mr. Deputy Speaker, given, is the fact that the penalties needed to be stiffer, then what ought to have been done, as I mentioned before—and I repeat it only for the sake of emphasis—is that the amendment should have been made via legislation to the substantive Act, that is, Mr. Deputy Speaker, the parent Act, [*Desk thumping*] and it is not too late to admit that a mistake has been made.

Mr. Deputy Speaker, I do not want to distract the Member for Ortoire/Mayaro, who is no doubt getting legal advice from his colleague, but I would indicate further one challenge to be met by an already bombarded court system. I am out of the Magistrates' Court now, so I am no longer visualizing myself on St. Vincent Street because I might have to be visualizing myself in Trinidad House soon. [*Desk thumping*] I am now visualizing the Hall of Justice in Port of Spain or San Fernando and what is going to happen is that convicted persons will bring actions challenging whether, if they have been sentenced according to the proposed penalties in the regulations, that regulation imposing the penalty was in fact an ultra vires exercise of the power of the Minister. Put in the layman's term, it is going to be argued that the Minister acted outside of his powers, not by the passing of regulations or the amendment to regulations but by imposing a penal provision or regulations that impose some kind of sentence.

Mr. Deputy Speaker, I do not speak in a vacuum. What I do is try to advise myself and listen to others who know more. A very important point was made when I was advised to look at previous regulations that have been passed, not only by the UNC, the PNM, the NAR or any other administration, but to also look at instances where other regulations have been passed and whether, in fact, when these regulations were passed, there was any penal aspect to those particular regulations. One of the documents I looked at was Legal Notice No. 228 of 1999, Mr. Deputy Speaker, and when I recognized that regulations were made, what was done is actually a restatement of the existing penalties in section 91(2), that is, it ended in that Legal Notice by saying:

“A person who contravenes any of the provisions of these regulations is liable on summary conviction to a fine of seven hundred and fifty dollars (\$750.00) and on any subsequent conviction to a fine of one thousand dollars.”

I know you said not to mention it but I mention it in a different way. The Regulations that I have just referred to, Legal Notice No. 228 of 1999, did not change the status quo with respect to the penalty that existed. [*Desk thumping*] Mr. Deputy Speaker, I see you smile so I know that you recognize I have not done anything out of your order.

There is yet another problem—so many problems—and I hope that I do not have to go through all before the hon. Member recognizes he owes this nation a concession and perhaps a retraction of some of the arrogant statements that were made blaming the UNC for non-enforcement of law. What ought to have been said instead is that the Government has no set policy, the Government does not know how to use its resources and, due to mismanagement, the law could not be

enforced. Sometimes an admission is good because it gives you something called mitigation in sentence, as you would know, Mr. Deputy Speaker.

Let us go to the next problem. The hon. Member for Ortoire/Mayaro seemed very proud in indicating that there would be stiffer penalties imposed. Again I make the point that it is rather unfortunate that Members on the other side do not listen to those who may have more knowledge and expertise on areas in which they seek to pass legislation because just on Tuesday—and I am not going to breach any Order by referring to the debate in any great detail, or in any detail at all, but I want to point out that I do not want to be guilty of breaching the copyright or taking a point that was not my own, but when I looked at this particular point I am about to articulate, I recognize that it was also ventilated quite articulately, not surprisingly, by the hon. Sen. Dana Seetahal in the Senate when she was pointing out that of the three provisions which the hon. Member for Ortoire/Mayaro indicated to this honourable House today in the three regulations that will be imposing the penal provisions, only two of them are worded in a way that an alternative sentence is given. In other words, one of those three proposed amended regulations makes provision for a fine. That particular regulation is in fact regulation 27B(5), a proposed amendment, and it says as follows.

“A person who fails to comply with subregulation (4)...”

That deals, Mr. Deputy Speaker, with the provision dealing with the inspection of a motor vehicle, so:

“A person who fails to comply with subregulation (4) commits an offence and is liable, on summary conviction, to a fine of five thousand dollars.”

Now, the first glaring issue is, why if the hon. Member for Ortoire/Mayaro has justified the need for this particular amendment ought there to be stiffer penalties in order to ensure compliance? Why for this very basic offence, that is, if somebody does not comply with subregulation (4), is there no alternative to a fine contained in this particular subregulation number (5)? What it means is that if a person does not adhere to the regulation to have his or her vehicle checked then in breach of this particular subregulation the maximum penalty is \$5,000 only.

What is now ridiculous is that what presently exists in the law is section 91(2) which is already indicating that any person who contravenes the provisions of any regulation in the Act would have had to face a fine of \$1,000 or imprisonment for six months and here in a proposed regulation there is no alternative that is put into the regulation, meaning that a magistrate who would have had the power before to either impose a fine or an alternative sentence of imprisonment for up to six

months is now hamstrung or restricted and can only impose a fine of up to \$5,000. That just goes to show lack of proper preparation and understanding. That explains why the walkout took place today, [*Desk thumping*] to get your house in order before coming to this honourable House. Let us not insult members of the public who listen to us, who come here and sacrifice their time, and also members of the media.

**2.35 p.m.**

Mr. Deputy Speaker, that is going to be another problem. What if a magistrate gets confused? And it does happen, because just like attorneys or ministers, they do not know everything. If it is argued that the magistrate, in this particular instance, can still impose an alternative sentence, I want to put it clearly on the record that cannot happen, based on the Summary Courts Act, Chap. 4:20. You know, coming to think of it, if only the hon. Member for Ortoire/Mayaro had sought to retain me *pro bono*, meaning that he would not have had to pay some of the exorbitant fees we have seen paid to attorneys in private practice, I would have guided him accordingly. [*Desk thumping*] If only he had asked; if only he had not been arrogant. I should say “hon. Member”, I should not refer to you as “he”. If only the hon. Member had consulted me, I would have done it, because I do like his smile and I need many roads fixed in my constituency. [*Desk thumping*] I know that smile this afternoon is one of embarrassment, because the hon. Member is also going red in the face; unless he feels very complimented by the fact that I said how much I love the way he looks. [*Desk thumping*]

Mr. Deputy Speaker, section 68(1) of the Summary Courts Act states:

“Where, by any written law, the Court is empowered to impose a penalty for a summary offence, or where under this Act or any other written law a sum enforceable as a civil debt is adjudged by the Court to be paid,...

And I just hasten to add, as you recognize from my reading, that does not apply, it is not a civil debt.

“it may, in the absence of an express provision to the contrary in the same or any other written law, order a defendant who is convicted of such offence, in default of payment of the sum of money adjudged to be paid by the order, either forthwith or at the time specified in the order, as the case may be, to be imprisoned in accordance with the scale set forth in this section.”

All this simply means, hon. Member for Ortoire/Mayaro—and, Mr. Deputy Speaker, I know you would know this, and those who are listening—is that a

*Motor Vehicles (Amdt.) Regulations*  
[MISS LUCKY]

*Friday, March 14, 2003*

magistrate does have a power in a situation not to impose what is an alternative sentence, but to indicate—and let us use this particular legislation as a case in point—that a person found guilty would be made to pay, let us say \$3,000. If the fine is \$5,000, the magistrate can impose a fine up to \$5,000, so I am just using an arbitrary figure of \$3,000. I thank the Member for nodding, because it means, at least, that he is following the point.

What the magistrate can order is a fine of \$3,000 to be paid or, in default, a certain number of months' imprisonment. Even how much can be paid is statutorily provided for, that is, in default. Based on the very section 68(2), for a fine or a sum of money of \$5,000 the period that is imposed in default will be not more than nine months. In other words, what that particular regulation does by simply imposing a fine is allow a magistrate only to make an order that, in default of the payment of the said sum, using this schedule as indicated in section 68(2) of the Summary Courts Act, Chap. 4:20, a certain number of months will be served.

What would happen in most instances, of course, is that the guilty party would pay the fine and, therefore, that sentence of imprisonment would not come into operation. It is important that the hon. Member seeks to find in his response some justification for this, because based on section 91(2) a power which the magistrate would have had and still has under this particular section, has actually been removed, that is, if one might say, in an original statutory jurisdiction, to grant or to give a term of imprisonment. That is something that ought to be addressed in light of the fact that in the other two regulations in which a penal provision is provided, there is the alternative. I am referring specifically to 27B, No.6 in which it is summary conviction for imprisonment for one year and a fine of \$25,000, and also 27(3), No.12 which states that if somebody commits that type of offence, it is summary conviction to imprisonment for one year and a fine of \$15,000.

I cannot make the point any clearer. I can only ask that we on this side not be treated in the same manner that the Chief Justice of this country had been treated when he had not been consulted [*Desk thumping*] and the thousands of Caroni workers who were outside Whitehall, which I understand will soon become an amusement centre. In my view it is already an amusement centre based on what happens there, no need to change, [*Desk thumping*] so the status quo is remaining. [*Interruption*]

Mr. Deputy Speaker, I am careful. Warnings are not even taken, because when there are advisories placed on the Internet, instead of dealing with them as advisories, somehow they on the other side shake so much they deal with them as threats; and envoys and convoys are sent all over to say, "Withdraw".

**Mr. Deputy Speaker:** Hon. Member, please stick to the Motion.

**Miss G. Lucky:** I am trying to show the relevance of listening, because when we do not listen, bad things happen, not just to those who do not listen, but to everybody. [*Desk thumping*]

**Mr. Deputy Speaker:** I am listening to you.

**Miss G. Lucky:** That is why bad things are not happening, because you are listening. [*Laughter*]

The simple point I am making is that if we listen and we do not treat everything as a threat but, rather, as assistance, as when the hon. Member for Couva South gave a warning and advice suggesting protection, we would not have had a headline that worried me today, “Run Rahael Run”. [*Desk thumping*]

**Hon. Member:** Run with “yuh” Reebok.

**Miss G. Lucky:** But unlike Forest Gump—for those of you who know that award-winning movie—it was “run Forest run” and he had to run on crutches—the good news is I am sure the hon. Minister can run on Reebok or any other type of shoes that are available. [*Desk thumping*]

**Mr. Ramnath:** That is the smoke; the fire is yet to come.

**Miss G. Lucky:** He will have to run faster then. This Government should not be too happy about running, because the running that is taking place is the running down of the country. We on this side will not allow the citizens of this country to be run down and treated in a harsh and oppressive manner.

Mr. Deputy Speaker, if I might just make a correction to the hon. Member for Ortoire/Mayaro; perhaps it was a slip of the tongue, but in his presentation he spoke about “persecute”. Persecution does not take place in the Magistrates' Court, it is prosecution. [*Desk thumping*] Therefore, when you say “persecution” you are suggesting that people who go before members of the Judiciary and Magistracy are, in fact, not being treated fairly. Based on the fact that the hon. Member for San Fernando East has not consulted the Chief Justice on the proposed move of the Magistrates' Court, we do not want the comments, of course, to affect the public's perception as to what would happen to them if they go to the Magistrates' Court anywhere throughout Trinidad and Tobago.

The hon. Member spoke about the need to deal with the integrity of vehicles. I think, in synopsis, that is what he was saying, the need for this kind of amendment to a regulation. We on this side are in full agreement with that; bearing in mind

*Motor Vehicles (Amdt.) Regulations*  
[MISS LUCKY]

*Friday, March 14, 2003*

the number of vehicles on the road, we have to ensure that those vehicles are in a roadworthy condition.

In addition to ensuring the integrity of the vehicles that travel on our roads, we should also be very concerned about the integrity of the persons who travel in these vehicles. The hon. Minister makes it clear, and he is right, that under section 100 he has the power to make regulations, and I am insisting again, regulations dealing with policy and what is taking place in section 100, but not regulations giving him the authority to impose penal aspects in a regulation.

In being concerned about the integrity of vehicles, the hon. Member should remember that we are also concerned about the integrity of the persons to whom bus passes are given. [*Desk thumping*] That is why I am so concerned about the integrity of the person in the name of Yasin Abu Bakr who has now gotten a Priority Bus Route pass. So that when thousands of people who are law-abiding citizens and who do not have to take any responsibility for the little holes that we see here within these wonderful walls of the Red House [*Member points to Chamber window panes*] which could have been patched up, are in the traffic as they wait on the interchange, the reality is that there are other persons who have broken the law and are driving up and down, passing police officers who are supposed to enforce the law, and judges who are supposed to make findings of facts in justice. [*Desk thumping*]

Hon. Member, you must always remember that even though you are given a power or discretion, you must also remember to exercise it in a fair manner of which you can be proud. That decision which you made is not one of which you should be proud. That is not my view alone, but the view of the majority of persons in Trinidad and Tobago. Take it from me. [*Desk thumping*]

**Mr. Ramnath:** That is the “fella” who abused Rowley on a public platform.

**Miss G. Lucky:** I am just going back to the point that was actually raised by the Member for Ortoire/Mayaro, when he spoke about the breakdown of the law and the fact that from 2001—2003 the law was not obeyed. I had made the point earlier in my contribution that it was because of the breakdown in society; it was because of the example set by those who were in governance at that time, more specifically, the administration that now sits on the other side. Therefore, in this regard, I was really pleased with the Member for Arima who was commended for her performance at a recent event in which they were raising money. When I heard about her calypso performance, then I remembered my days when she was my senior at St. Joseph’s Convent, San Fernando, where I went for two years. I



remember that was nothing new; I always knew about the hon. Member's ability. But whereas she was singing a calypso and really entertained the crowd and did a very fine job, I thought of two other calypsos that really would explain what is happening.

**Mr. Deputy Speaker:** Where is the relevance?

**Miss G. Lucky:** Mr. Deputy Speaker, the relevance is I am explaining why that law was not obeyed, the regulation that was in existence with all the punitive action. I am pointing out that the best way I can explain it is to actually make reference to calypso, and bearing in mind that I was going to make reference to these two calypsos, I thought that I would take the opportunity to commend the hon. Member for Arima, who is not here right now but, certainly, I am sure my accolades would go back to her. [*Desk thumping*]

One calypso I remembered was Machel Montano's, before he grew up to be the dynamic performer he is today, when he spoke about the letter and young students who were following in the footsteps of their teachers. What was happening in society and what continues to happen is that people are flagrantly breaking the law, following in the footsteps of the leaders on the other side. More than that, if you remember the calypso, "Follow the leader, leader, leader", that is exactly what is happening: break the law; do not comply with the law; do what you want to do; say at one time you were not discourteous—[*Interruption*]

**Mr. Deputy Speaker:** Hon. Member, those statements are going to carry us in a direction in which I am going to stop you. Believe me, I am seeing the answers to that; please.

**Miss G. Lucky:** I am so guided, Mr. Deputy Speaker. I think I have made it very clear as to the real reason for the non-compliance with this law. I just wish to point out that there is a mistaken belief by many Members on the other side that imposing stiffer penalties and passing more laws automatically means that the laws not only get more strength, but by enforceability the laws are made easier.

When we look at these proposed regulations and even the regulations that exist, and the fact that there has been non-compliance or limited compliance, the concern remains: How will the present resources deal with it? It is good enough to say that there will be computerization of records and that licensing officers will get the necessary resources that they need, but the law has to be enforced now. Clearly, even though we might have had two days of a crime-free carnival, we have to ask ourselves: Is that crime-free, if it was, situation sustainable with resources that we have? The answer is a resounding, "No", because the limited

*Motor Vehicles (Amdt.) Regulations*  
[MISS LUCKY]

Friday, March 14, 2003

resources that we have in the police service will now have to ensure that they are on the roads making sure that people are complying. Magistrates' Courts—and there are traffic courts in the various magistrate districts—will now be getting more cases before them. Based on the present attitude of this administration, not only with moving courts, but not providing adequately, what worries me today is not only the abuse of power, but the fact that this law will not enjoy the enforceability that it should have enjoyed a long time ago when those Members were, in fact, in government. [*Desk thumping*] It is really not enough to lay blame.

Mr. Deputy Speaker, this is my conclusion. I refer to an article which I read on page 2 of the *Guardian*, Monday, March 10, 2003 where the hon. Member for San Fernando East is quoted as saying:

“Manning even described the UNC as politically unnecessary to the affairs of this State. ‘If they want to stay out, let them, stay...they are largely irrelevant to the politics of Trinidad and Tobago anyway.’”

Let me end by saying that I am convinced that in my contribution today, I not only showed the relevance of the Opposition to the politics but, most importantly, our relevance and pertinence to the people of Trinidad and Tobago. [*Desk thumping*]

The hon. Member for San Fernando East can say or do what he wants, the reality is we on this side now find ourselves in the same category as these esteemed persons: the Chief Justice, the Caroni workers and everyone else, who are willing to contribute, share and have discussions, even if at the end of the day their ideas are refused, but willing, at least, to be part of a dynamic change in Trinidad and Tobago and are being refused.

I can only hope that after my contribution today and the others who will follow after me, the hon. Member for Ortoire/Mayaro will not only listen, but will make the necessary amendments to his own Motion. [*Desk thumping*]

I thank you.

**Mr. Chandresh Sharma** (*Fyzabad*): Mr. Deputy Speaker, thank you for recognizing me and I trust today that you will treat me a little better than you treated me on the last occasion. I promise to conduct myself in a manner to obtain your continuity.

Let me congratulate both speakers so far. It is crystal clear that the Member for Ortoire/Mayaro does not know what he is about; that is when friendship comes in the way of ministerial appointment. Of course, the Member for Pointe-a-

Pierre made a very valuable contribution in terms of the legal submissions available. The question really is: Why this piece of legislation at this point in time? Is it that the Government has no other vision? Is it that the Government has nothing else to do? So much is happening around us: thousands of workers are being sent on the breadline.

When we entered the Parliament building earlier today there was a vagrant sleeping right on the pavement outside. The Government has no care and concern for these people. Hundreds of families are without pipe-borne water. Why this piece of legislation? I would tell you why this legislation comes here today. After his Cabinet meeting yesterday, the Prime Minister indicated to the press that was present, it is reported in today's *Guardian* newspaper, "Shut down plan doomed". What was he referring to? Look at the sequence of the timing; I am going to relate it directly to the Motion in front of us.

He indicated that the UNC's plan to shut down South and Central Trinidad would not succeed. Is the Prime Minister God to know this? I will tell you why he is saying this. The intention of the Government is to stop all those motor cars that are going to be part of this protest. [*Laughter*] [*Desk thumping*] There is absolutely no other reason.

**Mr. Deputy Speaker:** Hon. Members! [*Desk thumping*] The hon. Member for Fyzabad is making an important point. [*Laughter*] [*Desk thumping*]

**Mr. C. Sharma:** So we see why this Motion is before the Parliament today. The Government really has no vision. Let us look at what obtains: the Minister apparently did not consult with his colleagues simply because they are fighting for contracts and for who is making or not making deals. The Members opposite, particularly the Members for Diego Martin East and Diego Martin Central, had identified some very valuable points to which the former government responded on the last occasion when this matter came for debate.

As indicated before, this matter first came up in 1993. It was presented by the then Minister of Works and Transport. The Member for Diego Martin Central argued, "Why not 10 years for checking vehicles?" In fact, he argued that public servants obtained loans for a six-year period so they should consider testing the cars every six years; that was the PNM speaking. Why did the Member not take that into consideration in presenting the Motion today?

On the last occasion the Member for Diego Martin East asked what would happen with a garage that the Transport Commissioner decided to close down? What redress would obtain? The Minister has not indicated anything; in fact, he

*Motor Vehicles (Amdt.) Regulations*  
[MR. SHARMA]

*Friday, March 14, 2003*

has not treated with it. It is very clear that the Government is not prepared. It is without a vision; it just came to the Parliament to buy time. They are going to punish people.

The Prime Minister said yesterday that the country could expect a windfall if war breaks out. It is very unfortunate that we are looking for a windfall from war, but, more than that, if such obtains then ships will not be able to bring car parts to the country. How are we going to maintain all these cars? The Member for Diego Martin Central argued on the last occasion that the country has a lot of cars; that number has increased. The Member for Ortoire/Mayaro says that we have 400,000 cars now. What is the real intention?

Let us look at what is going to contribute to all of this. What is the role of the other agencies, for instance? The Minister has not identified with some of the questions asked in the Parliament earlier today. You would have observed that a number of roads and bridges are not being repaired; access roads are not being repaired, so cars are going to break down because of the Government's failure to do these repairs and then these very people will be charged \$5,000.

**Hon. Member:** Especially in the UNC areas.

**Mr. C. Sharma:** Then there is the question of the Community Environmental Protection and Enhancement Programme (CEPEP). While some of the work done by CEPEP needs to be noted, I saw in the newspapers that a number of people are concerned that the removal of the grass and shrubs from the sides of roads will cause the roads to collapse, which will lead to damage of cars. The Government's work is going to cause a lot of pain and suffering. [*Crosstalk*]

On the last occasion, Members of the PNM argued that they wanted a grace period; the Minister said that there will be no grace period. Citizens of Trinidad and Tobago will be required to take their cars for inspection—no problem. The PNM argued that it should be for cars over 10 years. More than 10,000 workers are going home without any jobs. How will they maintain their motor cars? [*Laughter*] [*Desk thumping*] So you see that it is a plot by the PNM, calculated to cause a particular kind of action.

Yesterday or whenever it was, the Prime Minister said that \$400 million will go to CEPEP; again, it begs the question: Since the workers of CEPEP are going to cause much damage by the removal of shrubs from the sides of the roads and there is no money to fix the roads and bridges, what are we going to end up with? The Government on the other hand is really trying to obtain money from the 400,000 car owners in this country, by making sure they cause those cars to fail at

the inspection sites. The Government is creating fear and when fear is created, it causes withdrawal. So they are hoping that this fear they are creating will cause people to sit back, but the opposite is happening. In fact, you would have observed that yesterday at a particular place. Most of those people came by foot, I understand. [*Laughter*] [*Desk thumping*]

The Minister, having presented this particular Motion in another place, indicated that officers will be out in full patrol almost immediately. This begs the question: Why did he not present it there so that the grace period could be considered? Members opposite, in an earlier time, argued for a grace period. So the first submission I want the Minister to consider is the grace period. The PNM must not continue to use the Parliament to punish people of Trinidad and Tobago, and this is extremely important.

The Minister made reference to section 148(50) and talked about amending the regulations. Whatever regulation comes to the Parliament must always be in the interest of the wider community. There has been no consultation with car owners or garage owners. In fact, it was the PNM who argued that there were too few garages. I remember the Member for Diego Martin East, in particular, arguing that, perhaps, some of those garage owners were associates of the UNC. The Minister has not told us how many garages have come on stream since.

On the last occasion, the Member for Diego Martin East said that there were 250,000 cars and only 44 garages. We now have 400,000 cars. How many of these garages have gone to PNM friends? Does it mean that if a UNC member goes to a PNM-controlled garage, from the time the garage owner realizes he or she is UNC, he would fail the car inspection? That is what they argued on the last occasion; let us turn it around. Today, they have given licences to their friends, so you might have 50 garages waiting to fail UNC car owners. [*Crosstalk*]

I saw in the news yesterday and today that there is a concern about the water supply in the country. How does this relate to this particular Motion? A lot of citizens will have to use their cars to transport water. Truck-borne water is not available. The Government is victimizing people in the rural communities, and mostly in the UNC constituencies. So now you have cases where people have to carry water in their motor cars; that is, certainly, going to damage the cars—so there is a failure by the Government to provide water and then they have to take them to the garages for inspection. Again, you see how the Government is punishing people more and more.

Mr. Deputy Speaker, you would have seen in both the print and electronic media that street lights installed by the PNM in certain areas were removed. Why

*Motor Vehicles (Amdt.) Regulations*  
[MR. SHARMA]

*Friday, March 14, 2003*

were they removed? How does it affect motorists? Again, you see the connection: it would lead to accidents. So you put up a line of street lights, because there is need for them, and then you remove them, only to punish motorists. You punish them when they get into accidents and charge them \$5,000 for failure to do 100 things.

The Minister has not indicated, and it was raised by Members on the opposite side, the question of settlement of claims by insurance companies. Oftentimes when cars are involved in accidents some insurance companies take much too long to settle claims. Again, the Minister should clearly indicate. Somebody having to drive a car involved in an accident, while the car is usable, cannot pass the inspection, through no fault of the motorist. The Government is doing absolutely nothing about it.

The wrecking service in Trinidad and Tobago has in recent times caused a lot of damage to vehicles. The Minister has not identified how he is going to treat with that. When vehicles are wrecked, there might be damages to the transmission or the physical appearance. Will these cars be treated differently at these garages or will there be some consideration for victims of illegal wrecking? What about when wrecking is done illegally and there is damage to the vehicle? The Minister has not thought out this at all. This Motion is largely to punish people; that is the only intention of what obtains now.

Mr. Deputy Speaker, you would recall on a number of previous occasions the question was raised where contractors are owed large sums of money. These contractors have vehicles to maintain. These contractors' employees have vehicles to maintain. Now the Government is choosing whom they are going to pay. I understand they are demanding a return of gifts. [*Crosstalk*] It is very important that contractors are not being paid. Once you identify with the UNC, your payments are being delayed.

On the last occasion, when I asked the Member for Diego Martin Central about payments, he indicated that payment would come. To date, no payment has come. More than that, now that payments are being considered, Members opposite are striking off names, "This contractor is UNC, doh pay him, delay him." How will his vehicles be maintained? Is he going to be punished at the garages? How will his employees be treated? And they are going to be punished at the garages. So you see it is a calculated effort by the PNM Government in its haste to victimize people, to treat with them, that is why this Motion has come to the Parliament. This Motion has no other purpose but to punish the citizens of Trinidad and Tobago.

At the port in Port of Spain, there were hundreds of cars there; some could not be claimed for different reasons. The PNM went ahead and gave licences to all those people, "Take the cars off the port." Since those cars were there for whatever reasons, having suffered mechanical damage, how would those cars be treated? On the one hand you have the Government taking taxes or not taking taxes but, again, not treating with them.

This Motion should really have a phased out approach. How are we going to treat with different situations? It is not the fault of contractors who are owed moneys by the Government for the last two or three years or, in some cases, more than that. They have their vehicles to maintain and employees and the suppliers of goods and services to pay. They also have to pay the garages. If they go to the PNM-controlled garages and they fail the inspections; they have to pay \$5,000. The Minister has not indicated how he would treat with any person who feels that he or she was not treated fairly at these garages. There is no room for appeal. How is he going to treat with appeals?

Mr. Deputy Speaker, the very Chap. 48:50 makes provision for traffic wardens. I recall when the budget was presented that moneys were made available. To date, no traffic wardens have been appointed. I want to make sure that the traffic wardens represent the pot-pourri of the community of Trinidad and Tobago, that the sons of Ram and Quashie are employed and not only the Quashies, as obtains in CEPEP and the contractors with CEPEP. [*Desk thumping*] We have to stop this racial divide that the PNM is contributing to. We have to stop the level of discrimination which the PNM is administering on a daily basis. The Member for Arouca South is very familiar with it, only jobs for friends and families.

**Mrs. Robinson-Regis:** You are the most racial person in the Parliament.

**Mr. Deputy Speaker:** Hon. Member, please. Would you allow the *Hansard* reporter, please.

**Mr. Ramnath:** My apologies to you, Sir.

**Mr. C. Sharma:** The Minister indicated that he was concerned about the number of deaths on the roads of Trinidad and Tobago, and you would see the need for the traffic wardens to reduce this. Again, it would be in keeping with the provisions of Chap. 48:50, because the intention really is to make sure that whatever legislation comes for approval here is to add value to make the lives of people easier. Based on what the Minister has presented so far, this Motion, in particular, does not indicate how peoples' lives are going to be easier. In fact, what it points to is more and more hardship.

I want to raise a matter that was raised on a previous occasion, that is, the number of garages. If the Minister has said that there is going to be no grace period then, definitely, there are not enough garages in the given situation. Those opposite who were on this side at the time argued about the time it would take. I do not want to revisit that, I simply want to make the point that, based on all the evidence presented thus far from both sides today and on the previous occasions, firstly, there must be a grace period. Secondly, there must be consideration. The legislation must demonstrate a human face where persons are unable to get their cars to these garages, for whatever reason, simply because the State owes money to a large number of people or the State is causing inconvenience with its inability to deliver water with the lack of road repairs, which contributes to damages to the vehicles and wear and tear.

The Member for Diego Martin Central drew the example of Canada. He said because of the different weather patterns, vehicle inspection could have been considered for five or six years there, but in Trinidad and Tobago it is much different. Because of the investments people make here in their motor cars, we should consider every 10 years. I want the Minister to reconsider moving it to 10 years or maybe strike a balance between five and 10 years, maybe go for eight years. Let us do something that really adds value; let us help the citizens of Trinidad and Tobago. Let us not play politics with them and say, "Listen, PNM is in government, we are going to punish you; we will call the shots." Let us revisit it.

We have also seen that roads under the control of the Ministry of Local Government, in particular, for whatever reason, oftentimes take very long to get attended to, meaning that the condition of those roads are always in the worst case situation. So, obviously, persons using those roads on a frequent basis certainly will suffer a higher wear and tear to their vehicles. There must be some system that is going to lend support to make sure that all people are treated equally.

I think it was the Member for Laventille East/Morvant who, on the last occasion, indicated that every citizen must be able to obtain an equal show in terms of the provision of the law. So that those in the city areas may be able to access the garages faster or may be able to effect repairs at a much faster pace; again, we will have to look at that.

On the last occasion it was also raised that if you went to garage A and you paid the fee of \$165 and that garage failed you, if you went to another garage you have to pay another \$165. You cannot transfer from garage A to garage B. I would like the Minister to consider that. It would appear that the Minister did not look at what obtained before; he did not look at what was presented in 1993 to



make sure that whatever was brought to the Parliament today was treating with all the concerns raised then and now.

I also ask the Minister to indicate the work done on the roads of Trinidad and Tobago by CEPEP, in particular, in the absence of the local government people who are trained and who work under the supervision of engineers at the ministry. How is he going to contain the damages to the roads that would eventually affect the motorist? What provisions are going to be put in place? We just cannot continue the way we are, because it is leading to accidents.

In addition to that, the bush fire obtained from these gangs will certainly lead to flooding down the road and damage to motor vehicles as well. Of course, the Minister raised the concern of corruption and bribery; it is a very valid concern. It was not clear whether he was raising it at the level of the garage or the motorists or in relation to the issue of licences to garages. The Member for Diego Martin East raised that before; maybe it is valid at this point in time.

No advertisements have appeared in the last year, or since the PNM has been in Government, asking for those who wish to be considered for licences to operate these garages. So all the garages that have come on stream in the recent past have really been through friends and family of the PNM. It is clear that they are going to act in a particular way, because on the last occasion, both the Members for Diego Martin East and Diego Martin Central raised those concerns. If those concerns were valid then when the UNC was in government, are they valid today? And under the PNM, you know that corruption obtains 100 per cent. The Member for Diego Martin West knows about it. [*Crosstalk*]

**Dr. Rowley:** You have a gall.

**Mr. Deputy Speaker:** Hon. Member, you were going on all right, but you are likely to contravene Standing Order 36(5) when you said the hon. Member knows about the corruption; please.

**Mr. C. Sharma:** Mr. Deputy Speaker, you would recall that I said I would not like to be treated as I was on the last occasion, so I am going to follow your rules.

**Mr. Deputy Speaker:** I do not propose to treat you like that.

**Mr. C. Sharma:** I know you are not anticipating me in any way.

I think the point has to be made that we have to look at these 400,000 motorists in Trinidad and Tobago. They are citizens, largely, of Trinidad and Tobago and different circumstances now obtain. For instance, the workers in BWIA who were sent home would have motor cars too, so it is very important that

*Motor Vehicles (Amdt.) Regulations*  
[MR. SHARMA]

*Friday, March 14, 2003*

the Government looks at the whole picture. In another place workers have gone home, but Caroni workers are going to be treated, perhaps, the worst. They are being offered something on the one hand and on the next hand they are being sent a letter saying, "You have to go". What are they going to do with their cars? What is going to happen? Would they be able to maintain their cars? [*Desk thumping*] [*Laughter*] It is going to be a challenge.

The PNM is really a government of a small sector of the community; it does not treat with the national community. The Members opposite argue that there are not enough garages. They knew that they were going to fire the workers, why did they not offer them some garages? Why did they not go to them and say, "Listen, there are some opportunities that might be available," so we could reduce it. More than that, there was a paid advertisement that appeared. [*Crosstalk*]

**Mr. Ramnath:** We will mash up the place. No workers going home.

**Mr. Deputy Speaker:** Hon. Member for Couva South, would you please keep your voice down.

**Mr. Ramnath:** I am being attacked here.

**Mr. Deputy Speaker:** Then appeal to me.

**Mr. Imbert:** You are barking like a pot hound.

**Mr. C. Sharma:** I was making the point that you are dealing with 400,000 cars owned by citizens of our twin-island Republic and, as a result, any legislation that comes to this Parliament that is going to deal with those 400,000 car owners must be broad, must be designed in such a way that it brings to them comfort. It must not bring to them inconvenience, pain or suffering. The Government on the one hand must not say, "If you do not do X we are going to charge you \$5,000, \$15,000, or we may send you to prison," it must also play its role. It must make sure if it wants good cars to be maintained at a particular level the support service, the infrastructure must be maintained, and that is not happening.

In fact, we have seen where the Government is moving moneys that should go to road repair and bridge repairs and putting it elsewhere. CEPEP is a classic example, \$400 million.

The Minister of Agriculture, Land and Marine Resources caused an advertisement to be placed in the newspapers costing a lot of money. In fact, history will show that this Government has spent the most money on advertisements, millions of dollars. He said that if you do not own a house you may be able to get a piece of land on lease, not to buy. [*Crosstalk*] That is discrimination.

**Mr. Imbert:** It is leasehold land; you cannot buy leasehold land. [*Crosstalk*]

**Mr. C. Sharma:** It is in the advertisement; look at it. You should be ashamed; it appears in the newspaper every day. You are moving the Caroni worker, who is a car owner, to make him a lease owner now, so he will not be able to maintain his car, because now he has no real estate value. He should be offered to buy the land so he could have real estate value and, in so doing, maintain his vehicle and pay his mortgage at the same time. [*Crosstalk*]

**Mr. Rahael:** Would the Member give way?

**Mr. C. Sharma:** It is a calculated effort to cause inconvenience to motor car owners.

**Mr. Ramnath:** You never worked the land. [*Crosstalk*]

[*Mr. Deputy Speakers rises*]

**Mr. C. Sharma:** Motor car owners who are citizens of Trinidad and Tobago, as was said by the Member for Laventille East/Morvant, must be treated fair in the eyes of the law. If the Government is making lands available for some to buy and some to lease, that is totally unfair. As a result of that, car owners are going to be affected.

**Mr. Rahael:** Would the Member give way for me to respond to that?

**Mr. C. Sharma:** Certainly.

**Mr. Rahael:** Let me inform the hon. Member for Caroni Central that all State lands are leased and none of it is sold, so I do not understand what the hon. Member is saying.

**Hon. Member:** Run, Rahael, run. [*Crosstalk*]

**Mr. C. Sharma:** Mr. Deputy Speaker, for want of a better word, what nonsense is the Minister saying? [*Desk thumping*] On the one hand the Government is saying, "I am going to do so and so." You can sell the land you cannot treat people like that; totally unfair!

**Mr. Partap:** That is why "dey run yuh" from Central. [*Crosstalk*]

**Mr. C. Sharma:** Look at it: you are saying that I am sending home people; you are saying I am going to train you; you must say, "I am going to sell you the land", but you are planning to sell to your friends and family. You do not want to sell it to the sugar cane workers, so they would not have any real estate value. [*Crosstalk*] That is the bottom line.

**Mr. Partap:** “All yuh lying; dat is why dey run yuh out.” [*Crosstalk*]

**Dr. Rowley:** But we are selling you leasehold, not freehold. [*Crosstalk*]

**Mr. C. Sharma:** You come to Parliament to change laws; bring the law, bring the proposals, bring the legislation and tell us you want to sell the land to the Caroni workers and we will approve it; we will do it collectively. [*Crosstalk*]

**Mr. Ramnath:** Your father leave land in a will for you in Syria.

**Mr. Deputy Speaker:** Hon. Members!

**Mr. C. Sharma:** Mr. Deputy Speaker, the information I have is that there are five testing stations in Arima and San Fernando; two in Tunapuna, Diego Martin, El Dorado, Barataria/San Juan, Morvant/Laventille, Sangre Grande, Princes Town, Cunupia, Penal/Debe, Williamsville and Fyzabad, and one in Maraval, St. James, Frederick Settlement, Freeport, Marabella, Vistabella, Santa Flora, Guapo, Point Fortin and Rousillac. [*Crosstalk*] The point I am making is that there are a number of garages that have been given permission over the last couple of months, for which no advertisements have taken place.

Mr. Deputy Speaker, when the Minister brought this Motion to Parliament what should have accompanied it was a printout and maybe an advertisement in the press stating where the garages are, how we access the garages, the times of business, whether they are going to be open Saturdays, Sundays or public holidays and what security measures are in place. The Minister has told us none of those things, but he wants support on the Motion. [*Crosstalk*]

The Minister himself made mention of the fact that when you take your car to the testing garage you are required to provide a certified copy. At this point in time, as the Minister is very much aware, there is tremendous difficulty in obtaining a certified copy. Again, you are going to punish people through no fault of theirs.

**Mr. Ramnath:** You know he is a brilliant man.

**Mrs. Robinson-Regis:** Who, the Member for Fyzabad?

**Mr. C. Sharma:** Mr. Deputy Speaker, I do not know what the adjournment was taken for earlier, but I want to suggest that an adjournment be taken and that the Minister revisits this Motion and we treat with it in a holistic way. [*Desk thumping*]

As I was coming to Parliament, I could not help observe some people carrying water in their cars, so I stopped and talked with them. They have not been receiving water for three and four weeks in some areas. They have now been threatened that water rates are going up. Do you know why they are going up? On

the last occasion during the election, the PNM gave all PNM supporters water—  
[*Interruption*] I will come to the point, Mr. Deputy Speaker.

**Mr. Deputy Speaker:** Hon. Member, it seems as though you like water when you sit in that position, to raise the matter on water, but get back to the question of the regulations. [*Laughter*]

**Mr. C. Sharma:** Mr. Deputy Speaker, I am guided. If the Government fails to deliver water to citizens of Trinidad and Tobago for which they are paying taxes and water rates and they now have to take their motor cars and carry water from point A to their homes, then the Government has to treat with this situation. The cars were intended to take families to school and work and to make groceries and so forth. [*Laughter*] Now it has the additional responsibility of toting water. Is that a Parliamentary word? [*Crosstalk*] I just want to attract your attention; thank you, I did.

The simple point that must come out of this debate is that the Government has brought a motion to this Parliament for which it has not thought out all the consequences. More than that, it is going to create more and more hardship to people. As a result, we have to make sure that if we are to lend support, we will lend support to something holistic. We must not leave this Parliament today and when our constituents, on both sides, meet us, they ask, “What did you guys do in Parliament on Friday, look at the inconvenience you are going to cause us, why are you testing cars that are five years old?”

I want to support the recommendation of the Member for Diego Martin Central that we should test cars 10 years old and over. He indicated that public servants’ loans are for six-year periods. Why does the Minister want them to test their cars on the last year of their loan payment, having them running all over the place to test their cars, when they would be trying to offset their loans?

We want to suggest to the hon. Minister to consider this and when he is winding up to indicate a number of things. Firstly, that cars over 10 years should be tested and, secondly, for persons who have garages there would be some kind of process by which, if a car owner’s licence has to be suspended for one reason or another, he or she would have a fair opportunity to treat with same. It would also mean that when citizens of Trinidad and Tobago go to a garage and they feel that they were not treated fairly, there is some room for appeal and if they go to garage A and are turned down for whatever reason, they could go to any other garage. They must be able to repair their cars in any part of the country.

More than that, Mr. Deputy Speaker, if at this point in time the licensing offices, both in San Fernando and wherever else, cannot issue certified copies,

*Motor Vehicles (Amdt.) Regulations*  
[MR. SHARMA]

*Friday, March 14, 2003*

how are we going to treat with this? How will the Minister treat with persons who wish to have their cars taken to a garage and they cannot obtain a certified copy? The Minister is very much aware that in recent times it is taking a very long time.

Mr. Deputy Speaker, you would have seen in yesterday's newspaper that a citizen of Trinidad and Tobago, who happens to be the owner of many cars, was kidnapped and, according to the report, a \$1 million ransom was paid. The friends and family of the kidnap victim had gotten together to pay the ransom; that means that the money these citizens of Trinidad and Tobago would have had for their everyday business, including going to the testing stations, is now being used to pay ransom. [*Laughter*] There must be some kind of consideration by the Government that is bringing the legislation.

Recently we have seen cars being stolen at public fetes or whatever. What consideration would a citizen have, who is going about his normal business, is stopped at a traffic light, kidnapped, has his car taken away and damaged? This might be the family's only car. He still has his kids to take to school; he still has to go to work; he still has to take his spouse to the grocery and so forth, and now he cannot pass the testing station requirements. So Member for Diego Martin Central, let us make sure and offer a grace period on certain conditions. For instance, Mr. Deputy Speaker, if you are driving to point A and your car is taken away and damaged, you would require some time, like any other citizen in this country; likewise if your family is kidnapped or if there is a murder in your family. Legislation must have a human face. We come to this Parliament to lend support and we must make sure we do things that bring value to peoples' lives and remove the hardships.

Again, Mr. Deputy Speaker, the Minister made that point about licensing those persons who have testing stations. Do you know that in Trinidad and Tobago the mechanics of yesterday who have 25 and 30 years' experience, may not have gone to academic training facilities, they may not have formal training, but they are some of the best mechanics; they work with some of the bigger firms. They are now being discriminated against in obtaining permission to set up these garages, because they are being told that they do not have the formal training. Again, there must be the marriage of convenience.

In the United States and England what obtains is what is called the "grandfather principle". If you have a practice in a particular field for 25 or 30 years it would be assumed that you have enough experience and knowledge. So, again, I want the Minister to find a way to cause these persons to be certified, to

apply the grandfather principle where they can be treated as fair applicants for consideration to operate these garages.

More and more, as we look into this particular matter, we are looking at 400,000 motorists who are on the roads every day. If they take two or three persons with them, we are looking at three quarters of the population affected by this legislation, and it really requires us to revisit it. I think there is still time.

I want to close by asking the Minister, before he gets up to reply, to really consider, perhaps, obtaining an adjournment to reconsider what has come to us and then proceed. Thank you.

**The Minister of Health (Hon. Colm Imbert):** Mr. Deputy Speaker, I just want to deal with a few points raised in the debate. The Member for Pointe-a-Pierre waxed eloquently and monumentally warm and gave this Parliament a legal lecture, talking about having received fiats or did she give fiats—I am not sure exactly what she did. The essence of what the hon. Member was saying is that most, if not all, of these regulations, could have been put in the parent Act. That is not so.

As hon. Members would know, and the Member for Siparia, I am sure, would correct her junior colleague, one normally puts technical and administrative matters into regulations.

**3.35 p.m.**

**Miss Lucky:** On a point of order, Mr. Deputy Speaker.

**Hon. C. Imbert:** What is the point of order?

**Mr. Deputy Speaker:** You need to state just the Standing Order.

**Miss Lucky:** Standing Order 36(5) if it pleases you.

**Mr. Deputy Speaker:** I am going to be lenient at this time. What is it?

**Miss Lucky:** Mr. Deputy Speaker, I thank you. The hon. Member for Diego Martin East has indicated that the point that I raised was that much of what is contained in the regulations could have been placed in the parent Act. That is not the point I was making. The point I was making is that within those three regulations in which punitive provisions are being made—and I itemized them—I said that the hon. Minister who has the delegated power to make regulations in this case, is not a power that he has under the particular rubric he has come under, which is section 100(p) of the parent Act as stated in the Motion.

So to say I am saying what was suggested, that is misleading the House.

**Mr. Deputy Speaker:** Continue please.

**Hon. C. Imbert:** Thank you, Mr. Deputy Speaker, I do not require injury time. The Member for Pointe-a-Pierre made several points and as I said, I will ask the Member for Siparia to counsel and assist her junior colleague. I will now read into the record some typical clauses from Regulations so that the Member would understand what has been in law for the last 50 years in this country and I will refer to Chap. 29:03 of the Laws of the Republic of Trinidad and Tobago as an example.

This Act is the Regulations flowing from the Private Hospitals Act, (Subsidiary) to the Private Hospitals Act and section 28 of those Regulations says:

“Any person who contravenes any provision of these Regulations is liable on summary conviction to a fine of five hundred dollars or to imprisonment for three months.”

I shall also read the Petroleum (Testing, Storage, etc.) Regulations Chap. 62:01, section 15.

“Any person guilty of an offence against these Regulations is liable to a penalty of three thousand dollars for each offence or, in the case of a continuing offence, seven hundred and fifty dollars for each day during which the offence continues.”

Mr. Deputy Speaker, there are hundreds of instances where penalties are prescribed in regulations and, therefore, it is perfectly proper in accordance with the section in the parent Act which says the Regulations may be made for the general conduct of the Act, the performance of the Act, and for the general safety of persons using motor vehicles. That is what the section says. It is perfectly proper for the regulations to contain punitive sanctions. So I wish to dispute and debunk that amateur opinion we just received from the Member for Pointe-a-Pierre. The Minister of Works and Transport is perfectly in order to bring Regulations to this Parliament which contain penalties and sanctions. It is contained in hundreds of situations in the Laws of Trinidad and Tobago where there is a similar position. So that is the end of that.

The Member for Fyzabad raised some issues and he said that on the last occasion, the Member for Diego Martin Central and I made a number of good points. I was quite amazed to hear that, because if the points were good, why did the UNC government not listen to them and incorporate the points into the Act at that time? We are coming now today because of a lacuna in the law, because of



the incompetence of the UNC administration on the last occasion when they passed incompetent legislation—and there are many examples of where the UNC administration rushed legislation through this Parliament.

We would sit in committee stage, they would not listen to us, we raised queries, we proposed modifications to the legislation, we proposed amendments, we pointed out that the legislation was incompetent, incomplete, useless, just like this legislation—the parent Act for this matter we are debating today—the licensing of private garages. That was incompetent legislation because the sanctions were not put in place to allow the licensing officers, the transport division of the Ministry of Works and Transport to take action against errant owners of private garages and errant motorists.

The legislation was incompetent and that is why the hon. Member for Ortoire/Mayaro has to come here today—because on the last occasion they were playing the numbers game. So they were trying to pass 100 or 200 pieces of legislation in one session so that somebody's curriculum vitae would look good: “When I was in office, we passed so many hundred pieces of legislation.” There was so much rubbish in that period, so much incompetence, so much haste and I am amazed because it is the UNC that recognized—the parent Act was passed in their time, not in ours. They passed the legislation governing the licensing of private motor vehicles and they could not enforce it, and the Motor Vehicles and Road Traffic (Amdt.) Regulations with which we are dealing today were prepared by the former UNC administration. That is the irony of this whole thing.

They knew that their legislation was incompetent, and just before their government collapsed under the weight of corruption in 2001—three members of the UNC's administration left that party and their government collapsed under the weight of corruption. Just before that, the regulations which we are debating today were drafted by the previous Attorney General of the UNC and what we have here today is almost the same, word-for-word that was prepared by the UNC administration. [*Crosstalk*] We have made some minor improvements to the document, but it is essentially a document—

**Mr. Deputy Speaker:** Hon. Member for Fyzabad, you have had your chance. Allow the Member for Diego Martin East to make his point and then all the other brilliant attorneys on this side can also make their point. Everybody will have an opportunity.

**Hon. C. Imbert:** You know what amazes me, the Member for Siparia was involved in the preparation of these regulations and yet the Member for Pointe-a-Pierre

*Motor Vehicles (Amdt.) Regulations*  
[HON. C. IMBERT]

*Friday, March 14, 2003*

has the audacity to come to this House and criticize something prepared by the Member for Siparia and talk this kind of foolishness in the Parliament today.

The point is, they passed bogus legislation, against advice, which could not be enforced. We on this side pointed out that the legislation was no good and there were many loopholes, problems and many lacunae in that legislation, and I am horrified they have no institutional memory on that side. They botched this whole thing and we are fixing it. Much of the legislation that we have been dealing with in the last couple months of this PNM administration is repairing the damage that they did to the Laws of Trinidad and Tobago.

When you see laws coming with two and three clauses and so forth, the other side has already drafted most of them, but because they collapsed, they could not be debated in this House. When the new Attorney General came in, she recognized that there were many loopholes and problems, but she was unable to deal with them to bring to Parliament.

What we are about today, what we were about last week and the month before is correcting all the mistakes, bungles, and incompetent legislation passed by the UNC administration. [*Interruption*] You could say what you want about state attorneys, when a public servant is under pressure from one of you hon. Members over there—when it is said that this Bill has to go to the House now, and I want to pass 100 bills in the next two months because it will look good on my resumé. That is what was going on in the UNC, and that is why we are here today.

Concerning the points made by the Member for Fyzabad, I am amazed. I would ask the more educated Members in law on the other side to explain to him that a leasehold term of 199 years or 999 years, is equivalent to a purchase of a piece of property. Who here will live for 199 years?

**Hon. Member:** Panday.

**Hon. C. Imbert:** You will be living for 199 years, or 999 years? So when a parcel of land is conveyed, leasehold property is conveyed for a leasehold term of 199 or 999 years, it is equivalent to a purchase. A freehold interest, for example, in a parcel of leasehold land that has been leased for 999 years is minuscule, and the Member for Siparia will confirm this. The residual freehold interest is effectively zero. So before the Member for Fyzabad and other Members make fools of themselves, I wish they would familiarize themselves with land law and conveyancing, and the difference between leasehold and freehold interest and not come here to talk foolishness and waste time. [*Desk thumping*]

All those other issues about advertising of the garages and so on were there all the time under the UNC. It is the boldfacedness—the Minister is now telling me we have not handed out a single garage and this is the hypocrisy and dishonesty of the hon. Members on the other side. All the garages in operation now were selected by the former UNC administration. The Member for Fyzabad will get up here like Pontius Pilate with his pious self and talk about garages all over the place and the PNM Government is giving garages to friends and families. It is the UNC that gave all these garages to their friends and family. That is the reality.

The Members' opposite problem is that they fail to understand that we are in office now and we have the records. They cannot talk foolishness because we can get the files and the official records to prove they are talking rubbish. It is a disservice to the people of Trinidad and Tobago when an elected Member would talk about PNM giving its friends and family garages when the PNM has not given out one garage. Every garage was given out by the UNC to their cronies, supporters, financiers, activists and their family and so on. I really do not understand what this is all about. We are here today essentially debating Regulations prepared by the UNC to correct errors made in an Act brought to this Parliament by the UNC and the Members on the other side have no shame whatsoever.

I wish to support my colleague, the Member for Ortoire/Mayaro, who is simply dealing with the burden of mismanagement and bungling incompetence that he has inherited from the UNC administration and he will clean up all the mess bit by bit so that we can get Trinidad and Tobago back to an orderly, disciplined and proper path.

Thank you, Mr. Deputy Speaker.

**Dr. Fuad Khan** (*Barataria/San Juan*): Mr. Deputy Speaker, on the heels of that contribution before I start, it reminds me of something that was said in this honourable House. I would like to send our condolences to the family of Andre Tanker who died as a result of the poor response of the Emergency Health Service (EHS) as the newspaper reported.

The Member for Diego Martin East rose to reply and rebut on the Motor Vehicles Act, but I thank him for reminding me of this calamity that has befallen our nation. I would like to ask him because since that time I have noticed that one or two other citizens have died as a result of EHS problems and I want to ask the Member if he could—

**Mr. Deputy Speaker:** Are you dealing with the Regulations?

**Dr. F. Khan:** Yes I am, yes. I think these EHS ambulances would have to be inspected at some time, and I understand there are many parked up in the garages needing repairs similar to the vehicles about which we are speaking.

The Member for Ortoire/Mayaro made his presentation and the Member for Diego Martin East said it was the UNC's legislation. One small part of this amendment which worried me is 3(b):

In paragraph 27A—

- (i) by deleting paragraph (b) of subregulation (2);
- (ii) by inserting after subregulation (1) the following new subregulation:
  - ‘(1a) A person who desires to become an examiner shall apply to the Transport Commissioner.’”

It seems to be innocuous.

Mr. Deputy Speaker, when I read that, it reminded me so much about what has been happening in the last couple weeks and the headlines that have been hitting the newspapers prior to carnival. One of them says: \$44 million pay back to PNM Supporters in the CEPEP Programme. The content of that article was followed with another editorial stating that the CEPEP was advertised and as a result of it they were chosen; 400 persons wrote in and 110 persons were chosen and of the 110 chosen, there were people identified as an uncle of a PNM political leader, PNM voter-padding witness—

**Mr. Deputy Speaker:** Hon. Member, I have asked you to state the relevance, but you are going outside.

**Dr. F. Khan:** Mr. Deputy Speaker, what I am saying is when I read this part of the legislation it frightened me and I worried about it because I began to think that the same thing would happen as it happened with CEPEP where people who were PNM supporters, family and friends of political deputies, and people who gave evidence that was thrown aside in the EBC voter padding enquiry were given lucrative contracts of \$400,000 and \$500,000. I feel the same thing would happen. [*Desk thumping*] It is time that our country decides that this nonsense has to stop because discrimination in any form is discrimination. So when you see something like this: “A person who desires to become an examiner shall apply to the Transport Commissioner.” By what? Tendering processes? What tendering processes? What advertisements? They are just going to apply and he is going to choose. Since when does the Transport Commissioner determine the contracts of bona fide people and employment? Is it going to be like CEPEP where 400 persons

applied and 110 were chosen because of their party affiliations? And we could go historically. [*Crosstalk*] The definition—

**Mr. Deputy Speaker:** It would appear as though nobody wants to hear you because there is so much talk coming from both sides and I am sure the Hansard Reporter will not be able to get what you are saying. Hon. Members, please restrain yourselves.

**Dr. F. Khan:** Thank you, Mr. Deputy Speaker, I notice that the crosstalk was definitely heavy and I commend you.

I looked up the word “corruption” in the dictionary and in a nutshell it refers to utilization of public resources for private or self gain. That is corruption. If you look at this: “A person who desires to become an examiner shall apply to the Transport Commissioner.” We go back to it again because it is in the legislation presented to us today.

Similarly, the CEPEP had an advertisement as that may have, it had people applying to it and on the radio I heard someone say that he applied and a couple persons applied to the CEPEP the same way they are going to apply to become examiners and they were not chosen once they heard that they were not from a marginal constituency.

When we have employment practices and this type of movement, it shows not only discrimination but corruption as a result of being in the public office. [*Desk thumping*] And corruption in any form is not good for this country.

Mr. Deputy Speaker, I realize when the hon. Prime Minister was approached on this \$44 million payback to the PNM supporters in the voter padding witnesses issue, he said, it is better 110 participate in the corruption than three. He said that in a nutshell, I am not quoting exactly, but that is what it meant. That should not be said by an hon. Prime Minister.

**Mr. Achong:** Stick to the agenda.

**Dr. F. Khan:** I am sticking to the agenda, Mr. Achong. You were once an Industrial Court judge and you will know that people would come before the Industrial Court with complaints of discrimination, of poor work practices and industrial relations problems. This is going to happen here, Mr. Deputy Speaker, “a person who desires to become an examiner shall apply to the Transport Commissioner.” This is fraught with corruption as it has been exhibited and shown by the CEPEP movement and not only that, it is going to increase; \$44 million corruption to \$400 million corruption yearly.

*Motor Vehicles (Amdt.) Regulations*  
[DR. KHAN]

*Friday, March 14, 2003*

Mr. Deputy Speaker, I am going to table a question and I have found out in my investigations that the contractors are benefiting by almost 50—60 per cent of that money and the workers get less than 20—30 per cent. I know contractors who are buying cars for their families with the money.

**Mr. Deputy Speaker:** I have spoken to you already, if you would like to discuss CEPEP you know there are several ways to do it. Why are you, on a Motion involving transport operations, continuing to do that? If you do it again, unfortunately I will have to ask you to take your seat.

**Dr. F. Khan:** Yes, Mr. Deputy Speaker. The hon. Member for Diego Martin East brought up the word “corruption”; the Member for Ortoire/Mayaro brought the fact on the Motor Vehicles and Road Traffic (Amdt.) Regulations and the Member brought these amendments to the Regulations to the House. I am only saying that a new subregulation has been inserted, that a person who desires to become an examiner shall apply to the Transport Commissioner. The point I am trying to develop is that it may be bypassed and as a result of it, similar to the CEPEP—tedious repetition Mr. Deputy Speaker.

Mr. Deputy Speaker, I am just trying to develop a point and what I have learnt from my legal colleagues and your side included, is that if one wants to make an impact on certain things, one has to repeat it and repeat it, and I have seen it in the courts. Historically in this land of Trinidad and Tobago in 1961 I think, the Constitution of our country was drafted at Marlborough House. Am I right? In 1961, the Marlborough House Constitution and Dr. Eric Williams and Rudranath Capildeo got together and Dr. Capildeo, then leader of the DLP was worried, since he belonged to the Opposition, that things would be placed in the Constitution which would not be beneficial to his supporters whom Dr. Eric Williams termed, “the recalcitrant minority.” As a result of it, he asked for certain things and came to certain agreements.

The thing about Dr. Capildeo was, he was a mathematician and not a political strategist as Dr. Eric Williams and the service commission was moved out of the jurisdiction of the Executive, and from 1961 to now allowed the ruling party to place people of their liking in various positions that determine employment, et cetera, and I develop my point. So when you apply to a transport commissioner who has been there for 30-odd years going up the ranks and being promoted as a result of party affiliation, he is going to choose what—[*Inaudible*] and we are going back to the CEPEP once more. I could develop the point in a cycle. You may not like to talk about it, but the Member for San Fernando East came with a mandate and said that he was going to break the discrimination bogey once and

for all and I commended him, but it is unfortunate that what has occurred in the last six months one realized that it did not make a difference. One had to win election to stay in office, development did not make a difference, and as a result you had to win marginal seats to stay in office.

**Mr. Deputy Speaker:** Hon. Member, we are debating the Motion of the affirmative resolution in respect of transport. Would you please stick to that?

**Dr. F. Khan:** Yes, Mr. Deputy Speaker, I am trying to develop the point.

**Mr. Deputy Speaker:** Well, please come to the point.

**Dr. F. Khan:** Mr. Deputy Speaker, what is the time limit of a Speaker in the House?

**Mr. Deputy Speaker:** It is 45 minutes in the first instance and 30 thereafter. All I am saying, you have pointed out yourself that it is tedious repetitions; I can stop you. So I am asking you to get to the point and you are ignoring my request.

**Dr. F. Khan:** Mr. Deputy Speaker, I am not challenging your ruling, but I will continue to develop my point. [*Crosstalk*] Today, we got a reply to question 25 about the NEDCO staffing and when you look—

**Mr. Deputy Speaker:** Make the connection.

**Dr. F. Khan:** I am just looking at the employment—

**Mr. Deputy Speaker:** Make the connection to the Motor Vehicles and Road Traffic (Amdt.) Regulations.

**Dr. F. Khan:** Mr. Deputy Speaker, “I finish” my contribution.

**The Minister of Works and Transport (Hon. Franklin Khan):** Mr. Deputy Speaker, these are the regulations which had unanimous support in the Upper House when presented. [*Crosstalk*] The records can be checked.

Additionally, irrespective of what has been said—and a lot has been said in terms of compliance—these regulations have only been passed in the Upper House, today we are debating them in the Lower House and if one looked at the TV 6 news yesterday and the day before people are starting to go into the private garages in droves to get their vehicles inspected.

This leads me to some of the comments made about the private garages. It was the UNC administration, in putting these regulations forward for the inspection of vehicles by private garages which appointed the 74 or so private garages and as the Member for Diego Martin East mentioned—and I want to go on record as the

*Motor Vehicles (Amdt.) Regulations*  
[HON. F. KHAN]

Friday, March 14, 2003

mover of this Motion—that under the PNM administration, not a single garage was added to the list that was originally approved by the former administration.

**Hon. Member:** Sharma, “yuh” hear that?

**Hon. F. Khan:** Mr. Deputy Speaker, I am one who had promised in coming to this Parliament, I am not going to get myself involved in “no Ram and Quashie” business. I come here to represent the people of Ortoire/Mayaro— [*Desk thumping*] that was one of the marginal constituencies but another way of putting it is, that the demographic support for Ortoire/Mayaro reflects the national demographics of Trinidad and Tobago. As is San Fernando West, as is Tunapuna, as is to a large extent St. Joseph and San Juan/Barataria.

Hon. Members, these five constituencies I have called, have to take the lead to stop this foolishness about “Ram and Quashie” because “Ram and Quashie” in Mayaro, Moruga and Rio Claro are the people— [*Crosstalk*] Mr. Deputy Speaker, I was fortunate to be born and raised in the small fishing village of Mayaro. [*Interruption*] And I did not grow up knowing this kind of thing the UNC is talking about. [*Interruption*]

**Mr. Deputy Speaker:** Hon. Members, please allow the hon. Minister to continue his contribution without the crosstalk. We are not doing him, yourself or the Hansard reporter any justice.

**Hon. F. Khan:** Thank you, Mr. Deputy Speaker. As I was saying, I had promised myself and to some extent the Member for St. Augustine, because we have been having private discussions on this matter—[*Ohhh*] because I feel this thing is getting out of hand. I am a young politician; a new politician and I feel we have to set a new course for this country. [*Desk thumping*] I urge the Members on the other side to stop this “ol’ talk” and let us debate matters in a substantive way. [*Crosstalk*]

Mr. Deputy Speaker, I have the list of the 74 garages and if I read it out I will just be opening up that issue and everybody would start to read all kinds of things into it. So just for the sake of the philosophy to which I subscribe, I would not read this list but you know where I am coming from.

The people have put their—they set up their own people you know—because these 74 investors and businessmen, these 74 garages put out hundreds of thousands of dollars and some of them had to foreclose, they had to move money from other businesses.

Mr. Deputy Speaker, there is a listing here that 153 garages voluntarily closed because of non-compliance. Nobody was going into the garages and entrepreneurs



invested between \$500,000, and based on the sophistication of the garage, some invested as much as \$1 million and they have had no return on their investments. On TV 6 two days ago, the garage owners were laughing because for the first time in two and a half years, people were coming to the garages to inspect their vehicles and it is only because of the Regulations that have not been passed in the Lower House yet, it has only been passed in the Upper House on Tuesday, March 11.

Mr. Deputy Speaker, as a society we have to continue to grow. It seems to me, based on the response of the private garages, as a society, if there is not punitive action, people do not respond. That is why I made my introductory remark that the people who were not complying with the law were not restricted to the grassroots of Laventille, nor to the poor people of Carolina in Couva South; it included pastors, doctors, businessmen, attorneys and probably even some politicians.

Mr. Deputy Speaker, I am making the point that compliance is an issue that a society has to face because if we say it is only when the State becomes draconian that things would happen, we have a long way to go as a country. I am putting to this House today that it is not that I or the Government want to be draconian in the legislation for private vehicle inspection, but we are facing a serious issue. So when this Government says that we want to make Trinidad and Tobago a developed society by 2020, we are not only talking about skyscrapers, highways and roads, we are talking about lifting the attitude of people in a way that we can have an advanced society; culturally, socially, economically [*Desk thumping*] and the whole concept of societal development. [*Interruption*] I said I am new, but not inexperienced. I hope I have cleared up the issue about the private garages.

The investors are happy and the fact that most of them may have been UNC supporters is not my business or my problem. We are here to run the country. They are the bona fide garage owners and we are putting the right legislation in place so the motor vehicle industry can continue to move forward. [*Interruption*]

**Mr. Deputy Speaker:** Member for Nariva, you are being disrespectful.

**Hon. F. Khan:** Mr. Deputy Speaker, I hope I have cleared up this issue of private garages and this goes out naturally into the issue of a grace period or moratorium. The issue does not arise for a grace period because the law is in effect. It is just that people refuse to go to the garages to register their vehicle. If we say there is a six-month grace period, trust me—I do not want to sound derogatory—but for the first five and a half months the garages would remain empty and everybody would rush to them in the last two weeks. So the law is in effect. Hopefully, when these Regulations are passed in the Lower House they would become effective.

*Motor Vehicles (Amdt.) Regulations*  
[HON. F. KHAN]

*Friday, March 14, 2003*

We on this side are not mad people or inconsiderate, the police would not go out on the streets on Monday morning and start charging everybody in Trinidad and Tobago.

**Mr. Ramsaran:** Thank you for giving way. Are you aware that two days ago the licensing officers were out there from 4.00 a.m. doing just what you say they would not do?

**Hon. F. Khan:** I am not aware, but Mr. Deputy Speaker, if a licensing officer and a police officer want to charge you, they cannot charge you under these Regulations yet, they will charge you under section 91(2) of the Act. [*Interruption*] It is the law, that is the point I am making. It is only because we are putting these more draconian features into the Regulations that we are seeing greater compliance.

So Mr. Deputy Speaker, several Members on the other side made contributions on the issue of the private garages and a grace period, and I have asked myself: How does a sensible man respond to the Member for Fyzabad? I have very little to say in that regard because the theme of his contribution, since I have entered this honourable House four months ago, has been unidimensional and unidirectional.

It is obvious that these Regulations would do what they are supposed to do. I think there is only one substantive comment on the Regulations to which I hope to respond although I am not an attorney. It was raised by the Member for Pointe-a-Pierre, and before I deal with it, I must say I am happy to hear that she likes my smile and she did make a concerted effort to impress me with her legal skills and I am so impressed by the hon. Member for Pointe-a-Pierre. [*Laughter*]

Mr. Deputy Speaker, the issue seems to be a legal argument which I want no part of and in which I am not qualified to partake, but in essence it seems to be whether you put the penalties in the body of an Act, or in the legislation. Or secondly, where in the legislation does it not cater for a prison sentence? [*Interruption*] Whether the issue of what we already have in section 91(2) of the general Summary Courts Act, section 68(1) people can be charged under those sections.

Obviously, it seems that law is an inexact profession, I come from an exact science; engineering and geology and I have grown accustomed to working with data set where we can make clear and unambiguous conclusion. The field of law does not appear to be that way. That is why anytime one goes to court, the judge calls the lawyer to his chambers and asks whether they are going to advance legal arguments.

So Mr. Deputy Speaker, it makes no sense that I contribute to the legal arguments. State attorneys and attorneys at the Ministry of Works and Transport have advised us and we have drafted the regulations as we saw fit based on our legal advice.

It seems as though we have started to really transform the transport sector, many things would be coming after this legislation. The hon. Member for Siparia talked about roads with regard to traffic. The Ministry of Works and Transport is preparing a report as I speak.

The UNC under its programme spent \$1 billion in 2001 in road paving. Mr. Deputy Speaker, the PNM administration had a programme called SHARE and we spent \$250 million, one quarter of what they spent, and while I do not have the final report here, it would be shocking to show what we did with \$250 million and what the UNC did with \$1 billion. [*Desk thumping*]

The integrity of vehicles on the road is of paramount importance to traffic management and road safety. We know that road fatalities are something we have to look at, we have to look at drunken driving and we are contemplating the breathalyzer. We have to be more vigilant on the roads for speeding. Today the Minister of Works and Transport had a meeting with all the stakeholders in the Road Users Awareness Programme; insurance companies, banks, police and so on and the two ubiquitous causes for fatal accidents on the roads of Trinidad and Tobago are speeding, and driving under the influence of alcohol, and we plan to tackle these problems head-on. In the meeting this morning somebody mentioned, it is obvious why the UNC never wanted to implement legislation for breathalyzer tests in Trinidad and Tobago.

Mr. Deputy Speaker, this is the first of many Regulations and legislation that would be coming to Parliament that are supposed to make the roads more user-friendly so that Trinidadians and Tobagonians can once again drive on the nation's roads with some level of calm and peace.

Mr. Deputy Speaker, I beg to move.

*Question put and agreed to.*

*Resolved:*

That the Motor Vehicles and Road Traffic (Amdt.) Regulations, 2003 be approved.

**RENT RESTRICTION (RE-ENACTMENT AND VALIDATION) BILL 2002**

*Order for second reading read.*

**The Minister of Legal Affairs (Hon. Camille Robinson-Regis):** Mr. Deputy Speaker, I beg to move,

That a Bill to re-enact the Rent Restriction Act, Chap. 59:50 and to validate things done thereunder, be now read a second time.

Mr. Deputy Speaker, the Bill that is before us is to re-enact the Rent Restriction Act, until February 23, 2002. That Bill also seeks to amend section 1(2) of the re-enacted and validated Rent Restriction Act to provide for the Act to continue in force until a predetermined date and to be further continued for periods of three years by affirmative resolution of the Parliament.

As the preamble to the Bill indicates it is one which requires a special majority that is, a majority of votes not less than three-fifths of all the Members of this House.

May I take this opportunity to outline the history involving the Rent Restriction Act. The 1933 Rent Restriction Ordinance, Chap.27:18, was repealed by Ordinance No. 13 of 1941. Upon independence, Trinidad and Tobago's legislature saved many of the existing laws that obtained during the colonial period for purposes of continuity.

If I may quote section 6(2) of the Constitution, it says:

“Where an enactment repeals and re-enacts with modifications an existing law and is held to derogate from any fundamental right guaranteed by this Chapter in a manner in which or to an extent to which the existing law did not previously derogate from that right then, subject to sections 13 and 54, the provisions of the existing law shall be substituted for such of the provisions of the enactment as are held to derogate from the fundamental right in a manner in which or to an extent to which the existing law did not previously derogate from that right.”

Mr. Deputy Speaker, as I indicated, this particular legislation interferes with one of the rights enshrined in the Constitution under section 4(a) namely the right to the enjoyment of property and the right not to be deprived thereof except by due process of law and consequently we are stating that this law needs a special majority.

May I indicate that the Rent Restriction Act, which is before us at this time has been re-enacted and validated in 1985, 1988, 1991, 1996 and in the year 2000.

May I also indicate that by this legislation it says specifically that once the legislation has not been brought to Parliament within the time limited for it to be brought so that the time has not expired, it must be re-enacted and the Act must be validated by the requisite legislation.

Mr. Deputy Speaker, the last legislation which was passed in 2000, Act No. 40 of 2000, stipulated in section 3 that the Rent Restriction Act hereinafter referred to as the Act—

**Mr. Deputy Speaker:** The sitting of this House is suspended until 5.00 p.m.

**4.30 p.m.:** *Sitting suspended.*

**5.00 p.m.:** *Sitting resumed.*

**Hon. C. Robinson-Regis:** Mr. Deputy Speaker, as I was saying, the Rent Restriction Act has been validated on several occasions before this honourable House and the Act, as we know, aims at protecting the vulnerable in the society. It is to ensure that unscrupulous landlords do not abuse their status. The mischief that the Act seeks to prevent is the manipulation of legal technicalities. The definition of tenant, for example, includes the widow of a tenant who was residing with him at the time of his death, or where a tenant leaves no widow or is a woman, such member of the tenant's family who was residing with the tenant for not less than six months immediately prior to the death of the tenant may be decided in default of agreement by a court of the board.

It is therefore imperative that this Bill be allowed to continue to protect those members of our society who, if not protected, could become dispossessed and left homeless. It is urgent, therefore, that we deal with this matter since the Rent Assessment Boards that have been constituted under this legislation need to have their activities validated to continue to protect those who are in this vulnerable position. I am sure that those on the other side, as we on this side, will agree that it is imperative that we give our wholehearted support to this re-enactment and this Act that seeks to validate those activities which were done under this legislation. I am asking that without much delay we move toward passing this legislation as what was done in the other place by a special majority.

I beg to move.

*Question proposed.*

**Mrs. Kamla Persad-Bissessar (Siparia):** Mr. Deputy Speaker, I am a little surprised that the Member did not take the opportunity in presenting this Bill to tell us exactly what we are being asked to validate. It is a Bill to re-enact the Rent

*Rent Restriction Bill*  
[MRS. PERSAD-BISSESSAR]

*Friday, March 14, 2003*

Restriction Act and to validate acts that might have been done during the period of time when the legislation lapsed—

**Mrs. Robinson-Regis:** If the Member would give way. Immediately upon my rising, I said exactly what this Bill is meant to do. Later in my presentation I said it was to validate acts done by the Rent Assessment Boards and I went on to say what the history of the Act was and continuing. I am sorry if the Member did not hear when I said that.

**Mrs. K. Persad-Bissessar:** Mr. Deputy Speaker, I heard exactly what the Member said and I will continue with my contribution. I am saying the Member has not told this honourable Chamber how many persons are involved; how many actions are involved; the nature of those actions, in other words, no data whatsoever in terms of what we are validating. Yes, we are validating matters done by the Rent Restriction Board. What matters? How many matters? We are talking about the 1936 legislation.

You know, Mr. Deputy Speaker, that is the point; that is always the point. They will never consult and they will never listen. That is why they are moving the Parliament out of the Red House without consulting the Speaker. They want to move the courthouse without consulting the Chief Justice; not even us, as Members of Parliament were consulted. So I am saying, here it is we are being asked to re-enact legislation—the Member in her contribution spoke about 1933 legislation; thereafter 1941, 1961 and so on. So we are talking about legislation that keeps coming to this House to re-enact and re-enact, and she gave all the several times during the period of time of re-enactments when this has taken place, yet we hear nothing about what the Government's policy is with respect to dealing with something that is clearly a temporary measure, always to be for three years, and here we are, years later, looking at this and no data, no information.

What is your policy? Are we going to come back here—and we may not come back at all on this issue because this Bill is asking us to allow them to take this a further period of three years, by affirmative resolution of the Parliament. What does that mean? It means that no special majority will then be needed; affirmative resolution will then be the Government majority, and we saw today, clearly, what a reduced Government majority ended up with, where the person in the Chair had to cast a vote. We saw last week Friday what a Government majority could do when seven pieces of legislation were sent through this House, with them talking to themselves, in total disregard for parliamentary practice and procedure.

On Private Members' day which is set aside for private Members' matters, they would not deal with the issues of the day but they bring us here to talk about 1933 and 1961. The only reason they have come here today with this is because they could not pass it last week Friday, as you well know, because the votes of the Opposition are needed for this to be passed.

I want to remind the hon. Prime Minister of his words as reported in the *Guardian* of Monday, March 10, 2003, which states:

“Manning even described the UNC as politically unnecessary to the affairs of the State. ‘If they want to stay out, let them stay...they are largely irrelevant to the politics of Trinidad and Tobago, anyway,’ Manning stated.” [*Desk thumping*]

Today, we will demonstrate that the Member for San Fernando East will have to eat these words because, you see, there is a day for Peter and a day for Paul and there is a day for Peter and Paul and for everybody in this country, and when you say that the Opposition is irrelevant, you are also saying that the hundreds of thousands of people whom the UNC represent in this Parliament—we are representatives for hundreds of thousands of people—are also irrelevant. You are also saying that the provisions of the Constitution are totally irrelevant; you are saying that democracy is irrelevant—

**Mr. Deputy Speaker:** Hon. Members, the Hon Member for Siparia is making a very serious point. Let us allow the Hansard Reporter to record what she is saying. Members on both sides seem to be getting ready to impede the ability of the Hansard Reporter.

**Mrs. K. Persad-Bissessar:** Thank you, Mr. Deputy Speaker.

I am suggesting that in labelling the Opposition as irrelevant and unnecessary, the hon. Prime Minister is living in the sky; the hon. Prime Minister is not facing the reality of the democracy of our country today and the hon. Prime Minister is only concerned with all I can say as follies in his administration, when he wants to come to tell us—not us; he tells it out there; he does not even come to the Parliament. When he wants to go out there and say that he is going to move this Parliament out of the Red House without one iota of consultation with anyone, it means that everybody is irrelevant except the Father of the nation who wants to have this monument as a museum to house himself in this office here in the Red House.

The preamble to this Bill makes it very clear. It reads:

“WHEREAS it is enacted *inter alia* by subsection (1) of section 13 of the Constitution that an Act of Parliament to which that section applies may

*Rent Restriction Bill*  
[MRS. PERSAD-BISSESSAR]

*Friday, March 14, 2003*

expressly declare that it shall have effect even though inconsistent with sections 4 and 5 of the Constitution and, if any such Act does so declare, it shall have effect accordingly:

And whereas it is provided by subsection (2) of the said section 13 of the Constitution that an Act of Parliament to which that section applies is one the Bill for which has been passed by both Houses of Parliament and at the final vote thereon in each House has been supported by the votes of not less than three-fifths of all the members of that House:

And whereas it is necessary and expedient that the provisions of this Act shall have effect even though inconsistent with sections 4 and 5 of the Constitution:”

Not a single Bill which is on the Order Paper, including this, from today until next week, can be passed by the Government without the support of the Members of the Opposition. [*Desk thumping*] Last week four Bills remained on the Order Paper: The Rent Restriction (Amdt.) Bill and the three dealing with the police service, and I understand that a Kidnapping Bill has been laid which also requires a three-fifths majority.

I do not understand how you could have a Kidnapping Bill, unless you want to encourage kidnapping. I would have thought that you would create a bill that would be an anti-kidnapping bill, or you would have said Kidnapping Offences Bill. I cannot see how you could have a bill designed to deal with the problem of kidnapping in this country and name it the Kidnapping Bill. That Bill, too, requires a three-fifths majority in this House and in the other place.

What this means is that totally contrary to the view of the Prime Minister, totally contrary to his wish and his hope that the Opposition is irrelevant, it is very clear that nothing of substance can be done and passed in this House without the support of the Members of the Opposition. Last week they passed seven Bills, rubbing their hands with glee, smiling all over. What were they? The Income Tax (Amdt.) Bill, to increase from four commissioners to five commissioners; the Bills relating to children to change the definition of "court" to mean a court having jurisdiction for family matters in the country; changing the definition of "Minister" in the Freedom of Information (Amdt.) Bill, to change it in a certain part to mean "The Minister of National Security" instead of "Minister of Information"—minor amendments.

They can bulldoze their way; they can steamroller their way and use their majority in that dictatorial manner, but only for minor matters in this nation.



Similarly, whether it comes to the Parliament or not, civil society would deal with them; the public would deal with them.

If the Member for Port of Spain North/St. Ann's West believes that there was smoke yesterday in Central, the fire is coming, because yesterday the Member clearly indicated, from the reports I have read, the Member has gone on record, not just through letters that we discovered through the grapevine, but publicly, to say he cannot guarantee the job security of the workers of Caroni (1975) Limited. We cannot sit here as responsible representatives of the people to cooperate with a Government that considers the whole of the south and central to be totally irrelevant. [*Desk thumping*] We cannot sit here as responsible Members representing half of the population of this country and cooperate with a government that discriminates against half of the population of this country.

So whilst we will not vote against the Bill, we will abstain from voting for this Bill. We do this on the principle that there can be no cooperation with the Government until they talk to the people at Caroni (1975) Limited and work out the problems at Caroni (1975) Limited. You cannot send them home! [*Desk thumping*] You cannot talk in one breath about saying that you are creating jobs under CEPEP, raising it from \$44 million to \$400 million—in one breath you are talking about social services and social sector programmes to help with employment, but in another section of the country you are pauperizing the others and sending them on the breadline.

It is the continual hypocrisy of the PNM and we would not stand for it. We would not cooperate with the Government on this matter or on any matter until they can deal with us with respect to the workers at Caroni (1975) Limited. [*Desk thumping*]

I am not going against the Speaker's ruling on this matter, but what was interesting to note was, when we asked last Friday for the Caroni (1975) Limited issue to be brought forward on the front burner, that was not important. I am saying it was not because of your ruling, Mr. Deputy Speaker, but because, to them, it was not an important issue. They want to fire everybody before they come to the Parliament with a plan to discuss this matter. But here we are, talking about 1933 legislation. That is important! Changing tax commissioners from four to five, that is important; changing the Minister of Information to Minister of National Security under the Freedom of Information (Amdt.) Bill, that they consider important. Here it is, thousands of people are going to be put on the breadline, the families of those people are going to be traumatized, and do you know what is going to happen? It is not just loss of jobs, you know, the entire

*Rent Restriction Bill*  
[MRS. PERSAD-BISSESSAR]

*Friday, March 14, 2003*

economic sector of the south and the central will be shut down because of that. The entire south and central will be crippled and paralyzed because when those jobs are lost, all the things that surround it; all the spin-offs and all the things contiguous to it are going to be economically affected.

So do not speak to us in double speak and forked tongues. Do not tell us you are creating social sector programmes to create jobs, because some people have historically not had jobs. They have been historically disenfranchised; they have been historically property-less, so you are going to give them the Community Environmental Protection and Enhancement Programme (CEPEP) and let them form their own businesses, when the records would show clearly, it was nothing to do with that at all. It was not about that. How can you spend millions of dollars in CEPEP and those other programmes, the Unemployment Relief Programme (URP), YAPA and all the others—and the former Minister of Finance, Mr. Yetming, made this point recently in a press conference—how can you spend millions in sectors where you are not producing, but you are saying you are doing it for social harmony and to assist the impoverished, and yet you are saying that you cannot spend money at Caroni (1975) Limited because Caroni (1975) Limited is not financially viable? Are those programmes financially viable? The issue is not about financial viability—

**Mr. Deputy Speaker:** Hon. Member, I have allowed you tremendous latitude. Would you please deal with the Bill?

**Mrs. K. Persad-Bissessar:** I thank you for your guidance and I refer again to this Bill which is asking for a three-fifths majority and is asking for the support of the Members of the Opposition and I am explaining our position, that we cannot cooperate with the Government unless those matters are dealt with, and therefore we need to explain why—

**Mr. Deputy Speaker:** I hear you, hon. Member, but you are going on into another frolic. I hear what you are saying. Please, you know how to connect it.

**Mrs. K. Persad-Bissessar:** Mr. Deputy Speaker, we are speaking about Rent Restriction legislation which will allow the poor, the impoverished to hold their rents up to a certain level because the Rent Restriction law is going to say, “you cannot raise the rents above a certain amount”. We are talking about poor people; we are talking about impoverished, the dispossessed, the disadvantaged, and I am saying you cannot speak of the poor and the disadvantaged and hold out platitudes with respect to—and when you check this Rent Restriction, you will find out it is a minute number of persons you are talking about, and in the other breath you are looking at thousands going on the breadline.

That hypocrisy and that double speak cannot continue. Those persons under the Rent Restriction legislation who may be affected by this, we care about them, contrary to the rumblings and the mutterings I am hearing, but the issue is larger. It is on principle. We will not cooperate with the Government for the 10,000 workers that they intend to put on the breadline.

There are other matters with respect to this legislation if we want to go directly into the clauses. As I said before, what Government is asking is to have a five-year period without coming back to this House to have that special majority decide whether you want to go ahead with this Rent Restriction legislation. That is not good enough. You have already had one year; two years will take you into 2005 and thereafter you will have a three-year period, so you are really talking about a six-year period. That is what this is asking for, an extension of the Rent Restriction legislation for six years.

But if you want to do that—well, you do not even have a Housing Minister in the House—what is your plan? What is your housing policy? How are you going to deal with the lack of housing—which is why you are doing this? How are you going to deal with the landlords and those who are property owners in terms of developments of their property? They have not been able to develop their property at all because the rents have been kept at a very low amount. Nothing is wrong with that in principle, but there must be a policy and there must be a plan in order to deal with it.

Finally, I want to make it very, very clear, I will not support this legislation; I will abstain from voting on this legislation until the Government is prepared to treat with all the citizens of Trinidad and Tobago in a fair, just and transparent manner.

I thank you. [*Desk thumping*]

**Mr. Subhas Panday** (*Princes Town*): Mr. Deputy-Speaker, what is before us is “An Act to re-enact the Rent Restriction Act, Chap. 59:50, and to validate things done thereunder.”

It seems to me that what has happened here is that the Government is confused in what it is doing. If one looks at the history of rent restriction, you, Mr. Deputy Speaker, being a man in active practice in the courts, would have seen that the Rent Restriction Act which emanated in 1941, I think it was, was an Act to restrict the rent of certain premises and the right to recover possession of such premises. That Act has been amended on a number of occasions. [*Interruption*] Leave him. He is ignorant; he is stupid; ignore him, Mr. Deputy Speaker.

*Rent Restriction Bill*  
[MR. S. PANDAY]

*Friday, March 14, 2003*

So what is happening is that this Act has been amended on so many occasions that it has become irrelevant, almost. In 1981 there was another Act called Act No. 45 of 1981, which was an Act to restrict the rent of certain dwelling-houses. The short title of that Act states:

“This Act may be cited as the Rent Restriction (Dwelling-Houses) Act, 1981.”

So what we have before us here are two distinct pieces of legislation: The Rent Restriction Act, Chap. 59:50 of 1941 and Act No. 45 of 1981 which, although they impact upon the same topic, are two different pieces of legislation.

For example, the Rent Restriction Act, Chap. 59:50 went on to say in section 1(2):

“This Act shall continue in force until 23<sup>rd</sup> February 1987...”

And this is the Act which we are going to re-enact. This Act speaks about houses and I quote from Chap. 59:50 at Part 1 of the Schedule. It states that houses that were built:

“1. As from the 12<sup>th</sup> February 1954, all new buildings, the erection of which was completed on or after that date together with any land appurtenant thereto and occupied therewith.”

So the Rent Restriction Act, Chap. 59:50, is dealing with buildings which were built in 1954. What has happened, that Act has been eroded as time went on. When one looks at Part 2 of the Schedule, it also applied:

“3. As from 12<sup>th</sup> February 1960 every commercial building which, at that date, was not let to a tenant or occupied by a statutory tenant.

4. As from 1<sup>st</sup> March 1961 and without prejudice to the operation of paragraph 3, every commercial building the standard rent of which exceeds the sum of one hundred and fifty dollars a month.”

It went on to say in Part 4—it is being eroded as time goes on.

It would appear that this piece of legislation came into being probably just at the time of the war in 1941 when there was a serious shortage of the housing stock and when they realized that they were impinging upon property rights, they started to reduce the effect of the Rent Restriction Act.

That is why, as one looks at the Act, one sees it has been nibbled at. Part 4 states:

“7. As of 7<sup>th</sup> February 1964, every dwelling-house erected before the 12<sup>th</sup> February 1954, and on which on 7<sup>th</sup> February 1964 was in actual occupation of the owner.”

So they are pushing houses out of the Act. At the beginning it was 1954, but as we went along, they said: "Oh, it could be built in 1954, but on February 07, 1964 it had to be in occupation by the owner", and from August 01, 1965, the standard rent of which, on the 7<sup>th</sup> of February 1964, was in excess of \$720. What they were doing was they kept on cutting the effect of the Act. Part 5 says:

"9. As from 24<sup>th</sup> January 1967, all dwelling-houses which on that date was in actual occupation of the owner."

So they are putting so many strictures that they reduce the number of houses or the number of lettings which the Act at the beginning had encompassed. Part 5 continues:

"10. As from 24<sup>th</sup> July 1968—

(a) all dwelling-houses the standard rent of which on that date was or exceeded six hundred dollars a year;"

It goes on in Part 6 at section 13 (a):

"all dwelling-houses, the standard rent of which...exceeded four hundred dollars."

So you see, they are cutting it down. We can go on and on. So what we observe in Chap. 59:50, there were certain requirements as to the date of the building of the house, occupation of the owner and included in that, a quantum of rent. This is what we had gone into. As you remember, what happened was that the Rent Restriction Act, Chap 59:50, did not only deal with rents but with the right to recover possession. I do not know what happened in 1981, but then we had Act No. 45 of 1981 which specified dwelling houses. Chap. 59:50 dealt with commercial, et cetera.

So we had an Act to restrict the rents of certain dwelling-houses and this changed the scenario. This Act changed the parameters. It did not amend Chap. 59:50 but it actually created new law. As you know, it would repeal the former law insofar as it is inconsistent with the previous law. So what it says is that this Act No. 45 of 1981 also affected the enshrined rights in section 4 of the Constitution, as my friend, the Member for Arouca South, spoke about—the property rights. That is why in that Act they spoke about it being an Act which requires a special majority because it contravenes, or is inconsistent with, sections 4 and 5 of the Constitution.

This Act which is saying, "may be cited as the Rent Restriction (Dwelling Houses) Act, 1981," as distinct from the Rent Restriction Act, created new

*Rent Restriction Bill*  
[MR. S. PANDAY]

*Friday, March 14, 2003*

parameters. Listen to what the Rent Restriction (Dwelling Houses) Act spoke about at section 3:

“This Act applies to all dwelling houses which were let for a rent whether payable monthly or not, not exceeding one thousand dollars per month in the case of an unfurnished letting or one thousand five hundred dollars per month as in the case of a furnished letting as of 31<sup>st</sup> December, 1978 or, where on that date the house was not the subject of a letting, at the commencement of the first letting after that date.”

It did not speak anything about when the house was built. It spoke about letting. It went on to say at section 4:

“Base rent is the rent, whether payable monthly or not, not exceeding one thousand dollars per month in the case of an unfurnished letting or one thousand five hundred dollars per month in the case of a furnished letting, at which a dwelling-house was let.”

So it is only a time restriction in this new Act. It continues:

- “(a) either as at 31<sup>st</sup> December, 1978; or
- (b) where the house was not the subject of a letting on 31<sup>st</sup> December, 1978, at the commencement of the first letting...”

Now what has happened, this Act went on to speak, like the other Act, about the setting up of the board. But this is a dangerous Act, in that it says that in order to be protected by this Act to obtain its benefits, section 12 of Act. No. 45 of 1981 states:

“Where a tenant fails to register he cannot avail...” [*Interruption*]

She has always been so incompetent. She brought legislation to this Parliament once where it was totally irrelevant. [*Interruption*]

**Hon. Member:** Who is “she”?

**Mr. S. Panday:** The honourable and most brilliant Member for Arouca South brought to this Parliament, legislation which was totally irrelevant to the law. I think it was the Stamp Duty (Amdt.) Bill, when we had to wind up at three o’clock, or something like that, and this again. It seems to me she is perfecting the art of incompetence. It says at section 11(1) of Act No. 45 of 1981:

“Subject to subsection (2) every tenant and every landlord of a dwelling-house, whether or not the dwelling-house is one to which this Act applies,

shall register with the Board within three months of the commencement of this Act or the tenancy, whichever is the later.”

Apparently when one reads the two pieces of legislation in conjunction, this piece of legislation ties up tenancy in Chap. 59:50. Although it repealed it in certain respects it tied it up. It went on at 11(2):

“Where at the commencement of this Act, a dwelling-house to which this Act applies is the subject of a letting, the landlord or the tenant or both shall register with the Board not later than 28<sup>th</sup> February, 1982.”

And this is the killer in this Act. It states at section 12(1):

“Where a tenant fails to register he cannot avail himself of the protection of section 9 or of the Rent Restriction Act (hereinafter referred to as ‘the Act’) in respect of his tenancy.”

So we are in the position where there are many, many people who have not registered and there are very few people, if any, who can obtain the protection of this Act. When one goes back to Chap. 59:50—I see the Member of Laventille East/Morvant shaking his head. He understands the law. What has happened is that most of these buildings from 1954 to the present would have been about 47 years old and would not have been under the Act, and Act No. 45 of 1981, most of the people cannot avail themselves of the benefits of this Act.

What has been happening in practice is that many people do not know that you cannot raise these objections and they go to the board which illegally sets the rent and they abide by it. So the legislation which is before us is “an Act to re-enact the Rent Restriction Act, Chap. 59:50, and to validate things done thereunder.” In truth and in fact there is nobody who could really benefit from this Act that is before the Parliament today.

We must look at the social aspect of the legislation. One would see that although we say that we are protecting some people, these Acts have been discriminatory, in that there are many people who are also poor. It would seem to me that the Act went out to protect tenants. I have no problem with that; I am happy for the tenants. But they took away the rights of certain people who were also poor and probably have a small old house that they got from their parents and they are trying to make a living. Their rights have been taken away from them and that has not been addressed and we have come back today to continue that discrimination.

If we want to be equal—although some of us said that equity is not equality—we should try to be fair to society. What you say is that, if you have a rent board,

*Rent Restriction Bill*  
[MR. S. PANDAY]

*Friday, March 14, 2003*

it should set the rent; the tenant pays what he or she could afford and the State should make up the difference between what the tenant could pay and what the true market rent is. So at the end of the day the State would have carried out its social obligation to all the people; to the tenant and the landlord.

So when we come here and cry and say we are here to help poor people, we must come here to help all poor people. That is our position on this side. We believe that everyone in Trinidad and Tobago must have a fair opportunity to develop and these Acts have been preventing certain people from going forward. If one looks at the history of these Acts, in England in the 1939/1945 war, because there was a shortage of housing, there was an emergency created, hence laws were passed taking away people's rights to ensure that people in winter were not frozen. But we are now in the 21<sup>st</sup> Century and we must look at this situation in a more equitable way.

Another Act which deals with land and housing is Act No. 11 of 1981. This Act is related to the security of tenure of land tenants. Again, I think this was an Act similar to the one which was inconsistent with sections 4 and 5 of the Constitution. It said the rent would be determined by the board, but I think it was section 9 which actually took away the lands of small landowners who probably gave a friend who could not afford land, an opportunity to put up a shack. Once June 01, 1981 came, he became a protected tenant and he had a lease for 30 years with an option to renew for a further 30 years. What was actually done to that small man who probably would have had one lot of land in his lifetime, you said, "your lands are gone". They took it away. As the Member said earlier today, a lease for 99 years is almost like a leasehold. Well, 60 is not far from that.

In section 1 it says a tenant may exercise an option to purchase the land. So although this person may have that love and attachment to that piece of land because his mother gave him that small piece of land, that tenant then had the opportunity to purchase that land. So the person has lost the land. But it went on to say that that tenant would be able to purchase that land, not at the market value, but half of the market value. So what we have done there, really, is try to assist certain people and sink others.

Again, I would like tenants to have those lands at half the market value. He may have sentiments for the land; likewise the landowner, sentimental value for the land. What we would have suggested was, let the land go on market value; let the tenant pay half the market value and the State pay the other half, so it would be fair to everybody. This is what we thought would be the vision. You see, once the rents remain low, you would find slums being developed because the rent



would be so low that nobody would repair houses. That is why one would see houses so dilapidated and one wonders how people could live there. The landlord has refused to renovate it because he would say, “What am I fixing that for? My returns would not be anything.”

The same tenants we are trying to protect, we are also hurting by not really reviewing this legislation, but merely coming to the Parliament to re-enact legislation and boasting and saying, “Oh, you all have done this before; it is your legislation we are really re-enacting.” We would have thought that in the 21<sup>st</sup> Century this Government would have come before us and bring a whole vision for land. They have no plan.

What we are saying also, we represent people in certain areas and when one looks at what is going to happen with rent restriction, those people who are employed with Caroni (1975) Limited who have loans with the Sugar Industry Labour Welfare Committee, when they retrench these persons—

**Mr. Ramnath:** They are not retrenching anybody, Subhas. They cannot!

**Mr. S. Panday:** Okay. When they attempt to put them on the breadline and then they are owing the Sugar Industry Labour Welfare Committee moneys for their houses, would they take that out of that so-called VSEP they are being given? If it is taken out, how would the people live? When we talk about people, we must talk about all the people; the people in Caroni also! [*Desk thumping*]

Sugar has been an industry which has exploited both slavery and indentureship. No store owner, no scissors man, no Reebok man—

**Mr. Deputy Speaker:** Hon. Member, we are dealing with the Rent Restriction (Amdt.) Bill. You have taken us on a tour of all the land legislation. I have permitted you to do it because it is interesting to me. Please, stick to the Rent Restriction (Amdt.) Bill. I know it is tempting, but we are going to have that come up in some debate in the future. Keep your powder dry for that, please.

**Mr. S. Panday:** That is the point I am making, Mr. Deputy Speaker. We are demanding, like you, that they bring the plan that they have for Caroni (1975) Limited, a holistic plan before the Parliament. I agree with you, Mr. Deputy Speaker. [*Desk thumping*] I know you stand on the side of the people.

**Mr. Deputy Speaker:** Yes, but you see, it is left to you to bring it, and I have pointed it from time to time. [*Interruption*] If you do not, whatever it is, I want you to leave that for that debate, please. If you want to demand it, you will have to do it in another way. I know you know the way to do it, but you cannot be permitted to do it now; and do not do it, please.

**Mr. S. Panday:** I am guided by you, Mr. Deputy Speaker.

So when those people of Caroni (1975) Limited are retrenched and you take all their moneys, where will they get money to pay rent? [*Desk thumping*] This is what we are looking at. When they lose their homes, which I am certain many of them would do, they would not get any National Housing Authority apartments to rent. That is for certain people. The corruption is so rampant in the NHA that people who are trying to rent lands in Buen Intento in Princes Town, NHA is saying, "If you want to rent that land to put up dwelling houses, we are giving you a plan and we are giving you a contractor also, and if you do not like it, take back your deposit."

This is what we are fighting. That is why the Member for Siparia said we are abstaining, to register our protest of the Government's highhandedness, the bias, the corruption in the NHA, where people cannot get property to rent. When you see this long line of people there trying to get housing to rent, they are discriminating against certain people. I am certain that the workers of Caroni (1975) Limited, when they are retrenched and kicked out on the roads, when they are brutalized, they will never see CEPEP so they could get some money to pay rents. This is the position we are in! [*Desk thumping*]

This is why we are demanding that they put the full Caroni (1975) Limited plan before the House so that we can know what would be the future of those people in respect of housing and rents, because we see that this PNM Government is creating a new poor class and that is what we are going to stand up against and that is the reason for our abstention today. We are sending the message loud and clear: We stand for equality and for us equity also means equality! [*Desk thumping*]

A certain member of the PNM said that they have to finish the sugar union. This thing about getting rid of Caroni (1975) Limited, it is not Caroni (1975) Limited, they are trying to get rid of us. But we are going to stand up and protect the rights of those people.

**Mr. Deputy Speaker:** Hon. Member, please, do not go there. I have told you, you have an opportunity and opportunities will be created.

**Mr. S. Panday:** We are saying, as the hon. Member for Siparia has indicated, that this piece of legislation has very little or no bearing on anybody in Trinidad and Tobago; that there are many people in Trinidad and Tobago whom we see would be falling in precarious circumstances and this piece of legislation will do nothing for them. In the circumstances, we are calling upon the Government to come with a holistic view, not only for housing and renting, but a land utilization

programme. We want not only rent restriction, not only housing, but land utilization, because once land is taken away from agriculture and committed to anything else, it has been lost forever. In a small country like Trinidad and Tobago in which land is limited, we have to protect the rights of the citizens.

Thank you, Mr. Deputy Speaker. [*Desk thumping*]

**The Prime Minister and Minister of Finance (Hon. Patrick Manning):** [*Desk thumping*] Mr. Deputy Speaker, I rise to disagree with some of the points made by the very distinguished Member for Princes Town. In particular, I think that on behalf of my colleagues on this side, we ought to put on the record our disagreement with the proposal made by the Member in his contribution, that rent assessment boards should establish what a fair rent is for any particular property and that the tenant then pays what the tenant can afford, leaving the shortfall of that rent to be paid by the State on the tenant's behalf.

It is a point of view with which we disagree as, indeed, we disagreed with a lot of what the Member for Princes Town had to say. But I would concede, especially in the initial part of his contribution, that whatever the views expressed by the Member for Princes Town that did not find favour with us, I have to concede that his contribution was germane to a consideration of the Rent Restriction (Re-enactment and Validation) Bill that is before the Parliament at this time. In short, the Member was largely relevant in his contribution.

That represented a major departure from the offerings to which we have been subjected this afternoon by speaker after speaker from the Opposition Benches, on whatever they spoke. The Member for Baratavia/San Juan in his contribution earlier today was irrelevant—[*Interruption*]

**Mr. Deputy Speaker:** The point is made. You are going outside of the debate, could you please—

**Mr. Singh:** Confine yourself to the debate—

**Mr. Deputy Speaker:** Hon. Members, please, I dealt with it and let it stay so.

**Hon. P. Manning:** Mr. Deputy Speaker, the Member for Siparia was the worst offender—

**Mrs. Persad-Bissessar:** That is what you wanted to say.

**Hon. P. Manning:** Of course, that is where I am coming, because you are the only one who spoke in this debate. That is the point. The Member for Siparia was largely irrelevant and under normal circumstances I would have allowed it to pass, had it not been for the fact that the Member for Siparia is not new to the

*Rent Restriction Bill*  
[HON. P. MANNING]

*Friday, March 14, 2003*

honourable House; is an experienced parliamentarian and certainly knows better. The contribution that she made this afternoon bore very little relevance to the matters before—

**Mrs. Persad-Bissessar:** Who is “she”?

**Hon. P. Manning:** I apologize. The contribution made by the hon. Member for Siparia this afternoon was very irrelevant to the matter that is before the Parliament. [*Crosstalk*]

Mr. Deputy Speaker, in every organization, whatever the organization is, be it a football club, be it a youth group, be it a church, be it the CEPEP organization, be it the Unemployment Relief Programme, be it the construction of the airport at Piarco, be it the construction of a desalination plant in Central Trinidad, whatever it is—

**Dr. F. Khan:** On a point of order, Mr. Deputy Speaker.

**Mr. Deputy Speaker:** What is your point of order?

**Dr. F. Khan:** Standing Order 36(3). Look at it.

**Mr. Deputy Speaker:** The hon. Member was speaking about this debate and he was just being prompted by the Member for Nariva. So continue, please.

**Dr. F. Khan:** Could I just—the Member for San Fernando East said that I was irrelevant.

**Mr. Deputy Speaker:** No, I stopped—you recall when the Member said that, I indicated that was a different debate. The Chief Whip did the same thing.

**Hon. P. Manning:** Mr. Deputy Speaker, I would like to advise my good friend, the Member for Baratavia/San Juan, that there are some elements of parliamentary skill that he is yet to learn. He would learn them as he goes along.

**6.00 p.m.**

Mr. Deputy Speaker, if I appear irrelevant this evening, it is because I consider that I have an obligation to respond to the irrelevance of those on the other side. In dealing with the contribution of the Member for Siparia, even as irrelevant as she has been, I can use stronger language except that I do not think that such language is appropriate to the Parliament of Trinidad and Tobago. I will still exercise restraint in dealing with that contribution, and I will still demonstrate that the quality of mercy is not strained. The Member for Siparia should know better.

Mr. Deputy Speaker, whatever the organization is, there are rules. In a football game, not only are there rules that govern the smooth conduct of that game, but there is a referee on the field to ensure that the rules of the game are observed.

If we want to build Piarco Airport, there are rules that ought to be followed. If the rules are not followed, then the consequences are now clear to all and sundry; consequences that are now finding their way in the sequel of this entire sordid affair as a commission of enquiry unveils to the national community exactly what the consequences have been of not following the rules of the game that have been established for the good order of the conduct of government and public business.

**Mr. Ramnath:** What Commission of Enquiry? Bernard's biased, extreme justice?

**Hon. P. Manning:** Mr. Deputy Speaker, some years ago—[*Interruption*]

**Mr. Deputy Speaker:** Member for Couva South, you sit there and you continue to disturb this honourable House. If I have to speak to you again on doing that I shall be forced to deal in a manner which none of us would like.

**Mr. Ramnath:** Is that a threat?

**Mr. Deputy Speaker:** I am not threatening you, I am just indicating what the rules are.

**Hon. P. Manning:** Mr. Deputy Speaker, that is precisely the point. As far as those Members opposite are concerned, rules are made for everybody except them. We have a Parliament which has Standing Orders. There are Standing Orders that govern the conduct of the operations of the Parliament and there is a presiding officer. [*Interruption*] If you cannot take the jamming, leave. There are rules. If a presiding officer says that a particular matter is not properly raised before this Parliament under a particular Standing Order, then those are the rules. We had to sit here this evening—[*Interruption*] When the Member was being irrelevant anybody told her anything? Mr. Deputy Speaker, I am responding to my friend, the Member for Siparia.

Mr. Deputy Speaker, for the Member for Siparia to come and say today that the issue involving the VSEP Programme at Caroni (1975) Limited has been ruled as not being important enough to engage the attention of this Parliament, falls in a category that can only properly be described in a language that is unparliamentary. The hon. Member for Siparia knows very well that if that matter had to be raised, there are Standing Orders under which it could be raised. There is a mechanism. At the time, the presiding officer made it clear. But you see, that is what they tell their constituents: that they try to raise an issue in Parliament and the presiding officer and the PNM did not consider the issue important enough to be raised and debated in the Parliament. What they did not say is that all the years that they have spent in this Parliament really, have amounted to naught in terms of

*Rent Restriction Bill*  
[HON. P. MANNING]

*Friday, March 14, 2003*

the rules and understanding of the rules and proper conduct of parliamentary business amounted to absolutely nothing. The Members opposite do not say that.

The Member for Siparia knows if she wants to raise a matter there are ways in which she could do so. Her contribution was totally irrelevant this afternoon. I am accused of describing the Opposition as irrelevant. Mr. Deputy Speaker, one sat in the Parliament this evening and heard the contribution—whichever debate it was—of hon. Member for Siparia—the Member for Princess Town started off well. [*Interruption*] I want to leave him out of this. They come time and time again—we are discussing rent restriction—and want to talk about the moving of the Red House, Caroni (1975) Limited and everything under the sun, and when they are ruled out of order and irrelevant they feel that something is wrong with the way the business of the House is being conducted. [*Desk thumping*] That is what they do.

Mr. Deputy Speaker, the Member for Siparia is taking umbrage to the fact that I have described the Opposition, following certain actions, as largely irrelevant and has extended the argument to say that we have been elected—speaking for the Members opposite—by people in Central and South Trinidad and, therefore, what in fact I am saying when I say that they are irrelevant is that the people of Central and South Trinidad are irrelevant. Not only could nothing be further from the truth but it represented a kind of twisted logic for which the Member for Siparia is now becoming well known.

**Mr. Deputy Speaker:** Member for Nariva, the Member for Siparia did talk about irrelevance. Member for Siparia, did you not? Therefore, you have opened the floodgates, so please.

**Mrs. Persad-Bissessar:** If I may, on a point of order, 36(5), before the hon. Member continues. The last comment the hon. Member for San Fernando East made was that I was distorting matters. He is imputing improper motives. He indicated that I was distorting matters.

**Hon. P. Manning:** Mr. Deputy Speaker, just for the record I will say it again so that the Member would understand what I am saying. Because I indicated I considered the Opposition to be largely irrelevant, the Member for Siparia has indicated that since they have been elected, largely, by people from Central and South Trinidad, what in fact I am saying is that the people from Central and South Trinidad are irrelevant. Is that correct or not? It is a twisted logic for which the Member for Siparia is now becoming well known. I repeat, when the Opposition walked out of the Parliament last week—[*Interruption*]

**Mrs. Persad Bissessar:** Standing Order 36(4) states:

“It shall be out of order to use offensive or insulting language about Members...”

**Hon. P. Manning:** I am not insulting anybody.

**Mrs. Persad Bissessar:** Twisted logic. Standing Order 36(4) speaks about that.

**Mr. Deputy Speaker:** Hon. Member I heard you.

**Mrs. Persad Bissessar:** Do not stand here and insult us.

**Hon. P. Manning:** Mr. Deputy Speaker, I am sorry, but it is quite clear that the Member for Siparia and I went to different schools. In the school from which I come that method of thinking is described as twisted logic. That is what it is. [*Desk thumping*] [*Crosstalk*]

The Member for Siparia did not think about the people from Central and South Trinidad, nor did the Member for Couva South, nor did the Members for Chaguanas, Barataria/San Juan, Caroni East, Fyzabad, Nariva, Princes Town, or Tabaquite. I suppose the Member from Pointe-a-Pierre thought about it. The Members for St. Joseph and St. Augustine hesitated. They thought about it. I am sure what was going through the heads of the two honourable gentlemen is: “We were elected to sit in the Parliament to represent the people's business, what are we doing walking out of here? What are we doing walking out of here with the confidence and trust of the people of Central and South Trinidad, who elected us to come to the Parliament to represent their interest and to look after their affairs?” The Member for Siparia could tell this honourable House that in the absence of the Opposition—what she did not say—as a result of an irresponsible act, the people from Central and South Trinidad who expected that they elected people to come to the Parliament to look after their interests, found themselves with a point of view not representing the Parliament itself. It is worse than that because in the Westminster system, the Opposition has a responsibility. The Opposition's responsibility is to show the other side in a debate. When seven items of legislation were passed in this Parliament, without any contribution from the Opposition, it is not the fault of the Government. What they were trying to do was to bring the people's business to a halt. The Government decided they would not do that. As irrelevant as they were and continue to be, and as irresponsible as they are, the Government decided that will not affect us. If the Opposition wants to go that is their decision, they will answer to the people. The Opposition talks

*Rent Restriction Bill*  
[HON. P. MANNING]

*Friday, March 14, 2003*

about consultation. Did they consult the people who elected them before they walked out irresponsibly from the Parliament?

**Mr. Valley:** We will tell the people how you represent them. [*Crosstalk*] Run? I am coming.

**Hon. P. Manning:** Mr. Deputy Speaker, the Opposition was upset and walked out last week. On what basis did they walk back in this week?

**Mr. Ramnath:** We have a right to be here!

**Hon. P. Manning:** Oh! You have a right to be here this week, but no right to be there last week, is that it? I see. [*Crosstalk*] It looks like the Member for Couva South could go when he pleases, I do not know about come. [*Interruption*]

The Member for Siparia talks about consultation. She has the temerity to get up in this House and criticize the Member for San Fernando East ostensibly on the basis that certain decisions were taken without consultation. Mr. Deputy Speaker, I ask them the question: Who did you consult when you walked out last week?

**Mrs. Persad Bissessar:** We not telling “yuh”.

**Mr. Valley:** Panday consult them, they had to come back.

**Hon. P. Manning:** When we got together in Crowne Plaza and agreed on something. [*Interruption*] Yes, it is relevant. They felt that they could unilaterally repudiate it because, of course, they could do as they please. That is precisely what the Member is saying now. If the Opposition feels like coming in the Parliament, they come and sit. When they feel like not sitting, they get up and walk out. On what basis did they come back this week? I thought they would stay out until. [*Interruption*] If the Opposition wants to be logical about it—they disagreed last week with no opportunity, as they put it, to debate the VSEP issue in Caroni (1975) Limited. By coming back in, what they are saying to us is that they now agree to it this week. [*Desk thumping*]

**Hon. Members:** Never!

**Hon. P. Manning:** If you are staying out, stay out.

**Mr. Valley:** You do not like it so you come back this week. You like it now? [*Interruption*] So why did you come back then? [*Desk thumping*]

**Hon. P. Manning:** When you are out, stay out.

**Mr. Ramnath:** You are opening up a debate.



**Hon. P. Manning:** It is opened up already. I sat here quietly not saying anything to anybody. I was just listening to it.

Mr. Deputy Speaker, I would like to advise my good friend, the Member for Couva South, that I have more patience than all of them put together.

**Mr. Deputy Speaker:** Hon. Members, let us get back to the debate please. On both sides, we have had a lot of fun. Let us get back to the debate now. Members opposite, I kept asking that you stay on a narrow course and you went off course, so you opened it.

**Hon. P. Manning:** Mr. Deputy Speaker, just for the record, I am just responding to the hon. Member for Siparia.

**Mr. Ramnath:** Would you be so kind? Unfortunately I was on a sabbatical for a short time, but I understand that during my absence you walked out on a number of occasions. Did you consult your constituents when you walked out?

**Mr. Valley:** Not true.

**Hon. P. Manning:** I would like the Member for Couva South to tell me when I walked out of this House.

**Mr. Ramnath:** Did Members of your party, under your leadership walked out of this House while the UNC was in government?

**Hon. P. Manning:** So you changed the tune? Mr. Deputy Speaker, do you understand? Let me advise my colleague, the Member for Couva South, who himself is very experienced, apparently he is forgetting: when one speaks in this Parliament there must be accuracy in what one says.

In light of the fact that the matter has been raised by the Member for Siparia, I ought to put something on the Parliament's record. We had a press conference yesterday and I was asked by a reporter: "Where will the Port of Spain Magistrates' Court go if the site on which the court is now located is to be utilized for the construction of a Parliament building?" What I said to the reporter was: "It could go to Trinidad House." Indeed that is a proposal. [*Interruption*]

**Mrs. Persad Bissessar:** You never said that.

**Mr. Deputy Speaker:** That is just an aside.

**Hon. P. Manning:** That is a proposal.

**Mr. Ramnath:** Trinidad House is not governed under rent restriction. [*Laughter*]

**Hon. P. Manning:** That is only because they are not in government; had they been, it might well be.

Mr. Deputy Speaker, what position could a Prime Minister take if a reporter asks if the Government has announced so and so, what is an alternative for this? I could either answer the question or do not answer the question. Suppose I did not answer the question, I would have been accused of arrogance—not for the first time is right. I would have been accused of improper planning. I would have been accused of running a government that does not know what it is doing. I would have been told if I expected the Judiciary to operate from the sea. I would have been told all of that. In answering the question, therefore, to avoid all of that, and in suggesting what in fact is one possible alternative that is superior for reasons that were given at the time, what we are now accused of is taking decisions just so. The reality is, [*Interruption*] we are not making up, as you will find out.

Mr. Deputy Speaker, what indeed I put on the table yesterday was a proposal of the Government which we propose, I assure you, to discuss with the Judiciary.

**Mrs. Persad Bissessar:** After the fact?

**Hon. P. Manning:** After which fact? We put a proposal on the table.

**Mr. Deputy Speaker:** Hon. Member please, every time the Prime Minister is speaking you cut across, how do you expect us to proceed?

**Mrs. Persad Bissessar:** I am guided.

**Hon. P. Manning:** You are unguided. I am sorry. We will discuss the matter with the Judiciary and if it is that for some reason the Judiciary is of the view that Trinidad House is not appropriate, we will find somewhere else. I do not know why, in Trinidad and Tobago, we tend to make major issues out of what effectively are simple matters. The Government has a view. The Government has a proposal. We put the proposal on the table for all to see and hear and we will discuss with those involved. If in the case of the Judiciary—[*Interruption*] I am coming to Caroni (1975) Limited in a minute. If in the face of the arguments that have come forward it is determined that the proposal of the Government is not viable or undesirable for some other reason, we will do something else with Trinidad House.

Mr. Deputy Speaker, I was in this Parliament when Caroni (1975) Limited was formed in 1975 when the company was brought over from Tate and Lyle. Even then the future of the sugar industry was in question. The Government bought it at the time, to preserve the jobs of the workers in circumstances where we did not believe that sociologically, at the time, it was the right thing to do.

That is the reason we bought it. I remember at the time the arguments were on the outside: “Do not close down Caroni (1975) Limited, what are the alternatives for the workers?”

The records will show that it was a PNM Government that started Point Lisas Industrial Estate. Members opposite—none of whom was here at the time, some were with the ULF—took a very strong position against Point Lisas. Do you know what was the argument then? You are taking good, agricultural lands that are good for sugar production out of sugar to putting all kinds of esoteric plans and programmes that you are contemplating in place. That is what was said. That was the argument at the time.

Dr. Eric Williams—on the occasion of the sod-turning ceremony for the initiation of construction of the iron and steel plant: a new industry coming to Trinidad and Tobago—made a philosophical point when he said, after a historical antecedent: “King sugar is now giving way to king iron and steel,” signifying a major shift in the outlook and thinking of the Government and people of Trinidad and Tobago opting, as we did at that time, to utilize the natural resources with which we were endowed, to bring about major industrialization in the country and to effectively initiate travel on the road that leads to developed country status.

Mr. Deputy Speaker, the future of Caroni (1975) Limited has been in question for many years, not now. When some of the Members opposite were in political short pants it was like that. I remember the Member for St. Augustine—I think the year was 1988, the Dookeran Plan, as opposed to the Ramlogan Plan, as opposed to the Rampersad Plan, the Spence Plan. Everybody was talking about a plan for Caroni (1975) Limited. Everybody acknowledged that something had to be done. My colleague, the Member for Diego Martin West, addressing a huge rally in HiLo car park in St. Augustine—[*Interruption*] CEPEP workers are not folks too? Are they not citizens? The Member for Diego Martin West outlined in detail what the financial considerations were. At least, what the Government has done is that the Government has effectively decided to tackle that problem at a time when the stage is set for economic expansion and growth in Trinidad and Tobago and, therefore, by virtue purely of economic expansion alone, new job opportunities are becoming available in the domestic economy and, therefore, some alternative to persons who might be displaced. The numbers are not what they are saying it would be. We have two factories in this country. We are closing down one. [*Interruption*]

**Mr. Deputy Speaker:** Hon. Member for Chaguanas, if you require to join the debate, there will be ample opportunity. Could you please allow the hon. Prime Minister to make his point and then you could talk afterwards?

**Hon. P. Manning:** Production is being reduced from 100,000 tonnes to 70,000 tonnes. How could that close down? We went so far as to say that some of the lands owned by Caroni (1975) Limited today that are best suited for sugar production would be transferred to cane farmers. Therefore, some of the persons who will accept the VSEP out of Caroni (1975) Limited will be reemployed by cane farmers. More than that, we have made it clear that we are in the business of making new entrepreneurs in Trinidad and Tobago. Therefore, in the agrarian reform programme, that must follow a VSEP programme in Caroni (1975) Limited, some of the very workers, who were workers today, are going to become cane farmers tomorrow. We are not hearing that from any of the Members opposite.

**Mr. Valley:** But they are just bluffing. They are the only ones who are not supporting it.

**Mr. Deputy Speaker:** Members for Nariva and Siparia, all along when I tried to stop the debate and to keep it on a narrow bound, you asked for Caroni (1975) Limited. Now the Prime Minister is speaking please allow him to speak. If you would like to take an opportunity to ask for the plan, by all means, get up and ask for it. You brought it in.

**Hon. P. Manning:** Not only that, they will bring it again. They cannot help it. Any time the Opposition wants to debate Caroni (1975) Limited, the Government is ready, any time.

**Mr. Ramnath:** Your distinguished, former Prime Minister—

**Mr. Manning:** I am on my feet.

**Mr. Ramnath:** Could you give way?

**Hon. P. Manning:** Thanks for asking.

**Mr. Ramnath:** Your former Prime Minister, Dr. Eric Williams, had the decency to come to this Parliament to debate all of those industries and major projects when they were being constructed. I was here, in case you have forgotten; you probably have not seen me for some time. The Opposition had an opportunity, via a motion from the Government, to endorse the Government's position with respect to the construction of a steel industry, an ammonia plant, or the other projects. Why are you reluctant to do that? Why should you wait until, in the course of crosstalk, or we had to go around rent restriction, the issue is raised?

**Hon. P. Manning:** The Parliament has rules and there are provisions in the Standing Orders of the Parliament for Private Members' Motions. Any one of them on that side wishing to place on the Order Paper a motion to debate the

Caroni (1975) Limited issue, is free to do so. Instead of doing it and utilizing their time on Private Members' day in the Parliament, they chose to walk out. Therefore, they do not utilize the opportunity to raise issues in accordance with the Standing Orders. They now want to tell us what we must and must not put on the Order Paper. In case they do not know it: they have lost the election. They are not in Government anymore, they are in Opposition. [*Desk thumping*]

**Mr. Valley:** You had umpteen time to file the Motion.

**Hon. P. Manning:** Any time they want to file it, we will be only too pleased to debate it.

This debate on rent restriction is coming at a time when Trinidad and Tobago is in a very dynamic, economic phase. Over the past few years, rents have escalated in relation to properties that are not covered by the Rent Restriction Ordinance. Rents are very high because of a housing shortage in this country. The Government has estimated that the housing shortage can be made up by the construction of 100,000 houses, public and private sector, over the next 10 years. That is what the Government sees. The Government's policy and programme is geared towards achieving that by a multiplicity of programmes through a number of agencies. Not just housing construction, but land serviced lots, core house construction and rental accommodation. Over the entire spectrum of housing requirements, the Government of Trinidad and Tobago now has a comprehensive policy which, perhaps, at the appropriate time, we ought to lay in this Parliament and debate.

The Rent Restriction Ordinance deals with a particular niche in that whole spectrum. It deals essentially, with people whose economic circumstances are such that they require the benevolence of the state. I began by taking issue with the Member for Princes Town in his assertion that the Rent Restriction Board should set a rent, that the tenant should pay what the tenant could afford, and the Government should pay the rest. While we disagree with that approach, we do in fact see a role for the state in protecting those in our society who are unable to protect themselves. That is what the Rent Restriction Ordinance is all about: it seeks to ensure that those who are unable to properly provide for their own housing are able to still enjoy some kind of housing and not be on the streets of Trinidad and Tobago, by the Government of Trinidad and Tobago ensuring that there is legislative framework that can protect them and can make their rents within their own financial reach. That is what it is all about.

When this Bill goes to the vote, it is up to Members of the Opposition to vote as they see fit. That is their right. It is up to the Members of the Opposition to do

*Rent Restriction Bill*  
[HON. P. MANNING]

*Friday, March 14, 2003*

what they want. They can abstain if they wish; that too is their right. At least we on this side were hoping that the politics of Trinidad and Tobago has matured to the point where—notwithstanding whatever differences we may have, notwithstanding whatever cut and thrust may take place in the normal conduct of parliamentary debate—at the end of the day, when we reach the point of decision, we subsume all of these things and we take a decision or decisions that are in the public good. It is in those circumstances that I commend the Bill before the House for the approval of hon. Members opposite.

Thank you very much. [*Desk thumping*]

**Mr. Winston Dookeran** (*St. Augustine*): Mr. Deputy Speaker, I have listened very carefully to the hon. Prime Minister, the Member for San Fernando East, and I must commend him on what appears to be a conciliatory tone on the Caroni (1975) Limited debate which has not been forthcoming before. I hope it will represent a major change of thinking on the part of the Government. But, before I get into that, let me comment briefly on some of the points raised by the Member for San Fernando East. I believe he is quite right in saying the rules must be followed, but there is a time that rules need to be assessed as to whether they achieve their purposes. There are also rules in politics and rules in policy formulation that must be followed. [*Desk thumping*] What is more important today, in the context of the debate in which we have been engaged this afternoon, is not only the issue of the rules of the Parliament itself, but these rules are important and the reform of these rules should be dealt with by a dynamic Speaker or Deputy Speaker.

I wanted to talk about the rules of policy formulation. We have been dealing in a very piecemeal way, with a very historic decision, but we have not laid out the rules by which we are going to have dialogue, negotiation, discussion and decision on this very thorny issue of Caroni (1975) Limited. I agree, the Prime Minister is right, this has been an issue before Trinidad and Tobago for many years: ever since the European Common Market began to show that it would no longer support preferences, way back in 1968. I think when one decides to tackle that issue, the most elementary thing that needs to be done by whomever is the government, is not to give us simply words of assurance, but to put in a documentary form, what has to be done [*Desk thumping*], so there will be a parliamentary commitment.

What is really happening today is that the Government is announcing things and saying they would consult after. There is a fundamental flaw in the logic of policy formulation. The Government announced that it is going to do things in Caroni (1975) Limited and then say: “let us consult after”. The Government announced that it is going to change the Parliament to make it into a museum and then

they will discuss afterwards with the relevant people. That is why the Government is facing the problems it is facing today. [*Desk thumping*] The credibility of the Government on the issue of consultation and major public policy issue is now at stake. This is not only the view of us here. There is a wide cross section of people throughout the country who now question the credibility of this Government on the issue of public policy formulation. [*Desk thumping*] Caroni (1975) Limited is but one example.

When the Member for Siparia, very eloquently, raised the issue that when the Prime Minister dismissed the Opposition's importance in Parliament he has, in so doing, dismissed the voices and the aspirations of thousands of people in Trinidad and Tobago; that is in fact a true perception. When the Prime Minister of a country goes to the press and tells the press that the Opposition is irrelevant to the politics of today, he makes a cardinal error in the conduct of our democracy in our country. [*Desk thumping*] Getting the politics right has been one of the themes that we have, from time to time, talked about.

The Member for Siparia did not make a statement. The Member opposite said it was non sequitur, that by dismissing the Opposition, you did not dismiss the people to whom the Opposition owes their presence in this Parliament. But it so happens that the public policy that the Government is now formulating is going to affect that very constituency of the representatives of us who sit here. The bulk of the people are represented here. One of the cardinal rules of democracy is that one has to stand up for ones' constituents, regardless of the consequences. [*Desk thumping*] Even if the wider society wants to paint you into some picture of taking a partisan approach, it is your cardinal responsibility to stand up for your constituents. [*Desk thumping*] That is what we have been doing. [*Interruption*]

**Mr. Deputy Speaker:** Hon. Members, all those who have not spoken will be able to speak on this matter. Please, let the hon. Member speak.

**Mr. W. Dookeran:** Thank you, Mr. Deputy Speaker. [*Interruption*]

**Mr. Deputy Speaker:** Member for Chaguanas, a senior Member of your party is speaking and I am interested to hear, so is the Hansard reporter. Let us hear him.

**Mr. W. Dookeran:** I just want to put this debate in a small historical perspective. I quote from an article in the *Trinidad Guardian* by a very distinguished columnist, Tony Fraser, on "The sugar dilemma". I want the Prime Minister to listen.

"It was a political view of the world and its peoples that persuaded the British, Dutch, French and American whites that God had made them a

*Rent Restriction Bill*  
[MR. DOOKERAN]

*Friday, March 14, 2003*

superior caste with the right to enslave Africans and Indians for their economic and social benefit.”

That is the history from which we come. We, as an independent nation since 1962, must have a special desire to unite our people: Africans, Indians and everyone else as the basic premise upon which we build our public policy. The historical facts are there. Tony Fraser goes on to say, among other things:

“First, the VSEP offer should have been a negotiated rather than a discussed settlement.

If achieved that would have countered the historical massa/slave/indentured relationship. It’s of no value for the Government to say it discussed the matters behind closed doors with the unions.”

It is not the views of the Opposition. Anyone who has an interest in the democratic system in Trinidad and Tobago and who, at all times, will support the pursuance of a strong democratic tradition and culture. There are many people who are beyond the political fences who wish to do just that, like Tony Fraser.

Within the last two or three weeks there have been a number of articles by a number of distinguished citizens of this country who do not belong to the Opposition, as far as I know, and may not even be sympathetic in a political sense, but they have spoken. Mr. Reginald Dumas, I do not have his article with me, wrote an article two weeks ago in the *Express* in which he outlined his own involvement as a citizen born in Chaguanas and how he views the Caroni (1975) Limited situation as it is today. Prof. John Spence, who has done a lot of work on Caroni (1975) Limited, wrote three pieces on what ought to be done in Caroni (1975) Limited, and why some of the premises of the Government's programme are wrong. So do not, Mr. Prime Minister, try to isolate this debate as a debate between you and the Opposition. That is myopic, narrow-minded, and is going to cost this country a lot. [*Desk thumping*]

**Mr. Valley:** “Is bluff you bluffing”.

**Mr. W. Dookeran:** It takes a bluffer to know a bluffer, I guess. [*Desk thumping*] I am making the very basic point that this issue is of such historical nature that it is necessary to have the right process of consultation. The first and elementary part of that consultation is to lay a paper: white, green or whatever you wish, for parliamentary debate, on all the elements that must be brought into play in the determination of the solution to this national problem; not in bits and pieces. We cannot say that the Prime Minister is in fact consulting, when in fact what he is doing is announcing things.



I made the point two weeks ago, I believe, when I said that the Government appeared, at the time, to be looking at the VSEP programme and how attractive it is. I am tired of listening to the Minister of Agriculture, Land and Marine Resources. He seems to believe that the problem in Caroni (1975) Limited will be solved by having an attractive VSEP programme. If the workers were to accept that, we are still going to have a lot of problems in the country.

My honourable friend, the Member for St. Joseph, asked a very pertinent question to the press: what is the cost of the alternative plan to the Treasury? What is the cost of running a sugar factory for 70,000 tonnes of sugar, and would the demands on the Treasury be any less? We do not have the facts for that. Is the work done? Are you a government deciding on your policy without analysis and data, and relying on the fact that you are the Government, appointed by the country and you can manoeuvre the state?

**Hon. Members:** Elected by the country.

**Mr. W. Dookeran:** Sorry, elected by the country. What is the cost of the alternative? Would it cost more than what the Government is doing, even in financial terms? What about the immediate, social cost? There has always been a talk that the Government needs to have a programme that will be phased into a solution that fits into the national context. But where is the programme? Where is the plan?

How can the Government expect a Parliament of independent people to simply listen to the words of the minister and say that is the plan? This is not a matter like that. The Minister may not be here in the next five years. We may not be here. What are we signing off on in this historical debate? On word of trust between individuals? We do not have any details on the diversification programme or the incentive programme. It is really a commentary on the process of consultation. The Government has stumbled into an area, unknowingly in its haste to get things done, of moving without the appropriate, agreed consultation mechanism. Sometimes the consultations are more important in getting the implementation than the proposals themselves. This is not only on the Caroni (1975) Limited issue. We went through that process with the Minister of Health on the health issue. We are going through the process with the Caroni (1975) Limited issue. We are going through this process with urban development in creating a museum out of Parliament, or however you want to put it.

I believe the Government, in its haste to put out programmes, is failing to understand one of the most elementary rules in keeping cohesion and consensus-building in a society. That is why this Opposition has to take the position it has

*Rent Restriction Bill*  
[MR. DOOKERAN]

*Friday, March 14, 2003*

taken. We do not know what the Government's plans are on Caroni (1975) Limited. We have heard things but we do not know. There are no documents. The Prime Minister said to wait, but he is going ahead in the meantime. I understand April 03 is the deadline. What is the logic of saying wait you will get the plan, but you are going ahead with part of this plan?

The Prime Minister has raised the issue of rules. The same way there are rules in any organization, there are rules to run Parliament. There must be rules in public policy formulation, especially of this nature. We are calling upon the Government to determine what these rules are and put them into place. The Prime Minister's very argument—but I detected a conciliatory note. I detected that the Prime Minister has been reflecting a bit on this issue. I do not know if my perception is correct, but I can assure you, Member San Fernando East, that this issue is larger, in terms of its implications; historically, in terms of trying to cement a fragmented society which he has inherited. The article tells us about our own history and why we need to continually deal with that otherwise we will be making a total mockery of our independence: by trying to score political points on racial grounds, when in truth and in fact we need to devise a public policy that can go beyond those considerations.

I said on the last occasion, as Prime Minister you are not Prime Minister of the PNM Government or Prime Minister of the PNM party; you are but the Prime Minister of Trinidad and Tobago. [*Desk thumping*] When it comes to certain moments of decision you have to put on the hat of being Prime Minister of Trinidad and Tobago and take off the hat of being Prime Minister of the PNM party and the PNM Government. There comes that ticklish time and moment when a Prime Minister has to do that, Mr. Deputy Speaker. This is but one moment.

The Member for San Fernando East and Prime Minister said that the stage is set for expansion and opportunities and therefore, this is the time to take appropriate action for the restructuring of Caroni (1975) Limited. The Prime Minister says we are going through a dynamic, economic phase. We need to start by outlining what are the exact, economic projections—[*Interruption*] well, as of now, in the context of the restructuring exercise. We need to start by putting the facts before the nation. Everyday you read the newspaper, you are getting different views as to what this VSEP package is all about.

The Member for Diego Martin Central, in this Parliament, said he was going to guarantee the employability of Caroni (1975) Limited workers. I remember that phase. I told him he should not expect me to accept his personal guarantee on a public policy matter. In a public policy matter we have to sign on the dotted line.

I heard the Minister of Agriculture, Land and Marine Resources on the television last night saying he could not guarantee the employability of any worker. Right away, he has broken that bond. The Member for Diego Martin Central said he will guarantee the employability of the Caroni (1975) Limited workers. He set aside \$25 million to deal with that and I said that was inadequate in any event. This is a big public relations job that the Government is doing; everybody knows that. We are seeing through it. If one reads the newspaper ads—I did not bring them with me—one would see all sorts of courses being offered all over the world, which would be assessable to the workers of Caroni (1975) Limited. That does not deal with the problems. It is the public relations. That is why the Government's credibility is at stake. The Minister of Agriculture, Land and Marine Resources said he could not guarantee anything. Within a week, we had two conflicting statements made on the employability of Caroni (1975) Limited workers. I ask the question: could the Government guarantee that it has a plan to reabsorb the workers who are so willing to work in any aspect of agricultural development?

The Government put aside \$25 million for training and consultancy. We are talking about skilled agricultural workers. What training will be offered to them? Where would they find employment and homes? *[Interruption]* Where is the document that outlines the answers? Where is the list of things that we can sign off and say fine, this is an innovative plan? This is the Government's time in history. Why is there hesitancy in putting this in some documentary form; a document that could be dissected and people can examine? Because it tends to raise issues about the Government's credibility and trustworthiness, particularly on a matter like sugar, which has always been—from different angles—an area in which trust has always been at stake.

**7.00 p.m.**

Why is the Member hesitant to do that? I would like the Member for Diego Martin Central to respond and say what is the reluctance in laying an appropriate document in the Parliament with all the details of how this programme will work, so that the assurance of security for the future of the workers could be assured. What really is the problem? *[Interruption]*

I had no intention of entering this debate, Mr. Deputy Speaker, but because the Prime Minister, the Member for San Fernando East, got up to defend his Government's position on Caroni (1975) Limited, I thought it was necessary for me to speak as well, because the Member has opened the door. *[Desk thumping]* What we tried to achieve through the rules on the last day, the Prime Minister did it today, without us having to use the rules. He has opened the door. *[Interruption]*

**Mrs. Persad-Bissessar:** We are happy that we opened the door and the Member walked right through it.

**Mr. W. Dookeran:** Mr. Deputy Speaker, on the last occasion when I spoke on this issue, I said the debate was one of credibility. Today, I say the debate is one of public consultation in determining public policy—that part of the formulation of public policy—and how one goes about it, and there is where the Government has erred. I give the Government credit for tackling the issue, and for the reconciliatory mood that I have detected here today. I hope that the Government could think this out carefully. I am very clear about the historical cost, in terms of the fragmented society in which we live.

I think it is well known that sometimes short-term financial gains could have long-term social costs. The Member for San Fernando East has argued that there is need to have programmes for social stability, and we have no problem with that, but here is a programme for social stability that has a benefit to it—

**Mr. Valley:** The Member was the Governor of the Central Bank.

**Mr. W. Dookeran:** I am not the Governor of the Central Bank anymore; you have made sure of that. [*Desk thumping*] I am now the Member of Parliament for St. Augustine and that is my new responsibility. I cannot live in the past; I have to live in the present and the future and you have made sure that I am not the Governor of the Central Bank. The Member is trying to tell me that I must speak differently. I am speaking as the Member of Parliament for St. Augustine and as the representative of the people of St. Augustine in this Parliament today. [*Desk thumping*] That is the problem! The Member for Diego Martin Central cannot unlearn what he has learned wrongly. I may look quiet but—

**Hon. Member:** Do not get him vex.

**Mr. W. Dookeran:** Mr. Deputy Speaker, I am making the point about short-term financial gains and long-term social costs. Mr. Deputy Speaker, do you remember when the Government of the day removed the railway system in Trinidad and Tobago, on the grounds that it was too much of a burden on the Treasury, then only to find out later that the technological changes that have been taking place in mass transit systems, could have made that far more efficient in a different form? Everybody knows that!

**Mrs. Persad-Bissessar:** All over the world people are on rail.

**Mr. W. Dookeran:** I could bring the studies. I am using that as an example. The point I am making is that sometimes when one sits back and looks at these

costs, \$500 million has to be dealt with in a manner that will provide even better returns in the future; not to add a cost to the society later on.

Mr. Deputy Speaker, more equally important, is the issue of consultation. Has the Board of Caroni (1975) Limited signed off on this plan?

**Mr. Singh:** No.

**Mr. W. Dookeran:** I have asked members of the board whether they were aware of the plan—they are the board of the company—and they said that they do not know about the plan. So the matter of consultation is not only with the workers; there was also no consultation with the board, much less for the workers. I do not know what is really going on. *[Interruption]* I have to support my points on the matter of consultation. There was no consultation at the board's level, at the negotiation level and at the policy formulation level. I am saying that there is the need for a process of consultation in public policy formulation, and the Government has gone on the wrong track. Is the Prime Minister agreeing with me? *[Interruption]*

Mr. Deputy Speaker, I understand that there was a seminar held on “Food Security” this morning, and I wonder if the Government could make available its own plan on that particular issue. We have debated this issue many times and there are many reports—Dr. St. Cyr, Mr. Rampersad and Prof. Spence—on this issue. I am hoping that this is not another public relations exercise on the part of the Minister of Agriculture, Land and Marine Resources. It is a very simple matter.

An ordinary folk from my constituency came up to me and said: “What is all the fuss about?” and I asked, “What do you mean?” He said, “It is a simple matter. Why do we not sit and work it out and solve the problem. Why is the society being put against each other?” I said that is precisely how I feel.

**Mrs. Persad-Bissessar:** We are irrelevant. That is the Prime Minister's view.

**Mr. W. Dookeran:** When the Prime Minister makes a statement like that saying that the Opposition is irrelevant and that he will carry on the process of the Government, that is, again, an old PNM attitude.

**Mr. Singh:** We know that within the PNM not a damn dog barks.

**Mr. W. Dookeran:** Frankly, I do not think that is the Member's nature. I do not think that the Prime Minister has that make-up, but whether or not he is visualizing the problem in a bigger context, that is what worries me the most.

*Rent Restriction Bill*  
[MR. DOOKERAN]

*Friday, March 14, 2003*

The incident that took place with Minister of Agriculture, Land and Marine Resources must not be looked at in isolation.

**Hon. Members:** Run, Rahael, run!

**Mr. W. Dookeran:** Even if the Government was able to sell the plan to the workers, there is already a bitter taste in the people's mind. I do not know what the Government is going to do, because they are holding a stick over the workers' head and saying, "You sign or else." That is the big question. Those constituents who are working in the sugar belt came to me to find out what to do. These workers are saying that if they do not sign they will not get anything. The Government is holding a stick over these workers' heads thus leaving them with a bitter taste for a long time. That is the point I am making. Instead of dealing with the problems raised here by Tony Fraser—I see the Member for Diego Martin Central seems to be smiling. There is no art to see the mind's construction in the face. Sometimes there is a smile of hospitality and at times it is a smile of disappointment.

**Mr. Manning:** Which one is it now?

**Mr. W. Dookeran:** Mr. Deputy Speaker, what does one expect? I am so disappointed in the way the Government is handling this situation that it became necessary for me to speak on behalf of the people whom we represent.

There is a whole value system in this country and this value system tends to say that those who act on behalf of the sugar workers are prolonging their agony. That is the Member's disappointment. The Member's disappointment has come, not because of what I am saying, but because of his perception.

Mr. Deputy Speaker, the Prime Minister talked about rules, and I am trying to put these rules in perspective. I am trying to establish, in my own mind, what are the real rules that have been violated in Parliament. I am making the suggestion that the real rules are not the rules of the Parliament; they are rules of public policy formulation. I am making the point that it is necessary to maintain those rules with integrity, in order to build consensus, and in order to preserve the total identity of our society, as citizens of an independent country, Trinidad and Tobago.

I will hate to see that in this period of our parliamentary life, we become more fragmented than we were. We have come some way towards moving forward. It is always said that it is the politicians like us who have kept the society apart for narrow political gains, when the society itself wants to move ahead. That is the discussion I have been having with the Member for Ortoire/Mayaro. The society is ahead of the politicians and that is why the people in this country look at us in

this Parliament here as “kicksin”. We make small points in order to establish some kind of an advantage. The true losers in this are our people who want to escape from that imprisonment of that past, and who want to create something that the whole world could look upon and see Trinidad and Tobago as a really true model country. We do not need slogans or public relations, but what we need is a genuine set of programmes that would unite the country—not by words anymore. The words have meant nothing and we have had much of that. We have had “one love” and all sorts of things that have come to mean nothing.

The Government could unite the people through deliberate public policy programmes that are accessible to all, and build a society where the State is above the prejudices of its own method. [*Desk thumping*] That is the kind of society that we need to build, and this is the kind of opportunity that we have to so do. And when we, as people, in this Parliament, sit back and simply decide that we will make small political capital gains of these big issues, we are retarding the progress of our country. The Government could build as many Parliaments as it wants, but the Government would not have left a proud tradition of true democracy in our nation. [*Desk thumping*]

Mr. Deputy Speaker, I thank you very much.

**The Minister of Trade and Industry and Minister in the Ministry of Finance (Hon. Kenneth Valley):** Mr. Deputy Speaker, it is amazing how sometimes in life an impediment could, in fact, turn into a gift. Mr. Deputy Speaker, you know that I am really not given to speaking very much. I was born with a speech impediment, so that very early in life I became more of a listener than a speaker. I have developed that over a period of time, so I listen more than I speak and my colleague, the Member for St. Augustine, I think he would normally do that. I want to suggest that the Member do it a bit more, because when he keeps silent, the population as a whole—given his bearings—thinks that he is extremely intelligent, bright and so forth. I could tell you that whenever the Member decides to speak, he convinces the population, little by little, Mr. Deputy Speaker, but more importantly, the credibility of the Member is undermined.

Mr. Deputy Speaker, what are the facts? What was the main theme of the Member’s contribution? The Member asked that the Government brings a plan. The Member wants to know about the plan and said that there is a problem with public policy formulation—nice words. Mr. Deputy Speaker, that is stupidity! It is not as though the Caroni (1975) Limited restructuring started with this Government. The Member was the Governor of the Central Bank in 2000—2001, when Mr. Hospedales was meeting with the people at Caroni (1975) Limited writing the plan.

**Hon. Member:** That is right.

**Hon. K. Valley:** What credibility is the Member now coming to tell us about public policy formulation and to come with a plan? [*Desk thumping*]

**Mr. Dookeran:** I just want to tell the hon. Member that what he is talking about is not a matter that the Central Bank was dealing with, but that matter was with the Ministry of Finance. The Member is misleading the House.

**Hon. K. Valley:** Mr. Deputy Speaker, is the former Governor of the Central Bank telling me that while he was there, he was completely oblivious to what was taking place with the restructuring of Caroni (1975) Limited and he spent time doing research and so forth, as the Governor of the Central Bank, and did not know that there was a plan to restructure Caroni (1976) Limited? Is that what the Member is telling me? [*Desk thumping*] [*Interruption*]

**Mr. Sharma:** Do you have the plan?

**Hon. K. Valley:** Ask the Member! The Member was the Governor of the Central Bank. Do not ask me! [*Desk thumping*]

**Mr. Deputy Speaker:** Please, this debate is open; stop obstructing the Member. Let the Member speak and then you will follow.

**Mr. Sharma:** The Member is a bluff.

**Mr. Deputy Speaker:** You are obstructing the Member by asking him for the plan. Get up and ask for it.

**Hon. K. Valley:** Mr. Deputy Speaker, thank you. When people come to this House and tell me—and we are dealing with a serious matter in this debate—there is an opportunity for the Government to unite our people; using all sorts of fancy words, and the Member is undermining the whole matter. I have a difficulty with that. [*Desk thumping*] When the Member comes to the Table he should come with clean hands and let us deal with the matter. Do not come and tell me anything, because people respect the Member and he has an obligation to provide leadership here in Trinidad and Tobago, and the Member is failing to do that simply because he has a “tabanca” about the Central Bank. [*Desk thumping*] The Member is short-selling himself.

**Mr. Dookeran:** I just want to assure the hon. Member that in all my public positions in this country I have always attempted to keep uniting the people, and the history is there. [*Desk thumping*]

**Hon. K. Valley:** You did not do that this evening. You had an opportunity and I am going to demonstrate it in this debate. Mr. Deputy Speaker, let us look at



some of the realities. Let us forget what happened at the Central Bank. Everybody knows that the Government has to do something with Caroni (1975) Limited. We came into this Parliament starting on October 07, and the Caroni (1975) Limited issue had been in the air for the whole of last year and continuing until now.

Mr. Deputy Speaker, the Opposition has a day set aside, once a month, for Private Business and a Motion qualifies for such a debate after 12 days. When one looks at the Order Paper—I have an Order Paper also from the Senate. In the Senate, the Motion on the Order Paper is about Constitutional Reform. In the Lower House, the Motion is about Constitutional Reform and this was filed in January. So that up to January, the matter of Caroni (1975) Limited, as far as the Opposition was concerned, was not sufficiently important—although they had a constitutional motion upstairs—to put on the Order Paper for debate. The day the Opposition was supposed to debate the Constitutional Reform Motion, they wanted this matter under “Urgent Matters of Public Importance”, knowing full well that the matter could not qualify. That is why I say it is just a bluff. This is serious business and this is Trinidad and Tobago that I am talking about, and the persons who want to undermine it are posing as though they are leaders in this society; and I would have none of it. [*Desk thumping*]

Mr. Deputy Speaker, the Opposition knows very well what to do. They fly in here on the Friday morning to file a motion of urgent public business. If the Opposition had considered this matter so important—urgent public business—15 minutes for one speaker and 15 minutes for the other speaker—the letters went out since February 17—and if they had filed a motion on February 17, it would have qualified in time for their Private Members’ Day and they could have debated that Motion. All the Members could have spoken on that Motion on Caroni (1975) Limited. That is why I say the Prime Minister is correct when he says that the Opposition is irrelevant, because they are not representing their constituents. [*Desk thumping*] If they were representing their constituents, and they want to know exactly what is happening, they should take the Government to task and file a motion and come and make their case, but they have not done that.

The Government brought a bill with respect to leases of state lands and they tried to push the matter underneath, and the following week they walked out of the Parliament. The Opposition came with a Rent Restriction Bill. In 1996 and 1999 they brought this Bill and it was passed with a special majority and this time they have a problem with the Bill. Do you understand?

Mr. Deputy Speaker, what is the reality? The reality is that every man jack in Trinidad and Tobago knows that we have to do something about Caroni (1975)

*Rent Restriction Bill*  
[HON. K. VALLEY]

*Friday, March 14, 2003*

Limited and, more than that, they know that the Government is doing the right thing and that is why they did not take up the matter; that is why they are dealing with the matter half-heartedly. Do you understand! One could see it. It is just a bluff but, in the meantime, they are making mischief because they are trying to put “Ram against Quashie”. I want to tell them that “Ram and Quashie” are drinking liquor in every rum shop in Trinidad and Tobago and they cannot separate our people. [*Desk thumping*] Understand that! They are playing with fire.

When one examines what is happening, I say that the Prime Minister has a right to say that the Opposition is irrelevant, because if they believed that this issue was important, it would have been on the Order Paper for debate on Private Members Day.

**Mr. Singh:** Bring the plan!

**Hon. K. Valley:** The Member should bring the plan. It is his plan. That is how the Member represents his constituents.

**Mr. Deputy Speaker:** Hon. Member for Caroni East and Opposition Chief Whip you will have the great opportunity and I know you will. So please let us cut it. Thank you.

**Hon. K. Valley:** The Government knows that there is a sugar dilemma. The Member also knows that there is a sugar dilemma—the misrepresentation that is going around. Nobody is closing down Caroni (1975) Limited. One minute they are telling us that we should phase it down and I ask the question: What are we doing? We are saying that we are coming from 100,000 tonnes to 70,000 tonnes. Is that not phasing down? What is that?

**Mr. Sharma:** Where are the 9000 Caroni (1975) Limited workers going?

**Hon. K. Valley:** Mr. Deputy Speaker, the Member for Fyzabad has a difficulty as though he did not go school. In a restructuring programme, one offers a VSEP and if everyone goes and you then need workers for the 70,000 tonnes, you will re-hire who you need on new terms and conditions.

During the period 1994—1995 when we were restructuring BWIA, we formed a new BWIA. We paid severance to everybody and the new BWIA re-hired who they wanted. What is the problem?

**Mr. Sharma:** Mr. Deputy Speaker, yesterday, the Minister of Agriculture, Land and Marine Resources was at a meeting which he called and a worker asked that exact question and the Minister did not have an answer, so the Government is not fooling anyone.

**Hon. K. Valley:** I gave the example of BWIA that where, obviously, you will say, “Well fine, we are cutting, you will get your severance and you will now enter into a new arrangement with this new company.” That is what it is because friend, the new company will not be Caroni (1975) Limited. Let me just give an insight into the plan.

**Mr. Sharma:** Bring the plan! The Member should take his cellphone and call for the plan. [*Laughter*]

**Mr. Deputy Speaker:** We have now extended this debate beyond what we expected to discuss. I will not tolerate the constant shouting from across the floor about “bring the plan”. If the Member does not have anything to say would he please stay quiet? If the Member has something to say he should wait on his turn.

**Mr. Ramnath:** Let us wind-up the debate.

**Mr. Deputy Speaker:** No, the debate will continue. I want to hear the debate.

**Hon. K. Valley:** Mr. Deputy Speaker, some Members opposite are behaving as though this is the first time the Government is restructuring a company. During the period 1991—1994 there was the formation of Petrotrin out of certain companies, where the same approach was used. We came to the Parliament and vested assets and so forth, and we will have to come to the Parliament to vest the land in the State. When we come to the Parliament to do that we must come with the plan. So I do not know why the Member is so—according to the Jamaican—“previous”. The Member should think!

The Government is not going to transfer 79,000 acres of land by a deed. We are vesting 79,000 acres of land in the State by a bill, and we must come here with the plan. If the Member wants to know what is happening before, the Member has an opportunity via Private Members Day—friend, there is Private Members Day. If the Opposition has wasted that opportunity by duplicating a motion they had upstairs, and now they do not have anything to say downstairs, then they will have to bluff and play that they are walking out, and then return sheepishly the next week. They are not fooling anyone. Understand that!

I have said quite often that because there are no issues at present in Trinidad and Tobago, it is as though the population gets up and says, “Well, let us hope the Government is not doing this or that.” When they find out that it is not so, they say, “Oho”. I would give you some examples. It one goes back to January, every day when one picked up the newspapers there was someone writing and saying, “Oh, the Government wants to extend the term of the President, and the President

*Rent Restriction Bill*  
[HON. K. VALLEY]

*Friday, March 14, 2003*

is a weak man and why they do not let him go and cote ce cote la.” I do not know who tell them that the Government wanted to extend the term of the President. March 17 is coming and that is the end of the gentleman’s term in office and he will be leaving on March 17. When the Opposition realized that elections would be held on time, they suddenly dropped that matter very quietly and said, “Oho” and found something else.

It was said that people had a fear about carnival and so forth, and there was a big debate on the radio. Carnival come and gone and it was “the best Carnival ever”, and they forget what they were saying and say, “Oho”. So the newest thing now is the Red House. I sat down in the Cabinet and we took a very logical decision that we will ask UDeCOTT to discuss with the House Committee and the Senate Committee a way forward. Consultation! Everyone started making a set of noise and then the people realized, “Well, look there is no problem”, and they say, “Oho”. Do you understand? For instance, a Trinidadian would say, “I hope you are not doing that you know”, and they say, “Oho”. We are like an “Oho” country.

Mr. Deputy Speaker, do you remember the health issue? Everyone was running up and down saying that the doctors were doing this and that and all sorts of things. The health issue is solved, the doctors are working and now everyone is happy. Sometimes when one sits down, one just has to shake one’s head and listen to them going around. I got into this debate because, it is a fact that since 1987 to the present time, Mr. Winston Dookeran—

**Mr. D. Nanan:** Mr. Deputy Speaker on a point of order.

**Hon. K. Valley:** What is the point of order?

**Mr. Deputy Speaker:** When you referred to the Member for St. Augustine.

**Hon. K Valley:** Mr. Deputy Speaker, I am guided. I was speaking about the individual, Mr. Winston Dookeran, in that capacity and not in the capacity as the Member for St. Augustine. I am sorry. Mr. Deputy Speaker, I got slightly emotional. I really want to tell Members that it is our obligation—[*Interruption*]—and we know our society. On the ground, generally, there is no problem. When we do things to incite our population, however, we are doing a disservice to our country as a whole. We should attempt to refrain from that, and those of us who are in a leadership position, or who are respected by our society, have an even greater burden. That is the reality.

**Dr. Rafeeq:** I thank the hon. Member for giving way. I wanted to ask the question when the Member was speaking on Caroni (1975) Limited itself. I want

to find out what will happen to the workers of Caroni (1975) Limited who after April 03, do not accept the VSEP packages?

**Hon. K. Valley:** I will come to that in a second. Now, for example, the former Governor of the Central Bank—a person who has really done some work on the restructuring of Caroni (1975) Limited—could come and tell me now that the Government has Caroni (1975) Limited as a social plan and it is getting rid of it.

Mr. Deputy Speaker, what is the reality? We had the tripartite talk where we wrote off \$2.5 billion. At present, Caroni (1975) Limited owes in excess of \$2 billion. We know what is the problem with sugar worldwide. There are manufacturers who remind me every day that the Government is penalizing them and they are not on a level playing field, because they have to buy sugar from Caroni (1975) Limited, and if Caroni (1975) Limited imports it, Caroni (1975) Limited charges them a fee, and they could, in fact, import it at some 30 per cent cheaper than what they are getting it for at Caroni (1975) Limited. I am trying to position the trade sector for global competitiveness. What are we supposed to do?

I made the point on the last occasion that we have to do restructuring, but we will ensure that at all times it is sugar coated, and that is what we are doing and this brings me, therefore, to the question asked by the Member with respect to what will happen to an employee who after April 03, does not accept VSEP. That answer is clear. What we are saying is: We are closing one phase; we are going to be starting a new phase; we are going to pay the workers what they are entitled to; we will offer them an enhancement; and if they do not want to accept that, then we will have to give the workers what the law says we have to give them. That is clear! We are then going to form this new company and we are going to select the people, from among the workers, who we want for this new company—a phased reduction—that is what we are doing. When they are talking about phasing, that is exactly what we are doing. I do not understand the conflict. It is what we have done at BWIA; we have done it at Petrotrin; and we have to do it at other places.

**Mr. Sharma:** The Member is misleading the public.

**Hon. K. Valley:** The task for us in Trinidad and Tobago is to provide for full integration into the global economy, but as we do that we are ensuring that certain things are in place. This is why there is the training programme, the consultancy programme and so forth and there will be a trader systems programme to allow for this transition.

A company that now exists in my constituency is looking at two sites: Wallerfield and Central. I am talking to the company and telling them that they

*Rent Restriction Bill*  
[HON. K. VALLEY]

*Friday, March 14, 2003*

have to go to Central to help us absorb the labour that is going to result from the restructuring of Caroni (1975) Limited—while I would be losing jobs in my own constituency. I am concerned because I know that the Government has to put plans and programmes in place to absorb the labour that is going to be released from Caroni (1975) Limited.

What I said on the last occasion is that the Government may not be able to guarantee any individual employment, but we must be able to ensure employability. I cannot recall my stating that I am guaranteeing employment for employees of Caroni (1975) Limited, and that is the point my colleague was making. There is a difference between guaranteeing employability, which talks about providing the training, skills and so forth, necessary for the absorption in the economy. There is a distinction between that and guaranteeing an individual employment in a particular industry or firm over a lifetime. One could never guarantee that.

The goal of this Government is to ensure that on a continuing basis there is reduction in the unemployment rate. That is the goal. And we are doing that by concentrating on making our economy acceptable to employment generating investments, and that is why we are fast building the Wallerfield Industrial Estate; that is why we have set up the Estate Management Company, and we are putting the structures in place, so that the people who are released from Caroni (1975) Limited could gain alternative employment.

**Mr. Sharma:** The Member should bring the plan and stop misleading the House.

**Hon. K. Valley:** I do not want to hear the Member; he is a waste of time in this Parliament. When we were forming TIDCO, we had the restructuring of the Tourism Development Company under the Industrial Development Corporation and the people who were released there were also concerned, but those who wanted alternative employment were re-employed within a matter of two years, and that is because we have a growing economy. I would guarantee the Member that within two years, any employee who is released from Caroni (1975) Limited would be placed.

**Mr. Sharma:** We do not trust the Member.

**Hon. K. Valley:** As I said, we in Trinidad love to make matters an issue when, in fact, they are not. The other point raised by my good friend, the former Governor of the Central Bank, is the phased VSEP. I think the Member was quoting someone when he said that the VSEP should have been negotiated and not discussed. Let me assure the Member that was exactly what happened.

Mr. Deputy Speaker, all the ol' talk the Opposition is making, the Minister of Agriculture, Land and Marine Resources and myself met with these people. More than that, the Government established a ministerial team and we met with the unions and they very well negotiated. Do you think the \$300,000 tax-free severance came by accident? They did not put it on the table. Who do you think put it on the table? The Government went with a core plan. How do you think the house for the employees and so forth reached there? Who do you think put that on the table? Do you think I put that on the table? Those positions were negotiated. I want to advise them that all the ol' talk about consultation—and one is hearing people saying in the press, again, That “yes, the Government should have consulted with the people”, and I laughed. I think we had approximately 15 meetings. It is a joke! There are people, for example, the president of the union who ought to know better rather than going and spreading this matter about consultation. We had a beautiful time and the president of the union listened.

All the workers will take the VSEP and Members know that. Since last year the workers have been asking for the VSEP. Presently, the number has reached over 1500 and the Member knows that. If they were interacting with the people, they would have known that. The Member comes here and says that the Government should have brought the White Paper and he used all kinds of fancy ol' talk that meant nothing. The Member is asking for a phased-reduction and when I do a phased reduction, the Member will then ask: “How much did it cost?” and if it could not be cheaper. For every tonne of sugar that is produced, we are losing approximately \$1000. So if we are moving from 100,000 tonnes to 70,000 tonnes, the loss will be reduced and it will be zero. But that is not the plan because the Government recognizes that it is also dealing with human beings, and the absorptive capacity of the economy may not be able to take all the workers at the same time.

#### PROCEDURAL MOTION

**The Minister of Trade and Industry and Minister in the Ministry of Finance (Hon. Kenneth Valley):** My Deputy Speaker, I beg to move that the House continue to sit until the finalization of this matter on the Order Paper. [*Desk thumping*]

*Question put and agreed to.*

#### RENT RESTRICTION (RE-ENACTMENT AND VALIDATION) BILL 2002

**Hon. K. Valley:** Mr. Deputy Speaker, when the Member talks about the Government retrenching 10,000 persons that will be the maximum—a week, two

*Rent Restriction Bill*  
[HON. K. VALLEY]

*Friday, March 14, 2003*

weeks or a month—because immediately, about 75 per cent of that figure will be back working.

**Mr. Ramnath:** Is that in the plan?

**Hon. K. Valley:** It is a simple proportion. If it is taking 9,000 to do 100,000, and if one wants to do 70,000, how many would you require? And with efficiency, it would not be a straight simple proportion.

**Mr. Ramsaran:** Why would you give people VSEP or send them home when you have to re-hire them within a month?

**Hon. K. Valley:** Well, I was just corrected. One has to remember that we will need some people. In the area of cultivation, we are relying on the farmers, and some of the daily-paid persons would be converted to farmers, and their Community Environmental Protection and Enhancement Programme (CEPEP) that they would have, would be a farmer employing, perhaps, some of his colleagues. Do you understand what I am saying? I am saying a daily-paid employee who may wish to be converted to a farmer will be allocated land, and he may then wish to employ some of his former colleagues to help him cultivate that land—in other words, he would become a cane farmer. So in a sense—someone was talking about CEPEP—that is going to be Caroni (1975) Limited CEPEP. Do you understand?

The Member said that the Prime Minister has two hearts; one heart is the Prime Minister of the PNM and the next one is the Prime Minister of the country, but my Prime Minister has one heart. Our position in the PNM is that we are for Trinidad and Tobago. [*Desk thumping*] When people try to interfere with that—and I feel some Members opposite want to do it—it really gets me emotional.

**Hon. Member:** Cry!

**Hon. K. Valley:** The Caroni (1975) Limited restructuring is a delicate matter. We have met with the employees and, I think we have taken them into our confidence. I know that they are for it and the Member is also for it, and the Member should not try to make an issue out of it, when he knows very well it is not an issue. It does not help anybody and the Member knows that. Let us try to build Trinidad and Tobago for all of us. We cannot attempt to sink the ship and expect to be saved. That is basic. We have a golden opportunity to just look at this and consider our future.

Mr. Deputy Speaker, it gives me great pleasure in announcing that last night my team that is in Costa Rica, on the Caricom Costa Rica Agreement, finally reached an agreement and, of course, that means that we are opening a new market for Caricom.



**Mr. Sharma:** That market was always there.

**Hon. K. Valley:** The Costa Rica Agreement did not fit in with Caricom and this Government had to convert it. We have converted it and we have opened a new market for Caricom.

**Mr. Sharma:** That market was always there.

**Hon. K. Valley:** Yes, the Opposition started it. They had done a Costa Rica Agreement with Trinidad and Tobago, which did not fit into Caricom, and we had to convert it. We have converted it and we have opened a new market for Caricom exports. I think those are the matters we should be thinking about and we have an obligation to ensure that at the ground level there is no problem; and we all know it. We ought not to use the politics to divide our people, do not do it. [*Desk thumping*]

Mr. Deputy Speaker, let me go back to the basic Bill, the Rent Restriction (Re-Enactment and Validation) Bill. One has seen how long this Bill has been on the books. Traditionally, it has remained in force for a three-year period—that is the PNM Government, as well as other governments. When the Member for St. Augustine was a Member of the National Alliance for Reconstruction, the Member voted for this Bill to give it a special majority; the UNC voted for this Bill in 1996—1999, so that it is going to be difficult again, to understand the credibility of the Opposition if, on this occasion, they fail to support this measure.

Again, it is a question of credibility. I maintain that life is credibility but then the Member is free to do what he wants. The Member walks in—as the Member for Couva South would say—the Member comes and goes when he wants and even the leader of the UNC cannot tell the Member anything.

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

**Mr. Kelvin Ramnath (Couva South):** Mr. Deputy Speaker, I want to assure you that I have only entered the debate to clear up some misconceptions. I have said my piece and a lot of what will follow, as far as the Caroni (1975) Limited is concerned, will take place on the ground and I want to assure you of that.

Let me state at the very outset, that after having listened to the brilliant contribution by my colleague, the Member for St. Augustine, I was prepared to take my usual early leave from the Parliament to attend to my weekend business, but the almost violent intervention, by the Member of Diego Martin Central, who as usual, “boils down like “bhagi”—Mr. Deputy Speaker, are you familiar with that term? The Member has caused me to make a few observations. It is clear that

*Rent Restriction Bill*  
[MR. RAMNATH]

*Friday, March 14, 2003*

the Government wishes to place the onus upon those of us who are asking questions. It is Members of the Opposition whose business it is to question the Government's behaviour and performance. It is the Members of the Opposition whose business it is to represent their constituencies and they should not have to file a motion in the Parliament to debate what the Government announces it intends to do with the sugar industry. [*Desk thumping*]

**8.00 p.m.**

Mr. Deputy Speaker, no amount of theatre and gallery would take away the responsibility from them of informing the Parliament and the country at large about what they plan to do. Today, the Member for Diego Martin Central has added much information, which, hitherto, was not available to this honourable House and to the wider constituencies. I would give you an example. We are hearing for the first time that Caroni (1975) Limited is going to be closed down and a new company would be formed to manage the residual or whatever is the residue. That is something we have never heard before. There was denial all the time that Caroni (1975) Limited was going to be shut down.

We have heard tonight from the Member for Diego Martin Central that every single employee of Caroni (1975) Limited would be retrenched. And that is something the Minister of Agriculture, Land and Marine Resources has been denying or the man who has been set up to take the fall has refused to make a categorical statement on the issue, because perhaps he has not been authorized by the Prime Minister to do so. The point that we, on this side, have been repeatedly making is, why have they not come out and openly stated what their plans are, hold a discussion and a full debate on the matter and then they can no longer be accused of doing things in the dark. [*Interruption*]

**Mr. Valley:** But we will.

**Mr. K. Ramnath:** Mr. Deputy Speaker, this is the second time the Member for Diego Martin Central is promising to come with a plan. He told me, through you, two to three weeks ago, to give them a few weeks and they were going to come with a plan. Today, he accuses the Member for St. Augustine, in his former capacity as the Governor of the Central Bank, of having known of the existence of a plan. When the Member for St. Augustine, in the presence today of hon. Members has said, that we have not seen their plan. That is a most dishonest statement to accuse the former Governor of the Central Bank of knowing something which the Member for Diego Central knows that the Governor of the Central Bank did not know about.

**Mr. Imbert:** Nonsense! [*Crosstalk*]

**Mr. K. Ramnath:** You know, it is a great blessing that we have persons from the other place who can be called upon to solve major crises in other country such as the health crisis in the country because the substantive Minister, obviously, does not have the sagacity, acumen and respect so as to solve problems in his own Ministry. But then I must sympathize with the Prime Minister—you really cannot choose some of them. Let me say to the Prime Minister that we, on this side, do not need any advice from him as to how we should represent the people who vote for us. I know that he was giving this advice out of magnanimity. I would suggest that that advice should be passed on to his own colleagues who seem not to be in a position to articulate what the Government is doing in a very honest and upright manner. I repeat: We do not have any duty to come here to file a Motion on Private Members' Day; that is one day per week that lasts from 1.30 p.m. to 4.30 p.m; to discuss an issue of national importance.

It is clear to me that there is much that is being hidden from the trade unions, from the politicians and from the people at large. It is clear to me that they make decisions first, as if they must do so without consensus and consultation. Mr. Deputy Speaker, one of their former attorneys general used to say that they have a mandate to rule and they shall rule as they see fit. Do you remember that, Mr. Prime Minister?

**Mr. Manning:** No!

**Mr. K. Ramnath:** You do not? Mr. Deputy Speaker, that was one of the present Prime Minister's former attorneys general. Of course, in those days he was in the backbench. [*Interruption*]

**Mr. Manning:** Mr. Deputy Speaker, I am now sitting at the front bench.

**Mr. K. Ramnath:** Well, of course, I congratulate the Prime Minister. That is the attitude that pervades the political system today managed by the Prime Minister. I do not want to get into a debate about whether the Red House is adequate; or, whether the Prime Minister should live in the house in which his office is—because he wants to feel and look like George Bush; whether he is going to put up an oval office or he is going to live in the museum or whatever. [*Laughter*] That is a red herring. It is the most irrelevant issue.

Mr. Deputy Speaker, you see the 40 persons who are writing petitions and so on, should have something better to do, as far as I am concerned. I thought that these 40-odd people who are writing petitions to save the Red House from "Patrick Manning" should be writing petitions to save the sugar industry. I want

*Rent Restriction Bill*  
[MR. RAMNATH]

*Friday, March 14, 2003*

to see whether they would append their signatures when it comes to saving the lives of hundreds of thousands of persons. They are bogged down in the Magistrates' Court, the Red House and Trinidad House and I suspect that it is the Government behind that. They have thrown this thing into the ring so that the country would divert its attention from the real issues.

I want to advise the Member for Diego Martin Central that if he wants to handle this Caroni (1975) Limited issue, as Minister of Finance, he should remove it from my honourable friend, the Member for Port of Spain North/St. Ann's West who, obviously, does not have the capacity to negotiate; who simply does not understand the issues; who, by virtue of the appointment he has gotten for the gifts that he has provided to the PNM in the last election, now has a responsibility which he cannot, in fact, handle. I must say that I sympathize with him having to run away with his escorts from Couva yesterday because he could not answer the questions that the Member for Diego Martin Central so eloquently answered. Why could the Minister of Agriculture, Land and Marine Resources not say to the persons assembled at the Rudranath Capildeo Learning Resource Centre what the Member for Diego Martin Central said today? That is, we are retrenching everybody.

Firstly, we are going to give you a Voluntary Separation Enhancement Package. Secondly, if you do not accept it we are going to fire you and pay you in accordance with the rules of the collective agreement. That is what my friend, the Member for Diego Martin Central, has stated. But when you begin to get different signals coming from different people it is clear that they understand that this is a very delicate matter but they are afraid to go into it headlong. These are the persons who are talking about saving the country; these are the persons who are talking about those of us with hidden agenda who are the very ones releasing information piecemeal. I am saying to you that the Government is acting very dishonestly. I want to give the Prime Minister an opening as my friend, the Member for St. Augustine did: If you really want to save this country there is still time for you to enter the discussion and to begin to find a solution that would be acceptable to all.

**Mr. Imbert:** Stop begging.

**Mr. K. Ramnath:** Mr. Deputy Speaker, the hon. Member would find out who would be begging in a short while. [*Crosstalk*]

**Mr. Deputy Speaker:** Hon. Member for Princes Town, you know that you should not be making those remarks. Please do not make them. Yes, do not worry.

**Mr. K. Ramnath:** Mr. Deputy Speaker, I am not distracted by the noises I am hearing there. Clearly, you see the arrogance coming out when we are discussing

a serious matter. Here is the Minister in the Ministry of Finance saying and pleading for peace and for good sense to prevail, and announcing an economic proposal and what they are planning to do when Caroni (1975) Limited shuts down, and on the other hand, you are listening to some extraneous noises designed to distract you. I am saying that as Prime Minister of the country his Ministers have failed. He has treated the trade unions and the workers in an unfair manner as a result of not being open with them. He has had the kind of negative feedback because he has not been open with them. He has not given negotiations a chance to succeed. He has not articulated what he plans to do. Mr. Deputy Speaker, let me give you an example of why and how the Government is wasting money. Caroni (1975) Limited Enhancement; it is a full-page colour article for the public and for Caroni (1975) Limited workers too.

[*Newspaper shown to hon. Members*] [*Crosstalk*]

**Mr. Manning:** No, no, no.

**Mr. K. Ramnath:** Oh, well, I am now hearing something different. The Prime Minister, in his advertisement in the *Trinidad Express* newspaper announced opening doors to new careers; Caroni (1975) Limited enhancement VSEP and the Prime Minister is saying that the advertisement does not address Caroni (1975) Limited workers. [*Interruption*] I want it to be placed on the record. Or, is he saying that it addresses the general public and Caroni (1975) Limited workers? Do you know what it says:

The Ministry of Agriculture, Land and Marine Resources...some courses in rabbit production, yam production, small gas engine, pesticide use, duck production and then a whole list of courses offered by the Trinidad and Tobago Institute of Technology. Then YTEPP; the University of the West Indies, Cipriani Labour College and Employers' Consultative Association.

I could simply go to any of these institutions, get some brochures and write this thing. I do not have to pay ample of the PNM fame all the money. I would file a question soon to find out how much money has been paid. This advertisement is designed to send a message to the wider public of what the new careers of Caroni (1975) Limited would be.

And when you turn to the other section of this advertisement you would see one of the colonial bungalows from which persons either used to be hung, beaten or kicked by certain ancestral types in the days of slavery. Ram and Quashie.

**Mr. Sharma:** Ram's children are now being quashed by the PNM.

**Mr. K. Ramnath:** Cane farming continues: produce farming; living and building at Caroni (1975) Limited and so on. Mr. Deputy Speaker, do you know what is remarkable about this advertisement? The colour and the cost. Because it says nothing that is new to the people of Trinidad and Tobago. If this is what the new Caroni (1975) Limited would be doing, then I say that you might as well leave everything as it is today. I do not want to get into a discussion about what is going to happen at Usine Ste. Madeleine. Do you know what is going to happen in the new sugar industry? The second indentureship is about to take place.

The Usine Se. Madeleine Factory—which is currently down because of mechanical problems—can only produce a maximum of 50,000 tonnes of sugar. They plan to produce about 70,000 to 80,000 tonnes of sugar at Usine Ste. Madeleine. If they were to do that they would have to increase the capacity of the factory. And that is something they are not going to do. The farmers who would be selected to farm lands at Caroni (1975) Limited, in order to attain the level of sugar production to produce 70,000 to 80,000 tonnes of sugar, would be selected by a Government which is not trusted by the people. [*Interruption*]

**Mr. Valley:** Mr. Deputy Speaker, could the hon. Member repeat what he just said concerning the farmers? Because that could be solved.

**Mr. K. Ramnath:** Mr. Deputy Speaker, I am happy that the issue of credibility has been raised. Because no one who is currently employed with Caroni (1975) Limited, because of the manner in which they have been treated, can trust the Government to live up to its promises made in the Parliament of this country. Remember they have not made those promises outside there. They have not documented it and, therefore, there have been no plans. [*Interruption*]

**Mr. Valley:** Mr. Deputy Speaker, is the hon. Member saying that if, in fact, what is said in the Parliament would be reduced to writing in a plan, that would be acceptable to the Member for Couva South? [*Crosstalk*]

**Mr. K. Ramnath:** Mr. Deputy Speaker, I think the hon. Member is absolutely confused but let me see if I can elucidate a bit. In the absence of any documented plan with selection criteria in place persons are not going to trust him. I wonder how his Prime Minister deals with such a mischievous—If you look at recent announcements by the Prime Minister, he said, in his famous pet programme called Community Environmental Protection and Enhancement Programme (CEPEP), that he is going to increase that three-fold.

**Mr. Deputy Speaker:** Hon. Members, could you please stop the cross talk.

**Mr. K. Ramnath:** Mr. Deputy Speaker, the hon. Member is just going to allow me to speak for my full 75 minutes. That is all. And I had planned to go home early tonight.

**Mr. Deputy Speaker:** Member for Diego Martin East, you are conducting yourself in an annoying manner and keeping the rest of us from hearing the contribution of the hon. Member. Please do not do that.

**Mr. K. Ramnath:** Mr. Deputy Speaker, they are talking about increasing by three times the number of the allocation or the number of companies and spending about \$400 million. I am not even going to spend my time on that. But the Prime Minister also stated that one of the major benefits of CEPEP is the improvement of race relations in this country. At some other time we can talk about that, because every time they speak you would not believe that there is a race problem in the country. [*Interruption*]

**Mr. Manning:** Mr. Deputy Speaker, I thank the hon. Member for giving way. What I really said is that an aspect of the problem of race relations in the country is the allocation of scarce resources, and, therefore, to the extent that we can give governmental programmes a national coverage and perspective, to that extent, we would make a significant intervention in fostering proper race relations in the country. That effectively is what I have said.

**Mr. K. Ramnath:** Mr. Deputy Speaker, the hon. Member for San Fernando East has confused me a little more than I was before I started. Anyway, I am very happy that the Prime Minister, unlike his predecessors, has finally decided to discuss the issue of race relations in the country. For too long, whenever this issue comes up, politicians are prepared to dismiss it as though it does not exist. My good friend, the Member for Ortoire/Mayaro alluded to this matter in a different manner earlier today, and one would, unfortunately, accuse him of being naive. I am not doing so, but I am saying that as far as he is concerned, this is an issue that ought not to pre-occupy the minds of people—and we have more important things to do.

The Prime Minister is saying that he has to allocate resources in such a way that would cause an improvement in race relations in the country. Since he is prepared to do so, I would like him to understand how people in South/Central Trinidad, who are, in the vast majority, of East Indian origin, feel about this issue about retrenchment in Caroni (1975) Limited, and the impact it would have on race relations in the country. I am simply throwing this out for consideration because that is a major issue. It is not that we, on this side, wish to come here and undermine the democracy.

*Rent Restriction Bill*  
[MR. RAMNATH]

*Friday, March 14, 2003*

If you are dealing with an industry of 70,000 to 80,000 acres of land that has been cultivated since 1845, by a particular group of persons who, because of no fault of their own, were brought here to work the lands and suddenly they are told that they are going home—in Trinidad and Tobago we have had a history of the majority of Afro-Trinidadians voting for one party and Indo-Trinidadians voting for another—how do you expect persons to feel? The Member for Port of Spain North/St. Ann's West could not understand that. He has to be forgiven. He does not understand that problems of this magnitude which have spanned centuries and are not solved by wishful thinking. As indeed, the issue raised by the Prime Minister of easing tensions and promoting better relations has taken the PNM more than 40 years to articulate. This is something that has never come out of the mouth of a Minister of the PNM before, far less a Prime Minister. And I am saying to him that what is being perceived as an attempt to undermine the social fabric and the democracy of the country is, in fact, not something that has been developed by Members on these Benches but is a real fear of the people who are likely to be affected, and he is not addressing these issues.

The Minister in the Ministry of Finance can proffer the best economic arguments, he can compare what is happening in BWIA, if he looks at the employment practices in the country he would observe that people in South/Central Trinidad have not had equal opportunities in a number of areas. It may not have been as a result of direct intervention to prevent people from being employed, but the system has operated in such a way, where there is urban discrimination against rural persons; where the Constitution has been written in a certain way; where persons who have occupied power in the past—from colonial times coming down—have been of a certain class and a certain race. And he expects us to sweep all these issues under the carpet and pretend that they do not exist. I am saying to you that you must now find a way of going to the people whom you wish to retrench and say to them that we are not just making promises to you. Mr. Deputy Speaker, you see this House here—

**Mr. Singh:** It is a lovely house. Where is that? Down the islands? [*Interruption*]

**Mr. Valley:** Mr. Deputy Speaker, I want to assure the hon. Member that I do not think we should sweep the issue of race relations under the carpet. I think, however, if we are discussing it, it must be done dispassionately on the basis of fact, and in a manner that is designed to lead our people rather than to create strife. I think it is a very important issue and it ought to be discussed. I remember Lloyd Best saying that we all feel that we are second-class citizens in Trinidad and Tobago. Nine tribes. So that is an issue that we must face squarely, but the



bottom line is that our obligation is to move our people forward rather than to create more fears and distrust among the races.

**Mr. K. Ramnath:** Mr. Deputy Speaker, I am glad that I have injected some sanity into the debate because I could not agree with the hon. Member more. The problem in this country is that we were never prepared to sit and discuss these things. On the one hand they are preaching national unity and then on the other hand they are practising something else. I do not even want to get in there. All I am saying is that if there are genuine fears the hon. Member must address those fears. You cannot send a Minister whose power of articulation is severely limited because of his lack of experience in matters concerning the sugar industry, to try to explain something about which he knows very little. I am not trying to insult the Minister, I am simply saying that when he is faced with serious questions and issues he is not able to answer them. It is not surprising to me that whenever he comes to the sugar industry he is not going to be listened to. They know what the issue is, and they also know what the fears are.

I was talking about this house. One would get the impression that Caroni (1975) Limited has this vast number of houses that all these retrenched workers are going to get. Whatever they have they might as well sell the material as scrap, because the cost of bringing those houses back is enormous. *[Interruption]* I live there and I know. The Prime Minister passes by on the highway; he does not go through the area. That is why he is promising to come to Couva on Saturday.

The point I want to make is that this promise of living and building at Caroni (1975) Limited that is in this advertisement is only designed to appease a few senior managers. The vast majority of the 10,000 workers are daily-paid workers and over 50 per cent of the daily-paid workers would receive less than \$50,000 as voluntary separation payments. And I ask the Minister to challenge my figures. I want to ask any reasonable person—because I do not expect that we have too many of them on the other side—what are persons going to do with \$50,000 and being put out of a job?

**Mr. Manning:** Mr. Deputy Speaker, I really want to thank the Member for Couva South for giving way. I have asked for the floor because of the race relations issues that keep coming up in this Parliament and particularly in this debate, and I am wondering whether the Opposition is prepared to work with the Government in some kind of committee, to discuss this issue of race relations with a view to improving race relations in this country.

**Mr. Singh:** Mr. Deputy Speaker, we would always enter into dialogue to provide unity in this country but the best opportunity to engender good race relations is on the Caroni (1975) Limited issue.

**Mr. Manning:** Mr. Deputy Speaker, the proposal is rejected.

**Mr. Singh:** No, no, like everything else, if there is an oral proposal we are interested in it, but when it is documented we will discuss it as a party and come forward to you. In principle, we are in agreement for good race relations in this country but here is the opportunity on the Caroni (1975) Limited issue so we are agreeing, in principle, with it.

**Mr. K. Ramnath:** You would realize that I have been terribly injured. *[Interruption]* My leader has spoken. *[Interruption]* I have no doubt, in the absence of the Member for Couva North, who the leader is. *[Interruption]* *[Crosstalk]*

**Mr. Valley:** Mr. Deputy Speaker, I want to know what the leader told the Member for Couva South.

**Mr. K. Ramnath:** Mr. Deputy Speaker, I think they are engaging in provocation at this stage. The Member for Caroni East has made a significant point. They know that one of the major issues relating to this Caroni (1975) Limited matter is the feeling that a major section of the population has been singled out for pressure. That is the view being experienced. According to what is coming from the Government side, that may not have been the intention. I, myself, cannot believe what the Member for Diego Martin Central has said here today, that in two weeks' time, after I am retrenched from Caroni (1975) Limited, I would have a new job waiting for me if I am employable. *[Interruption]* That is what you said, that there would be opportunities for employment two weeks after the new company is formed. I am saying, let us see that plan in writing. The only thing anybody has seen is this plan, an advertisement in the newspaper.

*[Newspaper shown to Members]*

I was talking earlier about the second indentureship. If you think that a retrenched daily-paid worker of Caroni (1975) Limited would find employment with a farmer, and that he is going to enjoy a good standard of living, I want to tell the hon. Member that based on what farmers obtain for their sugar cane today, they are unable to pay half the wage that Caroni (1975) Limited is currently paying. *[Crosstalk]*

**Mr. Valley:** Mr. Deputy Speaker, the hon. Member understands the problem.

**Mr. K. Ramnath:** I understand what the problem is in CEPEP too. And I understand what the problem is everywhere in the civil service. If the hon. Member wants to privatize the civil service he can come here and do that. I guess we could privatize many things. The Prime Minister has gone on record talking

about the enormous fallout of plans to restructure Caroni, when he was talking about building two new sugar factories. Has he forgotten those days? He also went on to say that we should not only look at the issue of losses but we must look at the social contribution in investing in an organization like that. But he forgets those statements. So that what would happen is that people are going to have to work for wages which are far below. They would not even be able to receive minimum wage working for farmers in the country. Mr. Deputy Speaker, if you do not understand what goes on in the cane-farming industry, you cannot sit here and make certain assumptions.

The other issue is the distribution of lands for cane farming. Quite naturally, such lands would be distributed from among those that are closest to the Usine Ste. Madeleine Factory because of transportation needs. I do not think the Government would want to offer lands in the St. Augustine constituency; in the Caroni East constituency or Tunapuna constituency, from where canes would be transported to a factory in Usine Ste. Madeleine. Who are going to get these lands? Which group of cane farmers would qualify? Those represented by one cane-farming leader, who, most recently, has shown allegiance to the PNM? I do not wish to degenerate into name calling here? Or, would it be farmers who belong to a competing union? Or, would it be persons who register their names as wanting to farm canes? What kind of criteria would be used to evaluate applicants? What kind of criteria would be used to determine whether they should go to farmers who are now engaged in cane farming? That is the danger!

Clearly, there would be concerns about political consideration in allocating those lands. So when the Government talks glibly about a plan they have to put so many extra acres of cane under cultivation by farmers, nobody believes that they would do that in accordance with some set and agreed criteria. I cannot take the Minister's word. I cannot do that.

If the hon. Member looks at the selection criteria for the \$400 million for CEPEP, he will see that a large segment of the population has been completely ignored, and the hiring practice has been highly questionable. In fact, there is hardly 5 per cent of those employed under CEPEP who belong to the Indo-Trinidadian community. I can say that without a doubt. In addition to that, you are saying that 10,000 workers have to go on the breadline, but we have a plan in our heads that they would be entitled or eligible like every other citizen. And you hear language coming again today such as, priority would be given.

Who determines that priority? The Minister of Agriculture, Land and Marine Resources, who is sitting in Port of Spain? Or, persons whom you have put on the

*Rent Restriction Bill*  
[MR. RAMNATH]

*Friday, March 14, 2003*

Board of Caroni (1975) Limited who have allegiance to your political party? If they are not prepared to deal with those issues, nobody is going to believe them. And the confrontation that, obviously, would come about to these proposals, would be as a result of a failure to honestly treat with the stakeholders in the industry. I do not think the Government is honest in treating with the stakeholders, nor do I think that they are honest in what they are saying would happen to the new company that would manage the sugar industry. *[Interruption]*

The hon. Member had a chance to talk—they entered the debate and made all kinds—Mr. Deputy Speaker, I am now ready to rebut some of the statements. We heard about Crowne Plaza and did we consult our constituents when we walked out. And a whole litany of complaints by the Chief Justice and all other persons. *[Interruption]* Mr. Deputy Speaker, let me assure the hon. Member that I would not go through that.

I want to give the Government an opportunity to stop making promises and statements without agreeing to some kind of timetable for discussion on the proposed retrenchment and other issues in Caroni (1975) Limited. I have no doubt that we can achieve a lot. I want the Member for Diego Martin Central to understand that his definition of consultation is different to the definition of consultation given to us by the unions. If he has friends in ATTAS and he has certain friends who occupy these bungalows in certain minority unions in Caroni (1975) Limited, let it not be assumed that these people speak for the majority of workers in the company, because as far as the unions are concerned they held discussions, not negotiations. The unions have reported to me that Dr. Lenny Saith, Leader of Government Business, indicated in a discussion that the PNM's duty was to break the All Trinidad Sugar and General Workers' Trade Union (ATSGWTU), which forms the basis of support for the United National Congress. *[Interruption]* I do not know if they can speak for Dr. Saith, but I can certainly do. *[Crosstalk]*

**Mr. Imbert:** They lie! It is not true! I was there.

**Mr. K. Ramnath:** Mr. Deputy Speaker, I do not know if those hon. Members could speak for Dr. Saith, but I can certainly speak for the persons who informed me. The issue here is not taken seriously. I am saying, here is a genuine concern of the stakeholders in this matter and as far as they are concerned that must be dismissed. If people believe that, that is enough reason to be allaying those fears. I repeat. Do not come and play no "bad John" in the sugar belt, you know. *[Interruption]* If this Government believes that they could simply come there, fire 10,000 workers regardless of whether they oppose the Government's decision or

not, and they are not prepared to negotiate a settlement, let me warn them that what happened at the Rudranath Learning Resource Centre is the beginning of what would take place in the future. [*Interruption*]

I am simply conveying the sentiments of persons who are badly hurt in this process. And I want the Prime Minister to understand that if he feels that by saying he could come to Couva and Chaguanas with the military and so on, that is going to frighten anybody, I want him to understand how social disruptions in other countries have seriously affected the way forward because of the stubbornness and the failure of those in power to treat with stakeholders. Nobody is afraid of you all! At least, I am not afraid of you all!

While I give you advice to hold discussions and have negotiations, the assumption that you have is that you are going to do what you want, and if you do not—as the Member for Diego Martin Central has said—accept the VSEP we are going to retrench you. [*Crosstalk*] The lives of hundreds of thousands of people are being treated in the most frivolous manner, and that is what the PNM is famous for. That is why nobody would trust and believe them when they talk about improving race relations in the country.

People in this country believe that the Government is only interested in looking after one group of persons. That is why they hired 95 per cent of Afro-Trinidadians under CEPEP and other citizens are denied the opportunities. And they hired 100 per cent of their friends as contractors under CEPEP. We cannot believe them.

On the one hand they come here and accuse persons of undermining a democracy, which the people in Trinidad and Tobago love. They expect us to believe that and then the Government goes and undermines it by its practices.

**Mr. Deputy 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. G. Singh*]

*Question put and agreed to.*

**Mr. K. Ramnath:** Mr. Deputy Speaker, I get the impression that every time we start to discuss the issue of finding solutions there are arrogant remarks coming from the other side. [*Crosstalk*]

**Mr. Deputy Speaker:** Hon. Members, the aggressive tone, let us keep it calm.

**Mr. K. Ramnath:** Mr. Deputy Speaker, I thought that I was really speaking very quietly this evening. When it comes to dealing with the lives of communities, I

*Rent Restriction Bill*  
[MR. RAMNATH]

*Friday, March 14, 2003*

want to tell the hon. Member that Point Lisas has made no impact on Couva. I am not at all suggesting that Point Lisas is not important. There are people who do not know where Point Lisas is, and they make all kinds of remarks. As far as the lives of the people of Couva are concerned Point Lisas has made no impact. The reason for that is very simple. The industries are high-tech and they employ very few people to operate these industries except when there is construction; when there is construction, the construction workers are drawn from across the country because there are no residents skilled in the area. [*Interruption*]

I am not suggesting that in the very least, but I am saying that when you tell people that you are going to expand the industries and so on, the point made by the Member for St. Augustine is, the only skills many of these people who now work in Caroni (1975) Limited possess are their agricultural skills. So that industrialization or the expansion of industrialization, while desirable for the larger good of the country, and perhaps best located in a sheltered-harbour area or an area with the necessary gas infrastructure, it would be of little or no value to the people who in Caroni (1975) Limited who live and work. So that we must not hold out promises to those people.

With respect to the training the hon. Member is talking about. I want to tell you something, Mr. Deputy Speaker, it is hardly likely that anybody who now works in the cultivation, who cuts and harvests cane can be retrained at the Institute of Technology in Caroni (1975) Limited and all of these high-sounding institutions, the university and so forth. [*Interruption*] I know very much about the Trinidad and Tobago Institute of Technology (TTIT). And let me say that the promises that are being made in these colourful advertisements are not promises that would redound to the benefit of the displaced workers. They must wait until they are fired and then believe that the PNM is going to find something for them. So they must take their money and sit there and wait until hon. Kenneth Valley of the PNM comes up with a programme in order to employ them in that industry. Nobody is going to accept those kinds of promises without something that is documented. I would like to see—if they think that we do not want to cooperate—guarantees being given.

Do you know when persons get their VSEP and they have to pay their Sugar Welfare Committee loan they would end up in the red. These are persons who have to look after children going to high school. I want to say something. Whoever developed this VSEP does not know anything about that. If you are 59 years of age—I am sure you have not reached there as yet, Mr. Deputy Speaker—

**Mr. Deputy Speaker:** I have passed that.

**Mr. K. Ramnath:**—and you have one more year to go, you are being paid on the number of years of service attained. So that the person whose contract the Government is buying out at age 50 would get less money than the person who is likely to retire next year. Any other company would have said, well, you have one year to go and, therefore, you could stay and work out that year and let me send you home under normal pension. They are paying these persons on the total number of years' service attained. Do you know, the younger workers who have more to lose, are also being paid on the years of service?

In other industries like Petrotrin, the VSEP is determined at 50 years of age, and the closer you are to age 60 the less money you receive. In fact, what should have happened is that those who are going to make the greater sacrifice should have benefited most. So the young persons in Caroni (1975) Limited are being treated less favourably than the ones who are about to retire. If the Government follows collective agreement, VSEP has nothing to do with collective agreement. VSEP is specially negotiated. *[Interruption]* I can tell the hon. Member because I was offered VSEP. *[Interruption]*

**Mr. Valley:** Mr. Deputy Speaker, the advice the committee got again from Caroni (1975) Limited lawyer and other lawyers, is that one has to understand that if you are going with VSEP it has to be an enhanced severance. The severance provided a manner of calculation and it did not as in other plans—and the Member is right, in other plans there is a distinction made for the over 50s as against the under 50s. With respect to the over 50s, normally there is an early retirement plan whereas there is severance for the under 50s. If one is going with VSEP and the plan says that it has to be enhanced on the severance, therefore, one has to be guided by the severance. That is why there is that thing. And we looked at it and there were just a few employees in that situation and we thought that look, really, that is what it is and that is what it is.

**Mr. K. Ramnath:** Mr. Deputy Speaker, my time has been wasted. Clearly, the Minister has not been properly informed. There is no provision in the collective agreement for VSEP. Therefore, you cannot pay VSEP on the basis of any collective agreement. What you pay is severance pay on the basis of a collective agreement. There is a provision which Dr. Saith outlined in his letter to Kusha Haraksingh on February 13, and he says:

“I wish to inform you that Cabinet has agreed that letters offering the enhanced VSEP to daily and monthly-paid should be issued on February 17, and the action is pursuant to the obligation of the company imposed by Article 23A which states: ‘whenever economic or other conditions such as the

*Rent Restriction Bill*  
[MR. RAMNATH]

*Friday, March 14, 2003*

company envisages and any of his reduction in the labour force they shall so inform the union’.”

We are talking here about retrenchment. So in the letter that they sent to the workers they quoted that section of the agreement which has the formula for paying retrenchment benefits.

Let me tell this honourable House what happens at Petrotrin. A special formula has been devised for voluntary separation. You dare not go to Errol McLeod and the Oilfield Workers’ Trade Union and say that we envisage a reduction of labour and, therefore, we are going to offer you VSEP on the basis of the collective agreement. You and I know what the answer would be. So they came up with a special formula, advertise it to the employees and the employees can accept or reject it. But what the Minister is saying, certainly, indicates that he is not aware. That is the problem. They are listening to all kinds of hearsay. You should have been paying VSEP on an enhanced formula, not on the basis of how many years of service attained.

What is going to happen is that the young persons in Caroni (1975) Limited are going to suffer as a result of the existing collective agreement. They do not listen. That is the point. Because they do not listen nobody is going to trust them. Nobody is going to trust the Minister of Agriculture, Land and Marine Resources. He has no credibility—not that he is a bad fellow, I do not know much about him, but one thing I can tell you is that if he does not know the issues; and if he is simply coming into the industry to repeat and regurgitate what his boss tells him to do, then nobody is going to believe him.

Mr. Deputy Speaker, my warning to them is that they can come to Couva on Saturday, no problem; they can come on Monday, no problem, but I do not take responsibility for their security or lack of security when they come there. They could bring the whole special branch; they could bring the army and the police. They would not restructure Caroni (1975) Limited under these conditions. Also, any attempt to impose political as well as other violence against the workers at Caroni (1975) Limited would be seriously retaliated, and that retaliation would have long-term repercussions for the stability of this country.

If they feel that they can put persons in a second indentureship, there are those of us who would not tolerate that. If they feel that the new masters—[*Crosstalk*] Mr. Deputy Speaker, this is because of what they are doing. Treasonable.

**Mr. Deputy Speaker:** Hon. Members!



**Mr. K. Ramnath:** Treasonable? They are depriving hundreds of thousands of persons of their employment and food on their tables. In another country the hon. Member would have felt the impact of that already. But he decides to take advantage of a defenceless people and the hon. Member sits there and laughs, makes those ridiculous remarks and he cannot even manage his own Ministry; showing total disrespect as he showed for the doctors.

You know the doctors were debating an issue and suddenly they were all UNC because most of them are Indians. So it is now a crime in this country to be an Indian. I do not apologize for making these statements. Suddenly, if you are a doctor, you are a UNC; suddenly; if you are a sugar worker you do not treat them with respect because they vote for the United National Congress. Why do you not deal with these persons as if they are respectable citizens? *[Interruption]* Because of your attitude! You are humouring a serious issue, because you are not prepared to listen. You are prepared to shove this thing down the throats of persons. And I do not need to be here.

**Mr. Imbert:** Well go!

**Mr. K. Ramnath:** But I am not going unless I deal with all of you. If the Government feels that winning an election by stealing it, allows them—they were conspiring with Mr. Robinson to put them in power—

**Mr. Deputy Speaker:** Hon. Member, I understand how you feel but reference to the President of the Republic of Trinidad and Tobago is not permitted and I ask you to expunge it from the record. Please do not do that again.

**9.00 p.m.**

**Mr. Ramnath:** I apologize for that but I will deal with him after Monday. *[Laughter]*

Let me make it clear that it appears to me the people who are saying that we should have come here to debate this issue, who now have an opportunity to listen to another point of view, *[Interruption]* who treat it in the most flippant manner, *[Interruption]* who believe that they have a right to rule, *[Interruption]* who believe that they have a mandate to rule and they will rule how they want, *[Interruption]* who believe that whatever they do, might is right, *[Interruption]* I let them know that there are people who are not prepared to allow themselves to be subjected to that kind of insult and abuse. *[Interruption]*

I welcome them to pursue whatever action they want. *[Interruption]* I have given them the option of discussion and of negotiations and I feel quite certain

*Rent Restriction Bill*  
[MR. RAMNATH]

*Friday, March 14, 2003*

that if they are prepared to pursue that avenue [*Interruption*] there will be peace. If they decide to pursue the avenue of force, violence and insults against the people of South/Central Trinidad, they will be met with retaliation that they have not experienced before in the country. [*Desk thumping*]

**The Minister of Legal Affairs (Hon. Camille Robinson-Regis):** Mr. Deputy Speaker, there were several issues raised [*Interruption*] in relation to this piece of legislation that bear no relationship [*Interruption*] to the legislation but let me just indicate, [*Interruption*] before I say “I beg to move”, that it is clear that the Members on the other side have a definite “tabanca” for governance. [*Desk thumping*] [*Interruption*] It is unfortunate that they take the Parliament to use this as an opportunity to denigrate the races and to look at this side of the House and say that we have no care for those whom they say they represent. It is unfortunate, Mr. Deputy Speaker, in circumstances where, if you look on this side of the House, you would see the meaning of national unity [*Desk thumping*] and you would see the reality that is Trinidad and Tobago. [*Desk thumping*] [*Interruption*]

Mr. Deputy Speaker, I sat and I told the Member for Chaguanas, who has labelled me a racist, [*Interruption*] that if he looks on his side he would see that there are no representatives of “Quashie” on his side [*Interruption*] and it really leaves me to lament that, from the first day we came to the Parliament, the Member for Fyzabad spoke about race. [*Interruption*] The Member for Nariva continues to speak about race and we must at some point have the opportunity to talk about race openly, because that is what is needed in Trinidad and Tobago. [*Desk thumping*] [*Interruption*]

The hon. Prime Minister stood and offered an opportunity for those of you to not hide behind the cloak of Parliament but come out openly and say, as the Member for Couva South has been saying, that La Horquetta, Maloney and Malabar are ghettos. [*Interruption*] He has, I am sure, never come to La Horquetta, Maloney or Malabar, and, because he has a tainted mind, he will never come there and experience the joys of people who live in those areas—[*Desk thumping*]—Malabar, Maloney, La Horquetta, Embacadere, Laventille East, Laventille West and Morvant. They do not come there [*Interruption*] to see what that experience is [*Interruption*] and you can continue to call those areas ghettos [*Interruption*] but they are not ghettos. Those are the areas that, in fact, represent the soul of this nation. [*Interruption*] Those are the people who, today, if the Member for Chaguanas is honest, stand tall as sportspersons of the year, people from those areas such as Darrel Brown, and if you had any respect for those people—Marvin Lee, who you claimed to feel so sorry for at his death—those are

the people whom we represent and whom we feel proud on this side to represent. [Interruption] [Desk thumping]

You can continue to talk but you are saying nothing that is endearing you to the people of Trinidad and Tobago. [Interruption] Interestingly enough, when there was retrenchment on the port and in WASA, you said nothing. [Interruption] You were in Opposition at the time. [Interruption] You stood and you said absolutely nothing and you want to stand here today and claim that you love Trinidad and Tobago. [Interruption]

**Mr. Ramnath:** “Who retrench dem?” [Interruption]

**Hon. C. Robinson-Regis:** It was the PNM. [Interruption]

**Mr. Ramnath:** “Who retrench dem?”

**Hon. C. Robinson-Regis:** It was the PNM who offered VSEP—[Interruption]

**Mr. Deputy Speaker:** Hon. Members, the Hansard reporter cannot hear. Would you please stop the crosstalk so that she is able—[Interruption]

Hon. Member for Chaguanas, I am speaking and, while I am standing, would you please be quiet and not crosstalk with me because I am really getting very upset at the behaviour in this honourable House. So please? Could you please continue?

**Hon. C. Robinson-Regis:** Mr. Deputy Speaker, workers at PTSC were also offered VSEP by the PNM but, because they were not, as you put it now, people from South or Central or those whom you say you represent, but they were, in the main, of one particular race, you said absolutely nothing. You said absolutely nothing because they were not of the race that you claim to represent. [Interruption] I say on behalf of all Members on this side, as has been said continuously by the political leader, by the Prime Minister, we of the People’s National Movement represent every citizen of Trinidad and Tobago [Desk thumping] and we make no apologies for saying that because, when we act, we act for all the people of Trinidad and Tobago. [Desk thumping]

When we decide that there has to be something done on the port, [Interruption] at WASA, [Interruption] at TSTT [Interruption] or at Caroni, it is in the interest of all the people of Trinidad and Tobago. We have never sat in governance [Interruption] and not acted on behalf of all the people. [Interruption] We have not had a history like you have had in the last six years [Desk thumping] where you acted for one sector of the population and said so openly! [Desk thumping] You said so openly—“This is we time now”. [Interruption]

**Mr. Deputy Speaker:** Member, please, you are obstructing the Member for Arouca South. Go ahead.

**Hon. C. Robinson-Regis:** We are not going to be cowed by your gun talk in the Parliament. *[Interruption]* We have a mandate to govern everybody in Trinidad and Tobago—a mandate! We have 20 seats; you have 16 seats and once we have that mandate we will govern in the best interest of all the people. *[Interruption]* So when you sit on that side, and say that we are treating against one group of people, that is not the fact. *[Interruption]* That is not the fact and you know that *[Interruption]* but it is only because that is the basis upon which you have survived that you have decided that that is what you have to do in this Parliament *[Desk thumping]* and that, Members, is why you lost the last election and you know that. *[Interruption]* You know that is why you lost the last election. *[Interruption]*

**Mr. Deputy Speaker:** The Member for Nariva and the Member for Princes Town, please stop the crosstalk. Stop shouting across the floor. I will not speak to you again.

**Hon. C. Robinson-Regis:** Mr. Deputy Speaker, we on this side will govern this country for the next five years. *[Desk thumping]* We will govern this country for the next five years and we will not be cowed by any talks of racism. *[Desk thumping]* We will not be cowed by any talks of “Do not enter any part of this country” because, I repeat, we are here to represent those who voted for us and those who did not vote for us *[Desk thumping]* and let me tell you that we do not now and we have never asked you to guarantee our safety. *[Desk thumping]* That has never been and it will never be your job. We do not need a guarantee from you in relation to our safety.

We will continue to walk the streets of Trinidad and Tobago and we will even walk streets internationally and hold the name of Trinidad and Tobago high, much higher than you ever did in your last six years. Let me indicate that if this is your swan song, we will listen to it, *[Desk thumping]* because every swan that sings, it is a beautiful tune. *[Interruption]* I “doh” have to sing for my supper. My supper is ensured because I am elected. *[Interruption]*

**Mr. Deputy Speaker:** The hon. Member for Fyzabad, I have asked you once to behave, to stop disturbing this honourable House and, if I have to do it again, I will exercise the authority which is given to the Chair in Standing Order 43. *[Interruption]* Thank you. Will you please address the Chair?

**Hon. C. Robinson-Regis:** Mr. Deputy Speaker, I repeat that we will never on this side find a minister accused of killing someone. I can assure you of that. We

will never on this side [Interruption] find a government that has spent over a billion dollars on an airport. [Interruption] We on this side care for the people of Trinidad and Tobago and we understand that if you are disgruntled by the fact, and I repeat, disgruntled by the fact, and I repeat, fact, that you will never sit in governance again, [Desk thumping] because of the tyranny that you imposed on the people of Trinidad and Tobago, because of the thievery that you imposed on our country, [Desk thumping] then I feel sorry for you, but you are here to do a job. [Interruption] The proof will come and, whilst you wait on that proof, enjoy yourselves in the Parliament. [Interruption]

I apologize, Mr. Deputy Speaker.

**Mr. Deputy Speaker:** Please address the Chair.

**Hon. C. Robinson-Regis:** Mr. Deputy Speaker, hon. Members will end their careers as bitter and disappointed people [Interruption] [Desk thumping] but we on this side have the mandate to govern for the next five years and we will do that [Desk thumping] in the interest, I repeat, of all the people of Trinidad and Tobago. [Interruption]

Mr. Deputy Speaker, may I point out that the one point that was made in relation to a Bill entitled, an Act to re-enact the Rent Restriction Act, Chap. 59:50, and to validate things done thereunder, was made by the Member for Siparia where the hon. Member indicated that we were bringing legislation that would mean that we would not have to return to the House. The Member for Siparia indicated that this was because we were saying that the Bill could be returned by affirmative resolution. I take this opportunity to point out that the Act that was passed in the year 2000 has the same clause. [Interruption] It does not preclude your coming to the Parliament in the same way. What that clause seeks to do is to ensure that once you come within the stipulated time you can pass a resolution in Parliament and then you do not have to go through the re-enactment of the legislation. It is as simple as that, Mr. Deputy Speaker. As usual, they are trying to mislead the Parliament and the people of Trinidad and Tobago. [Interruption]

As they say that, we will never beg for anything. The only thing we on this side will beg for is God's guidance. We will beg for that [Desk thumping] but we will never, on this side, beg people to pass legislation. [Interruption] If you on that side believe that by acting in this way you are acting in the interest of the people of Trinidad and Tobago, feel free because we on this side know that we are acting in the interest of the people of Trinidad and Tobago.

*Rent Restriction Bill*  
[HON. C. ROBINSON-REGIS]

*Friday, March 14, 2003*

Mr. Deputy Speaker, I indicate that when they vote against this legislation, [Interruption] they are not, as the Member for Couva South said, voting against us. They are voting against the people of Trinidad and Tobago—poor people who are in a situation which makes them vulnerable. We will not beg, we will not grovel and we will not stand here and feel that you could intimidate us. If you choose to act the way that you want to act, feel free because we do not feel that we need to beg. [Interruption]

As I say this, it is unfortunate that I have to end my contribution by saying, I beg to move. [Desk thumping]

*Question put and agreed to.*

*Bill accordingly read a second time.*

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

#### ADJOURNMENT

**The Minister of Trade and Industry and Minister in the Ministry of Finance (Hon. Kenneth Valley):** Mr. Deputy Speaker, I beg to move that the House do now adjourn to Friday, March 21, 2003 at 1.30 p.m.

I inform the House that on that day we will be doing the Kidnapping Bill which is on the Order Paper.

**Mr. Deputy Speaker:** Hon. Members, the question is that this House be adjourned to Friday, March 21, 2003 at 1.30 p.m. [Interruption] There is not because that Motion lapsed at the last—[Interruption]

**Mrs. Persad-Bissessar:** Mr. Deputy Speaker, before we go, the Leader normally indicates what we will be doing next week. [Interruption] The Kidnapping Bill; thank you. [Interruption] “So, what happen to you?” I cannot ask? [Interruption]

**Mr. Deputy Speaker:** You have asked but that is just when we have so much crosstalk.

*Question agreed to.*

*House adjourned accordingly.*

*Adjourned at 9.24 p.m.*

**WRITTEN ANSWERS TO QUESTIONS**

*The following question was asked by Mr. Harry Partap (Nariva):*

**National Entrepreneurial Development Company  
(Staffing details)**

- 25.** Would the Minister of Labour and Small and Micro Enterprise Development provide a list of the names of the members of staff and the positions they hold at the head office of the National Entrepreneurial Development Company (NEDCO) and the branch offices in Port of Spain, Chaguanas, Tunapuna, Sangre Grande, San Fernando, Point Fortin, Moruga, Tobago, Rio Claro and Arima?

**The Minister of Labour and Small and Micro Enterprise Development (Hon. Lawrence Achong):** NEDCO does not as yet have a branch office at Rio Claro though it proposes to establish one very shortly. The information in relation to the listed offices is as follows:.

**Staff Complement  
As at 03/02/03**

**HEAD OFFICE**

Position		Name
1	Chief Executive Officer <b>Designate</b>	Ricardo St Cyr
2	Executive Manager- Human Resources and Administration- <b>Designate</b>	Sharon J. Mark
3	Business Analyst	Victor Lutchman
4	Facilities Coordinator	Ellis Sadaphal

	<b>Position</b>	<b>Name</b>
5	Business Analyst	VACANT
6	Executive Assistant to CEO	Michele Bellemare de Leon
7	Executive Assistant	Troy Small
8	Accounting Assistant	Beverly Medford
9	Human Resources Officer	Dale Manzano - Wilson
10	Human Resources Assistant	Alana Neemar - Aleung
11	Senior Administrative Assistant	Yvette Horton
12	Administrative Assistant- Training	VACANT
13	Administrative Assistant- Loans	Noreen Edwards
14	Accounts Clerk	Reshma Rampersad
15	Accounts Clerk	Taryn Neptune
16	Data Entry Officer	Petra Bernard-Sealey
17	Customer Service Representative	Krystal Smart



	<b>Position</b>	<b>Name</b>
18	Customer Service Representative	Kafi Francis
19	Telephone Operator	Romelia Davis-Prout
20	General Office Assistant	Joanne Patricia King
21	Housekeeping Attendant	Theodora Joseph-Dedier
22	Clerical Assistant	Teneille Tracey
23	Administrative Assistant/ Loans Administrator	Lilly Indarsingh
24	Regional Coordinator	Stanley Ryan
25	Regional Coordinator	Omatie Singh
26	Communications Assistant	Renee Romain
27	Office Assistant/Courier	Brent Hargreaves
28	Recoveries Officer	Claire De Riggs-Jones
29	Recoveries Clerk	Radhaika Ramjohn

<b>Position</b>		<b>Name</b>
30	Internal Auditor	VACANT
31	Manager – Research, Planning and Development	VACANT
32	Assistant Manager – Operations	VACANT
33	Manager – Communications	VACANT
34	Manager – Finance and Information Technology	Brendon Nelson
35	Business Development Officer	Natasha Ramkissoon
36	Senior Business Analyst	Karen Achong

**TOBAGO**

<b>Position</b>		<b>Name</b>
1	Centre Manager	Jan Thompson
2	Business Development Officer	Kirch Spencer
3	Business Development Officer	Jason Nancis

*Written Answers to Questions**Friday, March 14, 2003*

<b>Position</b>		<b>Name</b>
4	Administrative Assistant	Giselle Small
5	Customer Service Representative	Kysean George
6	Office Assistant	Thalia Jackson
7	Housekeeping Attendant	Olive Charles
8		

**ABERCROMBY STREET**

<b>Position</b>		<b>Name</b>
1	Senior Business Development Officer	Arlene Drayton
2	Business Development Officer	Jill Padmore
3	Executive Assistant	Deidre Hunte
4	Customer Service Representative	Cheryyse Williams
5	Office Assistant	Natalie Hunte

*Written Answers to Questions**Friday, March 14, 2003*

<b>Position</b>		<b>Name</b>
6	Housekeeping Attendant	Meryl Yearwood
7	Business Development Officer	Feisal Abdullah

**TUNAPUNA**

<b>Position</b>		<b>Name</b>
1	Centre Manager	Curtis Mayers
2	Business Development Officer	Susan Sylvester
3	Business Development Officer	Karen Hassanali-Ramdial
4	Business Development Officer	Ryan Greene
5	Field Officer	Wendell Morris
6	Investigator	Ian Callender
7	Administrative Assistant	Aisha Joyeau
8	Customer Service Representative	Marlon West

*Written Answers to Questions**Friday, March 14, 2003*

<b>Position</b>		<b>Name</b>
9	Office Assistant	Chris Gaspard
10	Housekeeping Attendant	Jacqueline Smith

**POINT FORTIN**

<b>Position</b>		<b>Name</b>
1	Centre Manager	Hyacinth Whiteman-Lawrence
2	Business Development Officer	Franklyn Gittens
3	Business Development Officer	Marlon Richardson
4	Business Development Officer	Adolphus Scott
5	Administrative Assistant	Vanessa Simon
6	Customer Service Representative	Natasha Hagley
7	General Office Assistant	Sharon Burke- Jack
8	Office Assistant	Leevon Springer

*Written Answers to Questions**Friday, March 14, 2003*

<b>Position</b>		<b>Name</b>
9	Telephone Operator	Nicole Worrell- Thomas
10	Housekeeping Attendant (Part Time)	Elvera Rowe
11	Clerical Assistant	Estaphan Joseph

**SAN FERNANDO**

<b>Position</b>		<b>Name</b>
1	Centre Manager	Glenda Carew
2	Business Development Officer	Jessica Benjamin
3	Business Development Officer	Jennifer Walker- Barrow
4	Business Development Officer	Vanessa Friday
5	Investigator	Ormond Stewart
6	Field Officer	Faiz Ramjohn
7	Administrative Assistant	Bernadette Gopaul

*Written Answers to Questions**Friday, March 14, 2003*

Position		Name
8	Customer Service Representative	Shane Greaves

**CHAGUANAS**

Position		Name
1	Centre Manager	Denis Mitchell
2	Business Development Officer	VACANT
3	Administrative Assistant/ Customer Service Representative	Arlene Sumair
4	Customer Service Representative	Omari Murray
5		

**MORUGA**

Position		Name
1	Senior Business Development Officer	Marlon Mohammed
2	Investigator	Gregory Cooper

*Written Answers to Questions**Friday, March 14, 2003*

<b>Position</b>		<b>Name</b>
3	Housekeeping Attendant	Theresa Granger
4	Administrative Assistant/CSR	Zia Beharry

**ARIMA**

<b>Position</b>		<b>Name</b>
1	Business Development Officer	Phillip Roxburgh
2	District Coordinator	Omatie Singh
3	Customer Service Representative	Vanessa Cipriani
4	Administrative Assistant	Leslie Ann Morris –Elisha
5		

**SANGRE GRANDE**

<b>Position</b>		<b>Name</b>
1	Centre Manager	Yoland Roberts Pollanais



Position		Name
2	Administrative Assistant	Kele George
3	Customer Service Representative	Jasane Phillip
4		
5		

*The following question was asked by Mr. Harry Partap (Nariva):*

**Director Information Technology  
(Applicant and Interview Details)**

29. (a) Would the Minister of Labour and Small and Micro Enterprise Development provide, in writing, a list of the names of persons who applied for the position of Director, Information Technology in the Ministry of Labour and Small and Micro Enterprise Development and state the ranking given to each applicant by the interview panel and the name of the person selected for the position?
- (b) Would the Minister provide the names of the persons and their respective positions who comprised the interview panel for this contract post?
- (c) Would the Minister provide details of the salary and other benefits payable to the holder of this contract post?

**The Minister of Labour and Small and Micro Enterprise Development (Hon. Lawrence Achong):** The eighteen persons who applied for the position of Director, Information Technology, are listed at Appendix. Of these, nine were selected for interview, having met the criteria stipulated. Interviews were held in two phases – the first phase for a short-listing of final interviewees and the second for final selection. Nine persons were selected for the initial interview and six for

the second phase interview. Of the final six, one did not attend the interview. In the final selection interview the ranking of the candidates interviewed was as follows:

- 1 Ms. Pansetta Gayle
- 2 Mr. Michael Holdip
- 3 Mr. Ernest Williams
- 4 Mr. Ash Saigal
- 5 Mr. Heronne Forde

The person selected was Ms. Pansetta Gayle.

The Interview Panel was comprised of the following persons:

- |                           |  |
|---------------------------|--|
| Mr. Hart Edwards          | - Permanent Secretary, Ministry of Labour and Small and Micro Enterprise Development   |
| Mr. Learie Rousseau       | - Director, International Political Affairs, Ministry of Foreign Affairs (Former Director, Information Technology, Ministry of Foreign Affairs ) |
| Mr. Joseph Caesar         | - Ag. Executive Director, National Information Systems Centre  |
| ** Mr. Selby Brathwaite   | - Director, Labour Administration (Ministry of Labour)   |
| Mrs. Bernadette Clinton - | Human Resource Officer III—<br>Secretary to the Panel.   |

\*\* Out of the country on the dates of the final selection interview.

Details of Salary and Other Benefits to the holder of this contract position as fixed by the Chief Personnel Officer are:

- |                      |                         |
|----------------------|-------------------------|
| Duration of Contract | - 3 years               |
| Salary               | - \$17,500.00 per month |

*Written Answers to Questions**Friday, March 14, 2003*

Travelling	- \$1,400.00 per month
Motor Vehicle Loan*	- \$85,000.00
Vacation Leave*	- 20 working days per annum
Sick Leave*	- 14 calendar days per annum
Gratuity*	- 20% of Gross Salary per annum

\* Standard Features/Conditions of service in most contracts”.

**APPENDIX**

**LIST OF APPLICANTS FOR THE POSITION OF  
DIRECTOR, INFORMATION TECHNOLOGY,  
MINISTRY OF LABOUR AND SMALL AND MICRO ENTERPRISE DEVELOPMENT**

1. Mr. Ash Saigal
2. Mr. John J. Lewis
3. Mr. Christopher Woodham
4. Ms. Shenely Mc Gowan
5. Ms. Marisa Robinson
6. Ms. Sita Maharaj
7. Mr. Victor Ramsaroop
8. Mr. Tedd Rajan
9. Ms. Charmaine Cummings
10. Mrs. Raul Mohammed
11. Mrs. Pansetta Gayle
12. Mr. Earnest Williams
13. Mr. Heronne Forde
14. Mr. Davidson Rodney
15. Mr. Michael Holdip
16. Mr. John Chong Sing
17. Mr. Ryan Bedasie
18. Mr. Brent Gaspard

*The following question was asked by Mr. Nizam Baksh (Naparima):*

**Eric Williams Medical Sciences Complex  
(Tender Details)**

- 57.** (a) Could the Minister of Health provide a comprehensive list of tenderers who submitted offers in response to the invitation for the maintenance of the grounds of the Eric Williams Medical Sciences Complex and Mt. Hope Women's Hospital for the current period?
- (b) Could the Minister also indicate the amount of offer of each tenderer and inform this House of the name of the company that was granted the contract?
- (c) Would the Minister detail the reasons which guided the eventual award of the contract and state whether the lowest tenderer was rejected?  
[*Mr. N. Baksh*]

**The Minister of Health (Hon. Colm Imbert): The answer is as follows:**

**MINISTRY OF HEALTH**

**10 - 12 Independence Square, Port of Spain  
Republic of Trinidad and Tobago**

**Tel: 1-868-627-0010**

**Fax: 1-868-623-9528**

**e-mail permhlth@wow.net**

He: 34/1/21 Vol. V Sub. I

March 14, 2003

Clerk of the House  
House of Representatives' Secretariat  
The Red House  
St. Vincent Street  
Port of Spain

Dear Madam

Re: Reply to Question 57 on the Notice for Question Paper (2003 – 2003)  
Session of the House of Representatives of the Republic of Trinidad and Tobago

With respect to the above subject, the Minister of Health submits to the Honourable Speaker of the House of Representatives and for circulation to Honourable Members, as follows:

Questions –

- (a) Could the Minister provide a comprehensive list of Tenderers, who submitted offers in response to the Invitation for the maintenance of the Grounds of the Eric Williams Medical Sciences Complex and Mt. Hope Women's Hospital for the current period?
- (b) Could the Minister also indicate the amount of offer of each Tenderer and inform this House of the name of the Company that was granted the contract?
- (c) Would the Minister detail the reasons which guided the eventual award of the contract and stated whether the lowest Tenderer was rejected?

Response –

The list of Tenderers and amount tendered is attached as an Appendix. However, the contracts for the projects have not as yet been awarded and therefore a response to Question ( c ) does not apply.

Yours faithfully

Permanent Secretary

**APPENDIX**

**NORTH WEST REGIONAL HEALTH AUTHORITY  
SCHEDULE OF TENDERS RECEIVED  
TENDERS FOR GROUNDS MAINTENANCE AT  
ERIC WILLIAMS MEDICAL SCIENCES COMPLEX**

<b>TENDERER</b>	<b>TENDER PRICE (TT\$)</b>
(lowest first)	(Per annum – All Zones)
1. Grad Enterprises Limited;	142,312.50 (VAT inclusive)
2. Nizan Sujat Ali;	149,190.00 (VAT inclusive)

*Written Answers to Questions**Friday, March 14, 2003*

<b>TENDERER</b> (lowest first)		<b>TENDER PRICE (TT\$)</b> (Per annum – All Zones)
3.	K-Built Contractors;	248,400.00 (VAT inclusive)
4.	Aber Equipment & Rentals Services;	304,221.00 (VAT inclusive)
5.	Acme Parts & Machinery Limited;	319,470.00 (VAT inclusive)
6.	PROLAS;	382,480.80 (VAT inclusive)
7.	Udan Ramsahai;	411,600.00 (VAT inclusive)
8.	T & T Carpet Installation & Cleaning Ltd;	432,630.00 (VAT inclusive)
9.	M.T.S.;	507,373.20 (VAT inclusive)
10	Mahadeo & Son;	509,220.00 (VAT inclusive)
11	Landscape Development;	545,088.00 (No VAT)
12	Jabby's;	852,000.00 (No VAT)
13	Caribbean Facilities Corporation;	941,160.00 (VAT inclusive)
14	Central Equipment Rentals Limited;	1,079,091.00 (VAT inclusive)
15	T.M. Bajnath & Sons;	1,107,910.00 (VAT inclusive)
16	Tramway Marketing Limited;	2,623,840.00 (VAT inclusive)

**APPENDIX A****NORTH WEST REGIONAL HEALTH AUTHORITY****SCHEDULE OF TENDERS RECEIVED****TENDERS FOR GROUNDS MAINTENANCE AT****MT. HOPE WOMEN'S HOSPITAL**

<b>TENDERER</b> (lowest first)		<b>TENDER PRICE (TT\$)</b> (Per annum)
1.	PROLAS;	45,000.00 (VAT exclusive)
2.	Acme Parts & Machinery Limited;	46,000.00 (VAT exclusive)

*Written Answers to Questions**Friday, March 14, 2003*

<b>TENDERER</b> (lowest first)	<b>TENDER PRICE (TT\$)</b> (Per annum – All Zones)
3. Aber Equipment & Rentals Services;	46,000.00 (VAT exclusive)
4. Udan Ramsahai;	51,600.00 (No VAT)
5. T & T Carpet Installation & Cleaning Ltd;	60,000.00 (VAT exclusive)
6. M.T.S.;	64,248.00 (VAT exclusive)
7. Landscape Development;	75,324.00 (No VAT)
8. Jabby's;	84,000.00 (No VAT)
9. Caribbean Facilities Corporation;	90,000.00 (VAT exclusive)
10. D Mahadeo & Son Limited;	115,200.00 (VAT exclusive)
11. Central Equipment Rentals Limited;	166,860.00 (VAT exclusive)
12. T.M. Bajnath & Sons;	189,600.00 (VAT exclusive)
13. Tramway Marketing Limited;	288,000.00 (VAT exclusive)