

Medical Board (Amdt.) Bill

Friday, July 11, 2003

HOUSE OF REPRESENTATIVES

Friday, July 11, 2003

The House met at 1.30 p.m.

PRAYERS

[MR. SPEAKER *in the Chair*]

MEDICAL BOARD (AMDT.) BILL

Bill to amend the Medical Board Act to provide for the establishment of a panel to issue special temporary licences in cases of a shortage of persons available to practise medicine in the public health sector, for the recognition of diplomas granted by certain institutions and for matters related thereto, brought from the Senate [*The Minister of Health*]; read the first time.

PAPERS LAID

1. Annual Administrative Report of the Point Fortin Corporation for the financial year October 01, 2001 to September 30, 2002. [*The Minister of Trade and Industry and Minister in the Ministry of Finance (Hon. Kenneth Valley)*]
2. Administrative Report of the Port of Spain Corporation for the financial year ended December 31, 2002. [*Hon. K. Valley*]
3. Annual audited financial statements of the Petroleum Company of Trinidad and Tobago for the financial year ended September 30, 2002. [*Hon. K. Valley*]

To be referred to the Public Accounts (Enterprises) Committee.

4. Report of the Auditor General of the Republic of Trinidad and Tobago on the financial statements of the Princes Town Regional Corporation for the year ended December 31, 1996. [*Hon. K. Valley*]
5. Report of the Auditor General of the Republic of Trinidad and Tobago on the financial statements of the Princes Town Regional Corporation for the year ended December 31, 1997. [*Hon. K. Valley*]
6. Report of the Auditor General of the Republic of Trinidad and Tobago on the financial statements of the Naparima Bowl Board for the year ended September 30, 2000. [*Hon. K. Valley*]

Papers 4 to 6 to be referred to the Public Accounts Committee.

7. Twenty-fifth annual report of the Ombudsman of Trinidad and Tobago for the period January 01, 2002 to December 31, 2002. [*Deputy Speaker (Mr. Hedwige Bereaux)*]
8. Report on allegations of impropriety publicly directed at Water and Sewerage Authority of Trinidad and Tobago regarding the “Out of Court” settlement with Water Farms Trinidad Limited. [*Hon. K. Valley*]

ORAL ANSWER TO QUESTION

**Self-Help Electrification Project
(San Pedro and Poole)**

165. Mr. Subhas Panday (*Princes Town*) asked the hon. Minister of Community Development and Gender Affairs:

Could the Minister state when will the Self-help Electrification Project (Ref: 121/90) be undertaken at Sookdeo and Junior Trace, Ridge Road, San Pedro and Poole?

The Minister in the Ministry of Community Development and Gender Affairs (Hon. Eulalie James): Mr. Speaker, an application for an electricity supply at Sookdeo and Junior Trace, Ridge Road, San Pedro and Poole, dated July 15, 1999, was received by the National Commission For Self-Help on July 23, 1999.

The Commission has advised that implementation of the electrification project was initially estimated at a cost of \$191,600. However, the Trinidad and Tobago Electricity Commission subsequently revised the total cost of materials required to undertake the project and relevant contractors’ fees to \$176,003.69. The community has contributed \$11,013 towards the project which is now on a revised list of projects scheduled for implementation by the National Commission For Self-Help, during the last quarter of the current fiscal year, with funds provided under the development programme estimates of expenditure.

As reported in the House of Representatives only last month, another self-help project, No. 9025, an electricity project at Ridge Road Extension, San Pedro, Poole, was filed with the National Commission For Self-Help, under the previous government. The project was implemented by the Ministry of Public Utilities and the Environment by the new government under that ministry’s component of the National Social Development Programme (NSDP). The project was completed in April 2003, and the project site is being provided with an electricity supply.

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Mr. S. Panday: Supplemental question, Mr. Speaker: Could the Minister say whether this project was in the hands of the Self-Help Commission before the projects at Rock City?

Hon. E. James: I did not hear the question too clearly.

Mr. S. Panday: Had this project been brought to the Self-Help Commission prior to the projects which were completed at Rock City?

Hon. E. James: Mr. Speaker, I am not in a position to answer that question.

Mr. S. Panday: I have a further supplemental question, Mr. Speaker. Why can the Self-Help Commission not obtain funds from the NSC to have this matter implemented, which has been ongoing from 1999 to date?

Mr. Speaker: Hon. Member, I am ruling that supplemental question out of order.

Mr. S. Panday: I am deeply grateful to you, Mr. Speaker. I shall report to the people of Ridge Road. [*Crosstalk*]

Mr. Speaker: Order please!

CUSTOMS (AMDT. AND VALIDATION) BILL

Order for second reading read.

The Minister of Trade and Industry and Minister in the Ministry of Finance (Hon. Kenneth Valley): Mr. Speaker, I beg to move,

That a Bill to amend the Customs Act, Chap. 78:01 and to validate things done thereunder, be now read a second time.

We have brought this Bill here today, as the only matter we plan to do in the House this afternoon, in recognition of the fact that this is the Friday before the battle. [*Crosstalk*] We feel certain that every Member of the House would want to go to the platform early this afternoon.

Hon. Members: No, no! [*Crosstalk*]

Mr. Speaker: Please, please, hon. Members. I know some Members are anxious to do the Kidnapping Bill and some Members are anxious to go on the public platform, but let the Member make his contribution. You will all have your say later on. [*Crosstalk*]

Hon. K. Valley: Thank you, Mr. Speaker. [*Laughter*] Those Members who have done research to deal with the amendments to the Kidnapping Bill, will have ample opportunity come next Wednesday. [*Crosstalk*]

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Mr. Speaker, before the Member for Princes Town can make that decision, he has to parachute from seat No. 38 to seat No. 35. He must be able to sit there to make that decision. Let me get back to what I was saying, and I will tell you why I said it.

I expect this debate to be extremely short, because, unlike the Opposition, this is one matter on which the Government agrees with the Opposition. The purpose of this Bill, as the Explanatory Note spells out quite clearly, is to grant legal status to customs and excise extra guards, which will enable them to be recruited by the Comptroller of Customs and Excise, and also enable the Chief Personnel Officer to treat and negotiate with the recognized majority union representing them.

This matter has had a long gestation. The Minister of Public Administration sought the approval of the Cabinet to amend the legislation to ensure that what we are doing today could be done. Cabinet approved the submission by the then Minister of Public Administration, and directed that the appropriate legislation be drafted. That was not done before the House was dissolved. Of course, it was one of works in progress when the new government came into office. The new government looked at the legislation, reviewed the principle underlying the matter, and agreed, on March 17 of this year, to ratify the decision of the previous Cabinet. Hence, there is agreement on both sides that this ought to be done. I think I owe it to the Parliament to give some background.

In reviewing the Cabinet Note, we saw that sometime in the 1960s or earlier, there was created what was known as “Customs extra guards”. The purpose of these employees was to accompany containers to sites, other than Customs, perhaps, the place of business of the company importing the stuff, to stay with these containers until the Customs official came to determine the duty requirement. In essence, they acted on behalf of the importer. It was a facility offered by Customs to the importers, to have their goods examined at their place of business, rather than having their containers unstuffed on the Customs compound and then having it to be put back, so to speak. The importers, in fact, paid for the service by paying into the Treasury the amount required.

Those amounts were set aside from the Consolidated Fund, and placed in a special deposit fund from which these extra guards were paid. That continued for some time, and everybody was happy. But as you know, after a time when employees are in a job, they organize themselves, so they wanted to form a union. In 1974, I think it was, they got an opinion from the Attorney General. Let me read exactly what it says:

“The Customs and Excise Division and the CPO during 1974 sought to determine the true status of the extra guards following a claim by these persons for the right to bargain collectively. In this regard, advice was sought of the Legal Secretary to the Attorney General who by letter of September 6, 1974 concluded that Customs and Excise extra guards were employees of the Government and as the CPO *de jure* was the employer of all workers employed by the Government, the CPO could bargain with the recognized majority union. The opinion also stated that extra guards were workers within the meaning of section 2(1)(x) and (ii) of the Industrial Relations Act 1972.”

So in 1974 you have the legal secretary to the Attorney General opining that, in fact, they were government employees.

Subsequently, however, the Comptroller of Customs obtained legal advice to the effect that this interpretation was incorrect; that it was based on the incorrect assumption that the salaries and wages of the extra guards were paid by the Comptroller of Customs and Excise, which, of course, was not strictly correct. They were paid from a fund separated from the Consolidated Fund.

The letter continues:

“This error clearly came about by the lack of information that was available in 1974 to the Legal Secretary to the Attorney General. The funds paid by the merchants into the Treasury for the service of the extra guards are, in fact, not paid into the Consolidated Fund, but rather into a deposit account and it is from this account that the Comptroller of Accounts prepared the cheques for the wages due and payable to these extra guards.”

Mr. Speaker, over the period 1974—1999, there was a toing and froing. The guards eventually got recognition by the Industrial Court. They attempted to bargain for themselves. The Comptroller of Customs said, “You cannot bargain for yourselves, because you are not recognized in law,” until the last government decided that it needed to put an end to that.

In 2000, the Minister of Public Administration approached the Cabinet, taking into consideration that having regard to the services provided by these persons known as “extra guards”, it was necessary to include, in the Customs law, provision for the employment by the Comptroller, which law in turn would enable the Chief Personnel Officer to treat legally and negotiate with the recognized majority union. The Minister recommended that the Customs Act be amended to define the words “extra guard”, and that validating legislation should be prepared to validate all things done, including the collection of merchant fees, by way of

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the Customs Extra Guard Rates of Pay legislation that we use to meet the wages of these extra guards, and also to publish regulations repealing and replacing the existing document, purporting to be a regulation setting out the rates of pay for extra guards, under the provisions of section 263(1) of the Customs Act Chap. 78:01, and also to publish regulations to set out the recruitment procedure, as none exists at present.

Basically, the purpose of the legislation is to correct an anomaly in the existing law relating to the Customs Act, as it pertains to the extra guards. This is legislation that was approved by the last Cabinet; it was there at the Legislative Drafting Committee. Of course, before we bring any legislation to this House, this Government has an obligation to review and agree with the policy. This was done with this legislation, and in March of this year, we ratified the decision taken by the previous Cabinet, and instructed the Attorney General to cause the legislation to be prepared.

The legislation has now been prepared, and we are seeking the approval of the House to put this issue to rest, thereby having proper union representation for the extra guards.

Mr. Speaker, I beg to move.

Question proposed.

Mr. Manohar Ramsaran (*Chaguanas*): Mr. Speaker, it is really a pleasure to enter this debate as we amend the Customs Act, Chap. 78:01. The Member for Diego Martin Central was almost pleading that legislative approval was done by the last administration. [*Crosstalk*] The fact is that this has been a sore point for many years. When we went into office, the extra guards met with the former Minister of Public Administration and myself to deal with the issues that had been outstanding for many years. What would happen is that these extra guards would “lime” around the Customs House, to put it in local parlance. When a shipment came in they would accompany goods from the import stations to residences, business places or from one customs area to another, so their services were required. The Minister was right; the State paid for the services. These people were really abandoned and not taken care of.

What is very important and instructive is that these people had the onus to protect the duties of these goods, which, at that time, would be uncustomed goods; they were moved from one protected area to another. During this time, any number of things could happen. We have to strengthen the extra guards with the support of the State; whether it is one or two extra guards accompanying goods.

How are they prepared to do this? Are they trained to do this? We find many anomalies associated with the extra guards. Mr. Speaker, I think that for the responsibilities they have, these extra guards do not have the tools of the trade.

I thank the Government for finally coming forward, albeit 18 months later, to deal with this very simple but important Bill. We must go into the workings of Customs to understand the importance of the extra guards. Their responsibility is extremely great. For example, in one container the customs duty liability might run into millions of dollars, depending on the goods imported. These goods are placed in the hands of one or two extra guards who, as I said before, may not have any formal training. He or she may have just been chosen from a cadre of people, and given that responsibility by the chief guard to accompany these goods until the Customs Officer arrives, maybe at 4.30, 5.00 p.m. if it is overtime, or if it is during the day, for the officer to break bulk and have these goods off loaded. I remember many stories about extra guards on duty.

Mr. Speaker, extra guards are paid by what they do. Sometimes per week they might get one job. I think they were paid \$30 an hour, and worked for a minimum of two hours, depending on the time they stayed on the premises. I heard stories on importations where the extra guards were sent for lunch, and when they came back the containers would be intact, but when they examined the goods, what was supposed to be there, was not. Mr. Speaker, the point I am making is that these people should be treated better, so that they could offer a better service to the Customs Division and Trinidad and Tobago.

Mr. Speaker, clause 4 states:

“The Act is amended by inserting after section 4A the following section:

4B. The Comptroller may recruit extra guards on such terms and conditions as are agreed by the Minister.”

Mr. Speaker, we have a problem here. To repeat this clause:

“The Comptroller may recruit extra guards on such terms and conditions as are agreed by the Minister.”

In Customs today there is this whole question of the person who is the Comptroller of Customs. I know for a fact that he was on pre-retirement leave for about a year. He was brought back by the present administration and placed into the office of Comptroller, so even his tenure is, in my opinion, untenable. I am calling on the Government to examine what is taking place in the Customs Division.

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I have in my possession a document, which I would like to read into the record to show what is happening in Trinidad and Tobago, with particular reference to the Customs. As we come here this afternoon to validate this Bill dealing with extra guards, I must put this on the record:

“Director of Personnel Administration
Cyril Duprey Building
St. Vincent Street
Port of Spain

Attn: Mr. Michael Mahabir:

Sir/Madam:

In response to an advertisement for the filling of the post of Comptroller Customs and Excise Division, we the undersigned members of the Administration of the Customs and Excise Division filed our applications.

Most of us have served faithfully in every Section of this Division for almost forty (40) years and over the recent past as members of the Administration. As far as we are aware, the requirement for entry in the Customs and Excise Division has always been and continues to be five G.C.E. passes including English and Mathematics. This holds good even up to the position of Comptroller.

It is with grave concern therefore, that we express our displeasure in the declaration by Mrs. Jennifer Baptiste-Primus, President, Public Service Association at a meeting held at Custom House, that the Hon. Prime Minister had informed her that Mr. Fitzroy John, Senior State Counsel in the Customs and Excise Division would be the successor to the present Acting Comptroller. She also intimated that he was quite adamant that he would veto any other recommendation.”

Hon. Member: What?

Mr. M. Ramsaran: Mr. Speaker, let me repeat that.

“the Hon. Prime Minister had informed her that Mr. Fitzroy John, Senior State Counsel in the Customs and Excise Division would be the successor to the present Acting Comptroller. She also intimated that he was quite adamant that he would veto any other recommendation.

Pursuant to that disclosure, we feel obligated to raise the following points:—

- (1) Mr. John was appointed State Counsel I in 1998. Had he remained in the Division as a Customs & Excise Officer, he would still be a Customs & Excise Officer II in 2003.
- (2) In August 2002, The Judicial & Legal Service Commission promoted him to the rank of Senior State Counsel.
- (3) Traditionally, the Comptroller has always come from within the technical ranks of the Customs and Excise Division's Administration.

Finally, such an appointment would undermine the reasonable expectation of officers of the entire Division, not to mention those of us in the Administration. It would most certainly lead to the withdrawal of enthusiasm, and severely affect the morale of the Division.

Yours respectfully”

Mr. Speaker, it was signed by the entire administration: Earl Clement, Ag. Deputy Comptroller Administration; David Waddell, Ag. Deputy Comptroller Enforcement; Joseph Renaud, Ag. Deputy Comptroller Operations; Clifford Lutchman, Ag. Assistant Comptroller Industry; Frederick Lewis, Ag. Assistant Comptroller Central Services; James Thompson, Ag. Assistant Comptroller Assessment; David Ramcharan, Ag. Assistant Comptroller Ports; Winston Burke, Ag. Assistant Comptroller Southern District.

Mr. Speaker, this is of grave concern to the Customs and Excise personnel, and in speaking to them, when they gave this letter to me, they felt very disturbed about the statement made by the Prime Minister that he would veto any successor to the present Comptroller. This has been protested by the entire administration of the Customs and Excise Division.

Mr. Imbert: What about Doopan; No. 7 on the list who reached No. 1?

Mr. M. Ramsaran: When we have a comptroller appointed politically, and we have extra guards to be appointed by the comptroller in consultation with the minister, we have a problem with that. [*Crosstalk*]

Mr. Speaker: Hon. Members, please. I think, perhaps, the Member for Diego Martin Central and the Member for St. Augustine need to go behind the Chair, because they are talking something of interest to themselves, but the Member for Chaguanas is talking about something of interest to the entire House.

Mr. M. Ramsaran: Mr. Speaker, I would gladly sit and allow this debate on the International Monetary Fund report in the House, if you want to do that, or they could introduce it as a bill. [*Crosstalk*]

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The fact is that we have to be very careful about the part of the Bill which says that “the Comptroller may recruit extra guards on such terms...” The comptroller is now being made a political appointee, so the cadre of extra guards could now be selected by a political appointee. We on this side frown on this. This could be another Community-based Environmental Protection and Enhancement Programme (CEPEP), where people would employ people of one political party. I think this is a very dangerous path for the country to go along. I would like the Minister to reply to this letter. I am sure he would have received a copy. I think this is very disturbing to have this happen in Trinidad and Tobago, at this time.

I remember during the last administration of the PNM, the very said hon. Prime Minister, Member for San Fernando East, wanted to take over all the commissions such as the Public Service Commission, the Police Service Commission and so forth. Today, again, a dangerous play of hand, it has come back to haunt us that he will appoint people he wants and he would veto anybody who would apply for the comptroller post. I think that this is extremely dangerous. We have to be very careful of what we do in this country.

The comptroller is the person who will be given the authority to select these guards by himself. We must really ask the Government to think about this, and, maybe, appoint a team or committee to appoint these people. When you have a comptroller who is a political appointee, what will happen down the road? This has got to be very dangerous.

As we move on, I want to talk about some of the responsibilities of the comptroller. This document is the Common External Tariff (Variation of Duty) Order, 2002. All rates of duty set out in the First Schedule of the Customs Act, in relation to the goods carrying a tariff heading, numbers and description listed in this document, in the first and second columns respectively, are reduced to the amounts specified in the third column for the period specified in the fourth column. We have a list of pharmaceuticals that must be put before this Parliament and laid by order, so that the goods may be given the required treatment.

There are about 3,000 medicaments listed here, and I would not want to go through all of them. Suffice it to say, Benzyl Benzoate, tariff heading 30:04, 905, the reduce rate of duty was previously 15 per cent, will be now be zero per cent, according to this order, and the period specified is October 27, 2002 to June 08, 2003. We are after that date of June 2003, and the Member for Diego Martin Central, the Minister of Trade and Industry, has not yet laid the order to make these goods duty free. The Minister of Health should listen to this. Today,

importers of pharmaceuticals must pay the duty. If they do not, they have to go to a bank and arrange a deposit or a bond to bring these goods into the country. [*Crosstalk*]

Mr. Speaker: I think the Member does need some protection, because the frontline Members in the Government Benches are, in fact, disturbing the Member for Chaguanas.

Mr. Valley: Mr. Speaker, on behalf of my Members, I really do apologize. I really thought that he would just say that he approved of the Bill, rather than go into extraneous matters.

Mr. Speaker: Your apology is accepted.

Mr. M. Ramsaran: Mr. Speaker, had he been listening, he would see the importance of what I was saying. This document is about the order for the duties of pharmaceuticals; the Member for Diego Martin East should be interested. He talks about caring for the health sector in this country, and we know he does not care what is taking place.

Today, we are talking about the fact that this order was not made, so importers will have to pay the duties in this huge document on all pharmaceuticals coming into the country. The Minister is negligible. [*Crosstalk*] He is the one who is supposed to lay the order, because it comes under the purview of the Ministry of Trade and Industry. [*Crosstalk*] Negligible, negligent, anything.

Mr. Ramnath: Both negligible and negligent.

Mr. M. Ramsaran: The fact is that importers must now pay the import duty on these goods, which will be passed on to the consumer. Despite the fact that it might still be duty-free when the order is laid, the importers will have to pay duty to bring the goods in at this time, or have a deposit paid to cover the duty. This is where the extra guards would come in, because they are the ones who have extra duty to see about these goods, because they are now duty-free and should really be duty paid. I am calling on the Minister to do his job, do it quickly, and bring this order to Parliament, so the importers would have the right to bring in these goods duty-free.

Mr. Speaker, we know it is common practice in this country, despite what we may think or say, that when these importers pay the duty up front, even though they might get a refund of duty at the end of the year, the cost will be passed on to consumers. Who are the consumers? The poor and the sick in Trinidad and Tobago. So when you come to this House and talk about a simple bill, you have

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got to look at all the ramifications and responsibilities of the Comptroller of Customs and Excise.

This Bill will also now give the authority for some union to ratify the collective agreement of taking action pursuant thereof. Again, the whole question of how these extra guards were treated is something that must be taken seriously. What used to happen is that they had a little Customs and Excise guards' section, and they would get together and negotiate with the Comptroller of Customs and Excise. We knew that it was a "jokey" thing, so to speak. These people must be treated as workers in the country.

Mr. Speaker, it is almost like CEPEP where these people just come to work without any job security or without knowing where their next job is coming from. For example, if the trade would slow down in this country, these people would be jobless. We have to understand the whole question of what is taking place.

As we talk about Customs and Excise, and we look at the whole question of the importation of goods into this country, what is taking place must be really put into the record of this Parliament. I have spoken about it before, and I want to repeat it, with your permission, Mr. Speaker, the importance of the serious job that these extra guards do. They are the protectors of the revenue of this country. The Customs and Excise Division is the third highest revenue-collecting agency in Trinidad and Tobago; everything that happens in that division must be done with some amount of professionalism.

Mr. Speaker, I really regret to announce that the extra guards were treated very, very badly. Hence, when they came to us in 1998/1999, and we went through the records, we realized that there was nothing set up in the Ministry of Finance for these people. We had a few meetings with them, and my colleague, the then Minister of Public Administration, came to Cabinet and had this matter fixed. Today, we are now dealing with this piece of legislation.

Mr. Speaker, I want to talk about some incentives for our extra guards. I recommend that they should receive a minimum wage, for example, five hours a day paid for by the State, then as they work, the State could do some mathematics and get back some of the money. Today, they have no basic salary, and depend on a particular job. Sometimes the cadre of extra guards is about 100; 10 would work one day, and another 10 the next day. You treat people as if it is slave labour. In today's world, there should be job security, as my colleague from Oropouche would add. Maybe the approved union will negotiate on their behalf to ensure that this happens.

Another issue is that we have known many extra guards who, for some reason, get into trouble with the law. We know the heavy hand of the law would be placed on these extra guards and they would be penalized severely. In order to avoid the severity of the penalty, but, indeed, to have them protected from time to time, I recommend that they should be sent out in pairs. It might be a little safer when we send them out in pairs.

Mr. Speaker, just to let you know what the job of an extra guard entails; when a container of uncustomed goods come to premises or a business place, that extra guard is supposed to be there until the customs officer arrives. If the customs officer arrives 10 hours later, he is not supposed to leave that container to go anywhere to even use the toilet or anything else. His responsibility is to take care of that container and the duty from the government revenue that would be contained therein.

I think that some arrangement should be worked out that he could be relieved for maybe an hour or two. This is not done at this time. When he disappears for a couple minutes, anything could happen to the goods left there. I think that we should really treat these people with some respect. We should not come here and say that it is a simple bill. I always say that legislation must be thought of; you have to have the spirit of the legislation.

We have to understand the importance of the extra guards in this country. They are not to be treated as CEPEP works: no national insurance payments, no taxation, nothing. Some extra guards work to age 80, because they have no retirement age. I know this, because I was part of that for a long time, and they really work under inhumane conditions.

Mr. Valley: Were you an extra guard?

Mr. M. Ramsaran: I was not so lucky. [*Crosstalk*]

Mr. Speaker, we have to understand the plight of these people. [*Interruption*]
If you want to demean me, there are other people you could demean.

Mrs. Robinson-Regis: To be an extra guard is demeaning?

Mr. M. Ramsaran: It is. If you were listening to me you would understand. As this lady opens her mouth, Mr. Speaker, she is responsible for the rise in the food prices. The importation of chicken eggs is now in jeopardy, because of what is happening across the world. As we sit here, rather than the Minister telling us how we can control food prices, by which we are all affected, she says to stop eating chicken. Could you believe a minister in Government saying that about a

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basic food? I think that is irresponsible. The Member would not stop eating chicken; she is “chicken lickin”, as they call her. [*Crosstalk*]

Mr. Speaker, the importation of hatching eggs is very serious business in Trinidad and Tobago. At the airport, hatching eggs must be treated with dispatch; they cannot be left out in the cold, rain or sun for more than a couple hours; an extra guard must accompany these hatching eggs immediately. Today, when we look at the price of chicken and the associated costs, how could our minister say, “Stop buying chicken”? We have a problem with that; that statement must be condemned. How could you tell poor people in this country that, when this is a staple in their diet? They now have to pay exorbitant costs, but the Minister is in a war with the chicken farmers.

The headline in yesterday’s newspapers read, “Fowl fight”. [*Crosstalk*] The chicken farmers and people involved in the trade are saying that it is the Government who is responsible for the price of chicken, but here we have a Government minister asking people to stop buying chicken. I am glad she joined the debate so I could talk to her. [*Crosstalk*] We ask her to deal with the whole question of the importation of our young chicks. [*Crosstalk*]

The Minister in introducing the Bill spoke about having a short debate and that we would be out of here quickly. Mr. Speaker, when we talk about Customs, my antenna would suddenly go up. We have to talk about the associated duties and taxes that would accompany the importation of goods. [*Interruption*] I hear the Member for Port of Spain North/St. Ann's West getting a little hot under the collar. Up to recently, when my friends came to me to talk about the Customs’ promotion, they reminded me of the incident featuring that famous Member’s importation. They reminded me of the case, and who were the officers involved, and how the then government—it was not the UNC—tried to intervene on behalf of the present Minister, but the Customs stood firm. Customs must be congratulated for standing up to the then government.

I remember, Mr. Speaker, when I just started to work in the Customs, we had a comptroller by the name of Carlyle Williams. There was an incident at Piarco Airport, where the then Prime Minister’s daughter brought in some goods and failed to declare them. The goods were seized at the airport. The then Prime Minister fired the Comptroller of Customs and sent him to Brussels. The same thing was attempted by the Member for Port of Spain North/St. Ann's West. [*Interruption*] We have to understand that Customs must be congratulated for being independent.

Mr. Speaker, we have this letter from eight of the most senior customs officers. This is unique in the Customs and Excise Division, where all eight of them, maybe of different political origin, all signed a letter together to protest having a comptroller politically appointed. We must all frown upon this; because the PNM wants to control the importation of goods. I remind you, Mr. Speaker, that prior to 1956, the Comptroller of Customs and Excise was a member of Cabinet in this country; if you look at our laws you would see that. He was a respected person, and was independent. In those days, he dealt with the colonial masters. The last comptroller to sit in the Cabinet was Mr. Burnett. Comptrollers were part of the decision-making process of this country.

Today, what are we seeing, Mr. Speaker? Mr. Manning, the Prime Minister of this country, putting his hand to veto all the senior customs officers who have worked years putting their heads to the wheel and performing well; political interference. And you are talking about this same man, politically appointed, having to deal with all the issues concerning this Bill!

Hon. Member: Shame!

Mr. M. Ramsaran: Mr. Speaker, when you look at the whole question of how Customs affects the daily life of people, customs officers are the first persons to interact with importers and passengers. From time to time, when there is an important raid to be made, because of the shortage of guards and customs officers, extra guards are hired to work over time, to be paid for their services. They would accompany the Coast Guard to patrol the waters of this country. Sometimes they find themselves in dangers they would not know about. So today, as we deal with the extra guards, we are dealing with people who perform an important job.

We hear Members opposite, from time to time, questioning Members on this side. I want to put this on the record, with your permission, Mr. Speaker. We must remind Members opposite that it was the UNC who removed all value added tax (VAT) and reduced custom duties to deal with disabled people in this country. For almost three months we have disabled people on the pavement protesting, and yet we hear those Members talking about caring. Our disabled people would also be adversely affected by the whole question of custom external tariff in variation of duty. When we care about people, we must act. We have got to do things to make them feel better.

I want to put on the record, again, that it was the UNC that amended the customs laws, from time to time, to reduce duties and VAT on sporting goods, for example, and equipment for the disabled. In my opinion, the Member, in his haste

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to campaign and maybe do other extra curricular activities this afternoon, attempted to short-track. I know the trick: at the end of the debate he would go into other things to keep us here an hour, so we have to take our time in front.

When we look at what is taking place, we have to ask questions. Our questions would focus on why the Government of the day is doing everything within its power to have poor people, people who are challenged socially or with disability, treated in this manner. I would like to get an answer this afternoon. I want to talk a little about the provisions in this Bill. Despite this Bill having its genesis under the UNC, you have to look at the whole question of the terms and conditions. It is not enough to come here and say, "The Comptroller may recruit extra guards on such terms and conditions as are agreed by the Minister." My colleagues, who are experts in the labour field, would know that this is not good enough in today's world. I want to say, maybe for the tenth time, if possible, we cannot trust one man to deal with that.

Mr. Speaker, the meeting I had with the senior officers—not all, but a couple of them—shows that the whole morale of the Customs and Excise Division is at an all time low. The Government must be held responsible for that. As I said before, the Customs and Excise Division is empowered to protect our country from illegal importations. When the UNC was in office, the Minister of Finance, the Prime Minister and other members of the protective services got together to ensure that all our ports were equipped with radar equipment. We had a special unit of customs officers and coast guards to protect our coasts.

Mr. Speaker, today, I am told that this has been disbanded. The radar is not working; the coast guard is not working. We ask the question: Why are these important areas of protection of our country being neglected? Why is it only politics playing in the Customs and Excise Division: who would be comptroller, who would be here, who would be there? They continue to destroy our protection. People do not understand it, but when you talk to the people who know about the importation of drugs and arms in this country— The Member for San Fernando East alluded to it, that there was a war in Venezuela and the guns flew to Trinidad and Tobago. We do not know how it happened. It happened because of the radar system and the negligence of the Minister of Finance and the Minister of National Security to deal with this. Today we are reaping the whirlwind, because of the carelessness of the Government.

When you talk about amending the Customs Act, Mr. Speaker, this is much more serious than they want to make it to be. I may be discussing the Customs in the open today, but I have to. The customs officer's job is a 24-hour one, whether

we like it or not; it may not only be at a port of entry. In the Felicity or Otaheite areas, a boat could come alongside and do whatever it wants. When we have a government that does not care about our coast guards and coastlines, and allows things to happen, we must have problems.

As we talk about the Customs, Mr. Speaker, and we get the politics right in the Customs and Excise Division, we should think about who we could appoint as Comptroller; somebody who would understand the law, who would know what is happening and who has experience. The Customs and Excise Division must be treated fairly.

Today is the extra guards turn. The Community-based Environmental Protection and Enhancement Programme (CEPEP) workers have uniforms, but the extra guards have none. Do you understand how they treat extra guards, Mr. Speaker? Yet the Member for Arouca South talks about demeaning! These people are demeaned. They have to come to work “any how”, but they have to protect the revenue of the State and do important work in our country. They are not treated in any way to bring them out of being demeaning.

Mrs. Robinson-Regis: Why did you not give them uniforms when you were in office?

Mr. M. Ramsaran: I ask the caring Member for Arouca South to get them out of it. Maybe they could wear uniforms too, so we would know who they are. Mr. Speaker, customs guards and customs officers have uniforms, but the extra guards, the people who have the responsibility to supervise goods until a customs officer comes, are not known. I think this is very dangerous, because their lives are in danger; they have nothing to work with. Today, with the Government exposing us to the importation of drugs, arms and what have you—I do not want to repeat it here, but it is said that certain ports and piers are not being protected nightly; boats would visit and go from Trinidad and Tobago to Venezuela; the trade is open. No wonder everyone, in a certain part of this country, the East-West Corridor, is armed to the teeth, because of what is taking place. Rather than the Government calling senior members of Customs to talk with them, you have them being treated as if they are nothing, after 40 and 45 years service.

Mr. Speaker, when we talk about caring, we have to be careful of what we say and do. I ask the Government to treat, with some dignity, not only our customs officers, customs guards, but, indeed, everybody who contribute to the development of Trinidad and Tobago. The Member is becoming famous for accusing our Member for St. Augustine about the International Monetary Fund

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(IMF) report. I think it should not be done like that. The honourable thing to do is lay the report in the Parliament and let the people of Trinidad and Tobago read it; not to threaten, and show this and that. The Member is taking government for a joke! [*Crosstalk*]

We, on this side, do not have the opportunity to get that report. Rather than show it in your hand, let the report be laid and let us debate it, or, at least, let us know about it.

Mr. Speaker: Hon. Member, we are, in fact, talking about the Customs Bill and not the IMF, so, please, continue on the Bill.

Mr. M. Ramsaran: Mr. Speaker, Customs and Excise is the third most important revenue-collecting agency in this country. You would not know, so I would tell you, the officers must be aware of the rate of exchange on a daily basis. We might forget it, but they have to know if that rate changes by one cent, because the collection of duty would increase. They must be aware of all the financial activities that take place across the world, because they are the first stop, I said that before; so I think even the Customs and Excise Division and all the revenue collecting agencies in our country should be given a copy of the IMF report.

Mr. Speaker, I do not want to chide you, but when you look at the Customs and Excise Division and the importance of customs officers, they should not be underrated. I am very concerned about what is taking place with the protection of our shoreline and the airport.

I was in a conversation recently, and I was told that at a party, somewhere in south, a new member of the Airports Authority Board brought out three gallons of whisky. As a former customs officer, I trembled when I heard that. This person is a member of the present board; I could give his name off the record. He brought out three gallons of whisky at a party, and was talking about it in public. Being a former customs officer, this worried me to the extent of what is taking place in our country. The duty on three gallons of whisky is, at least \$560; when you bring out that, you are robbing the country of revenue. Are we just to sit here and allow people to treat us with disrespect? Mr. Speaker, that is only one example.

2.30 p.m.

Again, what is taking place, not only in the police service but in the customs service and all the revenue collectors, all the protective services, is if the Government could “lime” with the so-called gang leaders and “bad Johns” in this country, then who is a customs officer to go and accost a member of the Airports Authority and say, “Where are you going with that whisky?” It happened under

their watch, that customs officers were transferred out of divisions when they tried to do their jobs. I know that for a fact. Under the PNM, that was their style. You could not touch anybody.

I remember one of the signatories here, Clifford Lutchman, was working at the airport and Eustace Bernard was coming through. He examined Mr. Bernard's baggage and Mr. Bernard made a false declaration. When he was charged and fined, the next morning—because Mr. Bernard was a member of the Port Authority then, appointed by the PNM—the customs officer was removed from Piarco. This is what the PNM is about—untouchables. You cannot touch them.

Dr. Rowley: Where did you fine Mr. Bernard?

Mr. M. Ramsaran: He was fined by the Customs but the officer who did that job was transferred from the airport. Do you know where he was sent? He was sent to work on the port with Mr. Bernard. So do you understand the fallacy of what is happening?

It was 1.23 p.m. when I was told we had to debate the Customs (Amdt.) Bill and I thought we have to put certain things on the table. I have to really commend the UNC government for putting the extra guards on the front burner. Another fact associated with the extra guards—I want the Minister to deny it when he gets up—was that during the last PNM administration between 1993—1994, there was a plan to send home all the guards and extra guards in the country and set up a private agency led by the then Minister, Gordon Draper, to take over their responsibilities. That was done on a Cabinet note in 1993 and it was supposed to be done before they demitted office in 1997, but you know they went early.

When we went into office we rescinded that note—I am sorry I did not have enough time to walk with these documents—and asked the extra guards to continue working at the customs, or else that firm would have been formed by a few PNM ministers. I was told—I was a member of the customs then—that they wanted to form their own security company to privatize the work of the guards and extra guards. And they come here today crying and talking and pretending that they care about the extra guards.

Mr. Speaker, I think the whole question of political interference by the PNM has come to the fore today and I cannot help remembering all these incidents that took place in the customs. I am asking the Government, please, not to interfere with the workings of the customs, because when you do that—I want to tell you that I was privy to certain things at the airport. Certain Ministers on that side used to come to the airport and always interfered with the customs officers' duty, and

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sometimes the officers used to walk out when they saw certain Ministers. I do not want to call names; they are still active in the PNM. When they come to the airport the officers would remove themselves and go into the office and sit there and wait for one or two officers who might be inclined to help them.

I want to put on record here, when the NAR won the election in 1986, you saw the difference in ministers. I was working at the airport then, three months before and three months after. I want to say when the NAR ministers started to travel. My good friend, Mr. Dookeran is an example. People still talk about him today, of how he treated with the customs and excise. He would go to them; make his declaration and walk with his own baggage. This is something we must understand, the humility of people.

In case they do not know, Ministers are not immune to customs interrogation in Trinidad and Tobago. They are not diplomats but they treat themselves as diplomats. [*Crosstalk*] I know. I was there!

Mr. Speaker: Order, please! Order!

Mr. M. Ramsaran: They go through the VIP room; they put their baggage in a car and they go about their business. That is a fact. When the NAR came into office, the first minister to travel under my watch at the airport—[*Crosstalk*]

Mr. Speaker: Order, please! Order!

Mr. M. Ramsaran:—was the then Minister of Planning and Reconstruction and the entire airport personnel spoke about it for days. [*Crosstalk*]

Mr. Speaker: Hon. Members, the speaking time of the hon. Member for Chaguanas has expired.

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

Mr. Speaker: Order, please! Order!

Question put and agreed to.

Mr. M. Ramsaran: Thank you very much, Mr. Speaker, and I thank Members for giving way.

Mr. Speaker, I always try to throw my mind back and forth, but the old adage of "truth offends" never came across so clearly in my life. The truth today really offended the Members opposite. So I am asking them to do the honourable thing now. When they travel next through the customs and excise, make a proper

declaration of how much whiskey they are bringing into the country and what is in their baggage and we would respect them. They could bring a copy and lay it in the Parliament.

Mr. Speaker, we know what happens, because the same extra guards, as I said before, are not in uniform.

Mr. Bereaux: Would the Member please give way?

Mr. M. Ramsaran: A little later. We have customs personnel at the airport who do not wear uniform and these people would tell us what happened.

As we debate the extra guards Bill this evening, we must understand that when we give people responsibility—when we appoint Comptrollers of Customs and Excise, we must give them their independence. The grumbling on the other side is something that I never expected. I was talking about a member of the Airports Authority. Again, when this happens, maybe I should not make them wise, but I would tell them because they should know.

How the airport operates is, we have the customs officers; those in uniform on the floor; we have supervisors; we have a collector; we have plain-clothes officers—this is a secret, but they should know about it now. I want to tell them that they are being watched. These plain-clothes officers roam the airport and when they write their diaries—maybe the Minister of Finance would now want to go and read their diaries—you would see where the extra guards—the same people they are now talking about—would make their reports and say: At 10.15 the Member of Parliament for Diego Martin East went through the VIP lounge; had his baggage put into car No. P, whatever; his Benz.

Mr. Imbert: Benz?

Mr. M. Ramsaran: I am just saying what could happen. This is recorded in the diary and the next morning it is reported to Customs House. So it is not only in the diary but also at Customs House. We also have instances where recently the equipment for \$61 million—again, the responsibility of a customs officer is a very wide—[*Crosstalk*]

Mr. Speaker: Hon. Members, I know that we have local government election on Monday but, at least, that should have nothing to do with crosstalking in the House. Since the sitting started at 1.30 p.m. Members have been engaging in crosstalk. Please, the Member is in possession of the House, let him speak in silence. Every Member here can speak for 75 minutes, so we can go until tomorrow morning. So, please, let us hear the Member in silence.

Mr. M. Ramsaran: Mr. Speaker, we really planned to go until Monday morning, you know. We wanted to go straight to the polls from here. But thank you very much for your protection. I appreciate it.

When we give the customs officers and extra guards the onerous responsibility of protecting the revenue of this country—and what I am going to say here would breach some security, but maybe I am not responsible for the security—stories have been told by senior customs personnel who work on the western peninsula. There are customs personnel at Chaguaramas, Tembladora, Point Lisas and along the west coast. What is being discussed these days is the importation of certain contraband goods and whenever the customs personnel would attempt to intercept these vehicles, more times than we want to believe there is some high-handed person behind that. The whole question of our country's protection is really in bad hands. I was given a blow-by-blow commentary a couple of weeks ago when a game warden was working at the Caroni swamp. He saw an importation of goods coming up the Blue river and in his small boat he swung towards it and saw this huge boat—as huge as the river could take—and he realized it was not a normal fishing boat. He knows the swamp very well so he turned into one of the coves and started to look at the operation. When he saw what was being offloaded he did not turn on the engine, but moved slightly away and then sped into Port of Spain, parked his boat at Queen's Wharf, walked to the Customs House and told a senior customs officer on duty what he had seen.

The customs officer was very excited to do his job and put him in the customs vehicle with two extra guards and headed towards the Blue river along the highway. When he reached there and drove on the small road next to the Blue River, the truck was coming out and in the front of the truck was a senior official of the Government of Trinidad and Tobago. He turned back and left because the job of the customs officer—[*Crosstalk*]

This is what is happening in this country. This happened a couple of weeks ago just at the end of the dry season. These stories are common and I want to tell the Government that in today's world, customs and excise officers must be trained and allowed to do their jobs independent of any government. Sometimes a customs officer's job is much more onerous than even a police officer's job. This document here—and I quoted one name of a pharmaceutical—the customs officer must know every pharmaceutical and what each would do to a person's body, whether it is therapeutic or otherwise, but in this country we treat them like anybody else. I want to tell the Government that we must look at serious training

for our customs officers and extra guards. They must be aware of what is happening in this country. Most times when the Ministry of National Security do their raids and so on, do you know what they would do? They would pick up one customs officer in case something happens so that the customs officer could make a case, because he has much more power under the existing legislation to deal with contraband goods and so on.

This is where the law and order breaks down in our country. I feel the time has come for serious training, as anywhere else in the world where you go and see the customs officers well equipped to identify and deal with drugs and are able to determine the security of a state. But in Trinidad and Tobago there is interference from the Government. This is happening not only now but many times before, where they want to get their hands on the work of the Customs and Excise Division, I am asking that we treat them with that independence that they deserve.

I have many friends at the Customs and Excise Division and I received a letter from one of the officers who deals with the import duty on motor cars. The letter states:

“Mr. Manohar Ramsaran
Member of Parliament for Chaguanas
Chadee Trace
Cunupia.

Dear Sir,

I am writing you to bring to your attention of a matter relating to the latest PNM Minister, Mrs. Christine Sahadeo.

Mr. Ramsaran, as soon as this lady got into office, she ordered a brand new TOYOTA PRADO Vehicle. This vehicle costs more than \$500,000. As a Minister she benefited more than \$200,000 in tax exemption.”

This is the part I want to get to:

“The ink was not even dry on her name and she started looking for luxury.

Mr. Ramsaran, I write you because I know you are a humble person who really cares for the poor. Does this lady really care for the poor or is she really interested in serving the country? What signal is she sending? Is she taking all what she can get very early.

I belong to SWAHA and I am very disappointed by this news.”

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Again, what this shows—we know that the person is supposed to get all these exemptions; we have no problem with that—is the signal being sent to the public and to the customs officers that people care about themselves. The ink has not yet dried. We have to treat the customs officers with some dignity. Do not just take them for granted.

I want to put on record in this honourable House that we must begin to train our customs officers. I want them to move up into the world of technology. As we speak about technology, do you remember a couple of months ago when the Member for Diego Martin Central said that it was better to check entries at the customs manually and they sent home the 40 data entry clerks to de-computerize the customs and excise?

Mr. Valley: Did I say that?

Mr. M. Ramsaran: Sorry, it was the Prime Minister who said that. He said that. When the world is moving apace to introduce computers in every sphere of our activity, here we have the goodly Government of the PNM sending home data entry clerks and saying, “Do it manually”. I mean, this is backward. Even the Member for Ortoire/Mayaro would like some computers in the Ministry of Works and Transport, but here you have a sensitive place like the Customs and Excise Division and you are trying to demean them.

I want to tell you of an experience we had. We caught someone with cocaine but, of course, we did not have the technology or the assistance to determine even a simple test. What do we do with this gentleman? We cannot arrest him because we cannot test the cocaine and we were told not to taste it. What do we do in a position like that? This is what is happening in the country. [*Crosstalk*] Everything for them is a joke.

If you are in Icacos and you catch a guy coming from Venezuela; or let us say you go to Pier 1 to “lime” one evening—because a customs officer is on duty 24 hours a day—and a boat pulls up at Pier 1 and you see something that resembles cocaine, you have to get in touch with the forensic division before you could arrest that person. This is what is happening at the customs. They do not have the technology and equipment to test these people.

That is why anybody could drive in at any port, airport or any pier and bring in their cocaine and the customs officers are powerless. This is being done deliberately by the Government, in my opinion, because I know. We have evidence of correspondence between the Comptroller of Customs to the Minister of Finance, to the Prime Minister, asking for assistance and nothing is coming

forward. Even the coast guard would be asking for assistance and nothing is coming forward. I feel we are taking people for a ride. We are really mamaguying our customs officers and police officers and not making them powerful and giving them the authority to deal with what they are responsible for.

I want to give you another scenario. When we talk about empowering extra guards and giving them some sort of tenure, in my mind it is not being done properly. Again, this is just a small piece of legislation that just touches the tip of it. I was stationed at Galeota and the extra guards, the customs officer on duty and I were there looking at this boat doing a transaction with a big ship about a mile offshore. We attempted to call the police for assistance and they responded about two hours later but by that time the speedboat had sped off in the vicinity of Mayaro. That was the end of it. We were sure that it was some contraband. Whether it was drugs, whiskey, whatever, that transaction took place right there but the customs officer was not equipped to deal with an incident like that.

We have no speedboats or anything to deal with that, yet in other parts of the world customs officers are empowered to do this. In Trinidad and Tobago, over time, customs officers have become just revenue-collectors, but in today's world where we have narco traffic, where there are people using and abusing our people, we have to protect our children from the scourge of drugs and violence. The customs officers must be equipped.

I am asking the goodly Government to continue on the path where the UNC left off, to empower the people who protect our coastline. This is not a laughing matter. This should be treated seriously, because every day in this country the narco traffic is becoming more and more intense. You read reports of Trinidad and Tobago being the transshipment port to the world, and that is a fact. The Government may not want to accept this, but by the UNC building a good airport, there is also a downside. When people come through the northwest peninsula and come into Trinidad with their narcotics, our country is only a transshipment port. Goods would now leave Piarco and go to Miami and to other parts of the country and the customs are not equipped to deal with that.

I remember dogs were introduced to deal with drugs and we were quite excited about it. That was a first step. The fact is, we heard a dog "hounding" and when the trainer opened the baggage we found it was a turkey that the dog was after. So we abandoned the idea of the dogs. Today we know there are dogs that are well trained to do that, but we must also train people to deal with that.

The question of customs is not a sleight of hand to come here today and say, "It is a simple Bill; we have the support of the UNC and we would do this and do

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that". We have to seriously consider what is taking place in our country and protect our shores, our places of import and ensure that the country is not further destroyed by everything that is taking place around us.

This is the second time I have raised this matter of political interference in the House. The last time the Minister tried to explain something to me I could not understand. I went back through the *Hansard* and I did not understand his reply. Today I want a clear answer so we could talk to these eight senior customs officers about the political interference taking place at the Customs and Excise Division. [*Interruption*] You see, Mr. Speaker, when people ask questions like that, you see their arrogance. As the Minister, he should investigate what kind of person was made the Comptroller the last time and you would see the difference in what is happening today. This one is number 207; that one was number 7, which is not true anyhow.

We on this side have no problem with this particular Bill but I believe much more should be done. We would like those regulations to be laid in Parliament, whether it is affirmative or negative, so we would understand what is taking place in the customs. We would like to understand the decision-process. How do you invite people for the job? What applications would be made? How would these people be interviewed? Because as I said before, it might look like a demeaning job from the way the people are treated, but the fact is, what they do is very important. As a matter of fact, people who resign as customs guards and customs officers apply to be extra guards to keep their lives going. It is not to say that everybody who worked there would be looking for a quick pay here and there. We should really control this and not allow another CEPEP-type employment to take place without any control or transparency. My friend from Port of Spain North/St. Ann's West has a long history with the customs and he knows that we have intelligent people working there and they must be given the tools of trade to ensure that they do their jobs properly.

My main concern with this Bill is to treat our people with dignity. I feel that the customs guards and extra guards should be given uniforms because what they do is important and they should be identified. They should also be given the customs and excise pass which is, as you know, very powerful, but to give them that kind of power we must have them trained properly. I would hate to hear or understand that the customs guard would see something looking like flour from the National Flour Mills and it turned out to be cocaine.

We have to look at the whole question of the importance of our customs officers starting from the top right down. This is something that the Customs

Ordinance, Chap. 78:01, states quite clearly, that every person who works under the Customs and Excise Comptroller would have the same authority at his place of work. They must not be guessing and not understanding what are their particular duties. For example, when you work at the airport, there is a certain line of questions to be asked.

I urge the Government to listen to the cries of the customs and excise officers because they are a bunch of dedicated people who work long hours. Sometimes we question their overtime, but they have to man all these stations, as I mentioned before, and also in Tobago. There are only about 356 custom officers and when you look at the number of stations, they must work overtime and on shift. Whenever you go to the airport there is always an officer there doing his job. So I think that some importance should be paid to them.

They are my former colleagues and I know what they put out. After a while some of them look like zombies because of the hours they have to work. I personally would like to plead on their behalf to the Minister, if he is listening to me. For example, they were supposed to receive uniforms but for the last 18 months or two years, I understand—well I say 18 months, politically, but for the last two years—they have not received their uniforms; they have no shoes. In other words, they are treated like second-class citizens.

When you look at the revenue that they bring into this country, you would understand their importance. Their revenue-collection is very consistent. As a matter of fact, for the six years when the UNC was in office and I looked at their record, it showed that where they were expected to collect \$300 million-odd in customs and \$200 million-odd in duties, they collected above that. It showed their diligence and their efforts at doing their work properly and they must be congratulated.

I ask the Minister when next he comes to Parliament to present a bill, we on this side should know that he understands what he is talking about so we could support it without having to talk very long. I, for one, believe that when we come here to debate a bill which would have to be passed and go into the *Hansard* record, they would not even look back at our citizens to see how we could improve the quality of life for all Trinidadians and Tobagonians. Once we improve the quality of our officers, whether they are customs officers, VAT officers—treat well good and they would treat you better.

Mr. Valley: And why did you not do that?

Mr. M. Ramsaran: You check and you would see that when we were in office, things like uniforms—we protected them.

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3.00 p.m.

I want to give you something. People do not know the working at the old airport. There were 32 customs officers, over 20 guards and extra guards on duty and only one toilet to be used by the entire staff. There was no place for the customs officers to sit. Sometimes they worked the midnight shift from 9.00 p.m. to 9.00 a.m. and the last flight would be 2.00 a.m. You would see customs officers sitting on broken chairs. We had to bring old boxes for them to rest their feet to “take a five”. The customs officers worked under a leaking roof. We have improved life for them and they now work in comfort. When we pass we see smiling customs officers and they thank us. I know the conditions they worked under. Today, politicians make politics about the airport and the conditions under which these people worked. The Members on the opposite side should be ashamed of themselves for treating the people below their dignity.

We on this side have no problem with this Bill, but I would like to see more done. Before I take my seat, without the Common External Tariff (Variation of Duty) Order, 2002 being laid in Parliament, the people who import drugs in this country, this means all the pharmaceuticals, would now be dutiable and the expiry date of this document is June 08, 2003. They should do their homework and stop trying to appoint a Comptroller of Customs and Excise and trying to interfere with their daily duties and walk through the VIP lounge with their suitcases packed.

I could ask a question. Before I ask the question I want to make a statement. Members of Government, in case they think they had, do not have diplomatic immunity. When they come into this country they have to declare what they have. Maybe when they leave Trinidad and Tobago they might have diplomatic immunity in another Commonwealth country. When they come back to this country, everything purchased over \$1,000 they have to pay duty. I read in the newspaper that a minister on the other side, the wife of the hon. Prime Minister went on a shopping spree and no duty was paid. I wonder if we could go to the airport and collect that slip. Was duty paid? *[Interruption]* This is where law and order would break down when we take our people for granted.

If we want to improve the quality of life and raise the standard of behaviour in this country, we have to treat our officers with respect. Even today, when I meet my friends from my former workplace, they tell me that of all the Ministers who travel through the airport, the National Alliance for Reconstruction (NAR), our friend from St. Augustine, has treated the customs officers—On his last trip they saw him and sent someone to assist him because he is a man of dignity. It is not like those on the other side, arrogant. People on this side have received reports of

how we treat our people. We must set that example of what takes place in the country.

I planned to talk about some of the financial statements, but I would leave that for another time. Mr. Speaker, how much time do I have?

Mr. Speaker: Five seconds.

Mr. M. Ramsaran: There is a lot I could speak about. As I prepare to take my seat, I commend the Government for finally coming with our legislation, but when they come they must do as the UNC and present a bill that the country would be proud of.

Mr. Chandresh Sharma (Fyzabad): Are we observing some silence? *[Interruption]* This House does not allow rudeness.

Mr. Speaker: Member for Diego Martin East, the rule has always been when a Member wishes to speak, that Member must stand and the Speaker would catch his eye.

Dr. Rowley: Mr. Speaker, I was on my way up.

Mr. Speaker: The Member for Fyzabad beat you to it. I caught his eye first. This is the second time that I have made that ruling. When a Member wants to catch the eye of the Speaker, the Member must get up. Continue Member for Fyzabad.

Mr. C. Sharma: As I join this debate, I cannot help but comment on the observation of the behaviour of the Member for Diego Martin West. This House has rules as indicated and it is unfair that every time a Member of the Opposition gets up that side jumps up with this. They need to be observant in Parliament and make sure they respond accordingly.

Mr. Speaker: Member for Fyzabad, I will interpret the rules of the House. You concentrate on the Bill before us.

Mr. C. Sharma: I was making the point that today is World Population Day. There is global concern about people all over the world. Trinidad and Tobago is no exception. The Secretary General of the United Nations, Kofi Annan indicated in his statement that there is a concern about the conditions under which people live and moreso, where governments in particular are not taking care of their people.

When this Bill came to Parliament it clearly demonstrated that the Government lacks vision. When we look at what obtains in Trinidad and Tobago

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at this time with the high rate of crime such as murder, kidnapping, the use of drugs, guns and weapons, it clearly demonstrates that the system is non functional. We are talking about the Customs (Amdt. And Validation) Bill. The fact that so many illegal weapons can be obtained easily by anybody makes the point that the Government is not doing its work or the Government might be agents of. There is a global concern among parliamentarians in the United Kingdom, Canada, the United States of America, Australia and wherever we follow similar patterns, that the government and opposition are both elected to the House of Representatives. If the government fails the opposition is the alternate government. We saw in Trinidad two days ago according to the newspaper article, two young people approached the legal advisor to the Opposition and held him up. They were armed with guns. Where did these guns come from? Were these two young men acting on their behalf?

Mr. Speaker: Hon. Member, before you get too far involved in that line of thought, does that have anything to do with the Bill before us? If it does, please enlighten me.

Mr. C. Sharma: If I am permitted to make the point. You want to employ guards. Where do you want to put these guards? In the customs area and guns are coming. I am relating the case where two young men held up the advisor to the office of the Leader of the Opposition. These guns have to come through customs. I was making a further point which perhaps attracts global attention if these guns were given by others to act on behalf of others. Were they acting on behalf of the PNM, for instance, or some other group? We do not know. What must not be removed from our thoughts is that the illegal weapons have come through customs and customs has failed us. Is it failing us by design? The answer might be yes. It cannot be by accident that there are so many illegal weapons.

Every citizen of this country is extremely concerned. If you go to the airport hundreds of people are going on vacation and many of them do not wish to return to this country because the PNM cannot guarantee their safety. The Government lacks vision because it is not treating with the national community. We have seen where this country is one of the largest countries where illegal money goes through. It is about \$30 billion. Where and how is it happening?

Ever so often we see aircraft with drugs being held up in Miami, New York and London. The customs and guards are no longer working? Extra guards would help or are they agents of? We have seen former Ministers and current Ministers sitting opposite being accused of illegal activities. Now accusation is not good enough. If it is happening we cannot dismiss from the national community that

there is a high incidence of illegal weapons coming through the customs that we are talking about. We cannot dismiss that the sum of \$30 billion is going through the system. We cannot dismiss the high incidence of cocaine and other illegal drugs. What is the Government doing? Are they trying to hoodwink the country by saying that they would put a few extra guards?

Clause 4 states:

“The Comptroller may recruit extra guards on such terms and conditions as are agreed by the Minister.”

It is not “shall”, but “may recruit”. It means to say that when a matter comes to the Minister’s attention—it might be a friend concerned—it is up to the Minister to decide. This is legislation to accommodate a few people. It is crystal clear in the country that the most frightening development is the PNM administration. You cannot isolate that from customs.

Last night I heard a government Minister making noise. “Don't buy chicken. It is too expensive.” What is the role of the customs here? The chicken producers indicated the high cost of customs guards and other customs related matters that is causing the chicken to cost \$4.60. The price of chicken now is the highest under the PNM administration in the Caribbean. I hope the Minister tells them, “Don't eat chicken. Eat bhaji.” Why is the Government suddenly bringing this? When the Member for Diego Martin Central presented the Bill, he indicated that this has been on the drawing board for a while. We have seen no improvement in this piece of legislation. Nowhere in this legislation tells us how it would improve and add value to what obtains.

Clause 3 states:

“Section 2 of the Act is amended by inserting after the definition of— ‘exporter’ the following definition:

‘extra guard’ means any person recruited by the Comptroller to accompany uncustomed goods from a port or other place in Trinidad and Tobago...”

This is how the PNM intends to administer in this country. A guard should have some qualifications. You may end up with someone who has been charged and then becomes a guard. The PNM Government has no vision or legislative agenda. How can you come to Parliament in 2003 and talk about any person? There must be a procedure or system. It is like in the police service where there are certain requirements. These persons must have guns at some point. It does not stop there.

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I saw in the *Trinidad Guardian* where a candidate for the PNM had been charged by a court of law. This is the kind of guard you would end up with. People could be charged for anything and the PNM would make them guards.

Mr. Ramnath: Convicted.

Mrs. Robinson-Regis: That is what I wanted to know.

Mr. C. Sharma: Yes. I wanted to get your response and then I would say convicted. Here a PNM candidate is convicted. In the same way you can have a guard. Who is going to guard the guards? It is by design. The PNM does not do anything without design. It is only beneficial to them. This country is in crisis. The PNM is destroying this country.

You cannot talk about this Bill without saying where the customs duties would go. Do you know where it is going? The sum of \$93 million is being spent on the Community-based Environmental Protection and Enhancement Programme (CEPEP) over a six-month period. There are 4,800 workers in CEPEP. When they started there were 2,000. When you look at the ratio, it is less than 3,000 and \$93 million. Wages were \$23 million. The PNM has pocketed \$70 million of hard earned taxpayers' money. This is kickback time. You know where your customs duties are going? When nationals of this country travel and pay hard earned money at the airport, there is no proper system. One day you pay \$1 for an item and a friend pays 25 cents for the same item. The millions of dollars collected there go into CEPEP. A sum of \$70 million has gone to 110 CEPEP contractors. They are getting \$6 million kickback for the elections. The PNM is spending taxpayers' money from customs and other sources.

Hon. Member: How much you "tief"?

Mr. C. Sharma: What is the question? How much you "tief"? The Member wants to know how much he "tief"? I do not know how much, but they "tief" a lot. "Dey tiefing everyday. Dey eh stop tiefing".

Mr. Speaker: Address me.

Mr. C. Sharma: Why do they want to collect customs duties and not account to Parliament? They spent \$130 million in the Unemployment Relief Programme (URP) and the national community is not seeing it. No Member in this House must ever speak in isolation. They must not fear speaking the truth as well. We saw the PNM was going all over spending customs duties and other moneys without accounting. They have been paving roads and fooling people for the elections.

Mr. Speaker: Hon. Member, perhaps your contribution may be better suited for the other place. I think that you are attempting by sleight of hand to talk about CEPEP and URP. Let us get back to the guards.

Mr. C. Sharma: I am not sure if when you say the other place you mean the Senate. I know that you do not mean there.

This Bill lacks vision. It demonstrates that this Bill is to treat with PNM big boys, the people who finance the PNM. Let us not forget for a minute that this country has seen under the PNM administration millions of dollars worth of goods come through without paying any taxes. You would recall the occasion on which a particular brand of shoe came into this country. The owners of the franchise, I think it was Reebok, millions of dollars came into the country. What did that mean? It meant that the customs duties were not paid. Who benefited? Did the average citizen like you and I benefit? The answer is no. It was not paid because of legislation of this kind.

The PNM treats with legislation for its supporters. It is a very clear case. The PNM could sit there and play saints. Let us look at the international advisories from Hong Kong, Australia, the United Kingdom and the United States. They say that Trinidad is a dangerous place under the PNM. The rules are not observed. The American Embassy has to block off an area in Port of Spain. How does the national community or the community in Fyzabad secure themselves? Can they block similarly?

When you look at this legislation that says “extra guard means any person recruited by the Comptroller”, there must be qualifications and a process. It cannot be any person because the PNM would put their friends as they do in CEPEP and use our money to pay for it. It also says, “to accompany uncustomed goods from a port or other place in Trinidad and Tobago to either the private premises of an importer”. When the guard goes to the private premises of an importer, what facilities obtain for that guard? You see how the PNM designs legislation. This is not by accident. When the guard goes to the private premises of an importer, he would have no facilities there. If he wants to use the washroom, what would he do? He has to leave the private premises to go to another place and he might take two or three hours to return. The PNM designed these things to treat with their friends. That is why there is a Member who owns about 50 properties in Port of Spain.

It also says “...or to another port or other place as directed by the Comptroller,”. The Minister must indicate what these places shall be not may be. What facilities would obtain for the guards? You cannot employ a person to guard

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some goods and when he gets there, there are no facilities for him. Where would he guard? From outside? The guard needs to use the washroom or have lunch. He may leave to attend to his personal needs as he is required to and then goods could be removed. This is not something new; this is how PNM has done it for the last 30 years.

There is a constitutional concern here. It continues, "to remain with such goods until the arrival of an Officer..." John is a guard and is sent to guard goods in San Fernando. Ten hours have passed and no officer has shown up. What happens? Can this guard continue? He is being paid \$8.00 or \$9.00 per hour. CEPEP workers are paid for five hours a day, \$1,400 a month. It might be similar, we do not know. How would he be treated? He needs to rest and have a change of clothes. The law according to the PNM is that he must remain there until the arrival of an officer required to perform the relevant duties. This is legislation in 2003. God what are you doing us in Trinidad?

It also states, "...to perform such other duties as may be required..." It does not specify what other duties might be. The Minister should agree to adjourn the House and revisit this. This is a very sad development. This might require the consideration of a committee.

Clause 5 states:

"Notwithstanding any law to the contrary, all acts and things done, purported to be done or omitted to be done by the Comptroller or any person authorised by him under... no legal proceedings or other action of any kind shall be commenced or continued in respect of, or in consequence of such acts and things."

This particular area means that when the security guard has to leave because no facilities are provided for him and there is no industrial relation is governing his area of work, he cannot be held liable. That means that no duties would be charged or when duties are charged, the person so affected can now question it. This Bill provides for him to challenge it at any point.

We have seen recently that the Government is not following the rules as they relate to conditions of employment. The only example I could think about is the CEPEP workers. They are employed for a one-year contract and there are no benefits for them.

Mr. Speaker: You are again going off the topic. We are not talking about CEPEP today. We are talking about the Customs (Amdt. and Validation) Bill.

Mr. C. Sharma: Mr. Speaker, I was making the point that the Bill does not say how the guards would be treated. We are talking about hiring extra guards. It is saying anybody can be made a security guard and he would have to stay in the place directed for any number of hours. I was making the point about the conditions for the guards. Somebody has to speak for them. By way of comparison I have seen the Government is spending \$93 million on CEPEP workers with no benefits such as National Insurance Scheme, workmen compensation, holiday, and washroom facilities. Are we moving this country into 2020? This looks like 2010. Who would speak for the security guards? What would I tell my constituents when they ask me how they are protected by that customs Bill I passed? I want to make sure that the Minister tells us. He is obligated. That is why I am suggesting that we adjourn the House and revisit this. This is lacking.

One cannot help thinking of the Piarco International Airport as it relates to the employment of customs guards. In recent times when one travels through the airport, one sees that things are changing for the worst. You have seen an attempt to mash up parts of the airport. During this particular period, the “summer vacation” as it is commonly called, there is increased traffic back and forth with the arrival and departure of passengers. The guards of course have to work longer hours. I am sure that they would have spoken to Members on both sides. They are concerned about what obtains at the airport in terms of the hours. What is most interesting is that we see very little advertisements for employment.

If this Bill is made into law and says that the comptroller may employ any person, you would end up with a lowering of standards at the airport and the port. They are not establishing a standard. When that happens services would drop. That means more illegal weapons would come into the country. More drugs would come in and out of this country. This country has the highest incidence of illegal weapons and the most murders. Last year more than 10,000 persons were treated for gunshot wounds. We cannot come to Parliament week after week and the PNM comes with this foolish approach and say this is a simple Bill about some security guards. This Bill is only to treat with PNM people. It is a high level of discrimination and favouritism. This is legalizing deal making. We cannot tolerate this and it must not be encouraged. This is a high level of deal making.

The Opposition has a responsibility to bring issues to the attention of the national community and to also highlight issues as they relate to any piece of legislation that is brought to Parliament. The national community has a concern about the high incidence of murders and other crimes.

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The Order Paper for today indicated that we would have treated with the Kidnapping Bill. It is instructive to note that—Mr. Speaker, I am sure it would have caught your attention as well—a young man from somewhere Arima, I think his name is Sham Ramkissoon was kidnapped and \$2 million was asked for. It was reported in the print and electronic media how he was kidnapped. Three or four people armed with guns hijacked the motor car. His mother was with him. The father negotiated payment. If the PNM Kidnapping Bill was passed he would be locked up today.

Mr. Speaker: You are on the Kidnapping Bill. We are on customs.

Mr. C. Sharma: I am fully in agreement. I am saying had it come as they sent it to me to debate the Kidnapping Bill that father would be locked up. Like you, I am also a father. I need to make sure that when we treat with legislation in this Parliament we look at the holistic picture. We have to look at reality.

The transport of drugs suitcases and otherwise takes place frequently and in some instances, pharmaceuticals. I made the point on the last occasion when we were debating another Bill. Because of the technology available and so many homes having access to cable television, medication that is not approved in Trinidad and Tobago is sold in the United States, the United Kingdom and elsewhere and finds itself in Trinidad. Sometimes the doctors are not familiar with it. Again, the customs comes into play. Are the guards knowledgeable of the dangers? This legislation needs reviewing. We must not pass legislation Friday after Friday to say we passed 10 to 12 pieces. It keeps coming to our minds that the PNM does not have a legislative agenda. It is running this country without a vision.

Another area that is of great concern to governments elsewhere and to us is that guards are easily threatened. They see things because it is their duty to be observant, but when they make reports they are not treated with. There must be a system and the hiring of extra guards must help identify that system. How would these observations be treated with?

One cannot help knowing that in the last six or seven years there has been an upswing in the number of pleasure and other boats coming to Trinidad and Tobago. With that come tourists and foreign exchange, but there is a degree of drugs and illegal arms. We have not seen any meaningful measure put by the Government to treat with those. If we are talking guards, we must talk guards in all our airports and seaports. It is a fact that there is a particular place in the west area where boats are allowed to take passengers from Port of Spain to other destinations, oftentimes unsupervised. If these ports are allowed to operate

without guards or because the Minister can waive certain considerations, we would see more murders and drugs. This legislation must indicate that the intention is to reduce the number of illegal arms coming into the country and the use of drugs.

The hon. Prime Minister indicated in Jamaica, or elsewhere, that soon many Caricom nationals would be allowed to come to Trinidad and Tobago. The law was passed. Some of these persons may not know that they would not be allowed to bring arms or certain drugs in the country. Some drugs may be legal in a particular place and not used here. In parts of Jamaica, people are allowed to smoke marijuana. Would the security guards be told they are not allowed to bring marijuana here? We are seeing that the legislation lacks vision in keeping with the global development and Caribbean governments. I am sure that the Member for Laventille East/Morvant would be better suited to tell us about that.

We are seeing the role of the Minister rather than the comptroller. In one instance the Bill talks about the comptroller having powers and a sentence later, it talks about the Minister. That is very confusing to the national community. I speak on behalf of the national community. The comptroller may recruit extra guards on such terms and conditions as are agreed by the Minister. The Minister is a member of the PNM. We have seen the Minister employ people who do not represent the national community. It is only political appointees. I cannot support legislation when I see what the PNM has done with CEPEP and NHA and make everything into a political football. This country has a Chief Personnel Officer and the Industrial Court and there are certain requirements. When the Minister has to set it we would be in serious trouble. We must be careful that we do not go that way.

I know my distinguished colleague for Diego Martin Central only hires people for CEPEP and URP. We are giving them another area to hire people. We are paying for this. The Government wants to give the impression that they are separated from the national community and the money belongs to them. I would give \$100 million here and spend \$93 million in CEPEP and \$150 million in NHA and if the Opposition does not like it they know where to get out. This is not the way to do things. This money belongs to the people of Fyzabad and Laventille as well. There must be a sharing. We should not discriminate. We cannot pass legislation in this House where it concerns revenue to be earned and the revenue goes to the PNM Government and they decide where it would be spent.

There are other areas of grave concern as they relate to the use of security guards. What obtains now is very frightening. It has resulted in a high incidence of murders, kidnapping and other crimes. If this is allowed to continue the way

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that it is going, the Government would collect our revenue and spend it and encourage the murders and crime.

Thank you.

Dr. Roodal Moonilal (*Oropouche*): Mr. Speaker, thanks for the opportunity to speak on the Customs (Amdt. and Validation) Bill. It was a pleasure listening to the Member for Chaguanas who gave us a tutorial on the workings of the Customs Division, the challenges facing customs officers in their daily work and the working environment to such an important cadre of workers in the country. The Member also gave us a bit of history on the struggles of this group of workers for better terms and conditions of work and the right to be treated with dignity.

The Member for Chaguanas can do that being a distinguished public servant working in this area. The Member also brought some other arguments to the table. He dealt with the issue of favouritism in the appointment of senior officers in the Customs Divisions and other matters dealing with the conduct of Ministers and officials in the course of their public duties. I am not privy to information on their conduct and what they bring or do not bring through the airport. It was a very important point raised by the Member for Chaguanas as it relates to the attempt by the head of government to single-handedly and unilaterally impose on the country the head of this division. That is a serious issue that I would like to discuss in a few moments.

This Bill also deals with questions of employment, labour, terms and conditions of work, collective bargaining and the process involved in collective bargaining. At the heart of this is an attempt by the Government, following as they admit, the example of the UNC government to bring better terms and conditions to workers and give them the dignity by virtue of being institutionalized and protected for the purpose of uplifting their terms and conditions. This is very commendable. It came as no surprise to us that this measure originated during the tenure of the United National Congress.

It is a sad reality that the plight of this group of workers was known to previous governments since the early 1970s. Their plight also became public information since that time and it took the government of the United National Congress decades later to come to the relief of these workers; provide proper conditions for their employment; cater for their collective bargaining process and bring some measure of dignity. It is not only in this area that the Government of the United National Congress brought dignity to workers.

Mr. Speaker: If the hon. Member would give way.

Dr. R. Moonilal: Mr. Speaker, I am not in a mood today to give way to this Member. I think that I gave him enough way on television a few mornings ago.

Mr. Valley: He has given way, Mr. Speaker.

Dr. R. Moonilal: This seems to be my karma.

Mr. Valley: This is to avoid the Member going down the wrong road. The situation is between 1974 and 1993 one thought that the problem was solved because of the legal opinion of the Attorney General in 1974. That is why they were able to gain recognition. You would know there was an agreement between 1991 and 1993. It was when they attempted to get a second agreement that the Comptroller of Customs indicated that they had no legal status. It is not correct to say that the problem was known since the early 1970s.

Dr. R. Moonilal: Thank you for confusing us even further. Now we learn that there was a problem which a legal opinion said was not a problem, which then became a problem later on when they sought another collective agreement and therein lies a bigger problem. I would give this Member all the time in the world to respond later. The long and short is that after the United National Congress came to the aid of this group of workers and all working people in Trinidad and Tobago during the period 1995–2001. It came as no surprise that under the leadership of the Member for Couva North that concrete steps would be taken to bring relief to guards in the Customs Division. That came as no surprise.

The track record of the PNM—I say this with respect to Members on the other side. Many of them only entered both the party and the Government recently. I mean nothing personal against Members. Their track record is horrible to say the least in terms of delivering to workers proper terms and conditions and protecting workers. This is a measure that is meant to bring relief to workers. This is a measure originating with the United National Congress, not surprisingly. In that case on this very rare occasion we have no difficulty in giving support. If they decide to behave badly we may change our minds.

It is an opportune moment to discuss the matters as they relate to workers in the Customs Division and other workers who are now being exploited; who are now the subjects of victimization, favouritism and nepotism and deserve proper terms and conditions, like the workers we are dealing with by passing this measure. It was under an earlier incarnation that they introduced the Industrial Stabilization Act which had as its sole purpose the brutalization of workers in Trinidad and Tobago. It was under another incarnation that they came to Parliament in a situation where there was a no-vote campaign and constituted the

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government by themselves and passed the Industrial Stabilization Act. Today, the workers are calling for amendments to that Act. It is under a later incarnation that they came to Parliament and laid a document that attempted to deal with the terms and conditions of private security officers and then they withdrew that Order. Their record in dealing with workers and the plight of working people is horrible and disgraceful. CEPEP is the last manifestation of their exploitation of workers in the economy.

I do not mean that against any one person, but the party that they all belong to. Their record is horrible. In this measure they are giving recognition to trade unions. They are putting in place a mechanism for collective bargaining and they are about fooling the people of Trinidad and Tobago. They are trying to con the people into believing that they are seriously addressing the plight of workers. They go about every night on the election campaign with this “conmanship” that they hope everybody might be stupid and believe them. They went on the platform and promised the citizens of this country a \$10 minimum wage. What \$10.00? There is no \$10 minimum wage today. It was another hoax; another attempt to con the voters. Neither Members on this side of the House nor the public can take them seriously even when they bring measures such as this.

This Bill deals with recruiting guards on terms and conditions to be determined. It is phenomenal and more of a nightmare when we consider the contribution of the Member for Chaguanas. The Member read into the record a letter in which the Prime Minister of this country—when he is not too busy trying to build a bigger country with Caribbean neighbours—is writing a letter to the Customs Division indicating that he has a choice to be made as it relates to the Comptroller of Customs. The Prime Minister has indicated by way of that letter that he has selected someone unilaterally and this is his choice. In another political environment, the Members of Parliament or members representing those who are elected will decide on office holders such as this. In another political system, the Parliament or Congress determines persons to occupy top offices in the land such as in the protective services and customs. In this system the Prime Minister is deciding who should perform such an important job. This gives rise to that important call for constitutional reform to which the United National Congress is committed. The conspiracy goes further. The Prime Minister who would want to determine single-handedly the Comptroller of Customs then moves to ensure that the comptroller recruits extra guards on such terms and conditions as agreed by the Minister.

There is a process of collective bargaining. Workers meet through their representatives; they meet their employer and bargain collectively to arrive at

terms and condition of work. When they arrive bilaterally at an agreement, it is registered with the Industrial Court and becomes binding. This is a very extraordinary case of a minister of government having to agree to terms and conditions of employment. It is more extraordinary when we consider that we are dealing with customs. The Member for Chaguanas spent much time enlightening us as to what role these customs officers play in our country. They preside over a very important administrative policing function to ensure that goods coming into the country are properly inspected and adequate duties are placed. Customs officers and guards who turn a blind eye to a particular container or baggage could allow persons to bring into this country illicit material, drugs and ammunition at any port of entry. This is a critical group of people we are dealing with.

This is not a car park or shop attendant. This is a critical group of people. You would think that because they exercise such an important function they should be insulated from the political directorate of the day and the politicians. The Government is fond of talking about 2020 and developed country status. Every time they sign an agreement to build a 10 x 10 room, they talk about 2020 vision. One dimension to a developed country is the extent to which ordinary citizens are insulated from politicians. If you look at the developed countries whether they be in Scandinavia, Europe or North America, the ordinary public officer is insulated by and large from politicians. This is why if you are Democrat, Republican or Conservative, you support Labour, that is your private business. On election day you vote for whichever party you choose. It does not infiltrate the work place to know that you are Conservative or Labour, Democrat or Republican. They have a sophisticated set of arrangements and mature legislation that insulate public office from politicians. Instead of going in that direction where we can have public office holders who can say that voting is their private business and whether the PNM, UNC or NAR is in office, I can conduct my work with a certain measure of independence and credibility. To arrive there you have to protect public officers. That protection will not come when the Minister has to agree to terms and conditions of employment for anyone. This is not terms and conditions of employment for your personal secretary or advisor. This is about people who are guarding and providing security to materials coming into the country. No minister should have the sole right to approve and agree to terms and conditions for categories of workers. It leaves doubt in the mind of the population, that hypothetically, the minister with responsibility for this division gives certain sweetheart terms and conditions to guards protecting containers and they can receive better benefits than they got previously. They may develop a relationship of dependency with the politician and may be willing to close their eyes or shut their ears at a particular juncture and allow something unlawful to take place.

This country has to protect its boundaries, ports and the citizens from illicit activity and the importation of arms, ammunition and drugs given what is happening today. The Customs Division plays a critical role in that. If we cannot depend on them, then, we are in trouble.

4.00 p.m.

Mr. Speaker, Members on the other side know very well that the British travel advisory has been amended. After the visit of the Minister of Foreign Affairs and his delegation, the British authorities amended their travel advisory. Mr. Speaker, it got worse! They took a look at the Trinidad and Tobago delegation and decided that we are not serious enough and they needed to upgrade the situation because it got worse.

Today, the British authorities tell us in their travel advisory, which was updated quite recently, on July 01, 2003, that visitors should not be complacent; that crime exists on the islands; that appropriate precautions should be taken and that they should be aware of the risks of indiscriminate terrorist attacks. Mr. Speaker, that is in Trinidad and Tobago, you know: “Be aware of the risk of indiscriminate terrorist attacks”!

Mr. Speaker, when guns, ammunition, drugs and so on come into a country, do they land from parachutes, just like they drop food in places like Iraq and so on? No, they come through ports of entry. Instead of the Government tightening that system, protecting those officers, they are allowing a system to develop where guards would be at the beck and call of the political directorate so they would determine terms and conditions and effectively, Mr. Speaker, as everything else, they would determine who are employed and who are not employed.

Mr. Speaker, if you select your comptroller of customs as your main man—the Prime Minister is selecting him by executive decree—then it stands to reason that when the time comes to employ, they would employ, as well, persons whom they screen at Balisier House. So it is not surprising that the same people who may be on the Community-based Environmental Protection and Enhancement Programme (CEPEP) list of contractors might suddenly be guards guarding customs vehicles, containers and so on. Mr. Speaker, that should come as no surprise to anyone because this piece of legislation, in the wrong hands, would do that. The UNC has an important role to play here because we cannot trust them in terms of employment and recruitment, and when terms and conditions are placed for the Minister to agree to them, then it gets worse.

Mr. Speaker, this group of workers have suffered at the hands of the administration for some time now, notwithstanding their legal opinions; notwithstanding their

admirable qualities in terms of organizing and participating in collective bargaining and so on. They have not had the protection that is long overdue. We are happy with that, Mr. Speaker. We are happy that workers could now bargain collectively. We are happy that their collective agreements could be recognized and protected because this is not a situation that obtains everywhere in the labour market.

Today, workers such as private security employees are exploited en masse. Many do not receive the minimum wage. Many work under unfair labour conditions. Many work under the same constraints and exploitation as those guards, which the Member for Chaguanas pointed out. Today we could find uniforms for CEPEP workers but not uniforms for customs officers. Today we could spend \$93 million in CEPEP but facilities at the Port of Spain General Hospital—the Eye Clinic is now covered with pigeon droppings—cannot undertake any emergency surgery or provide citizens with medication. It would take a fraction of the \$93 million to clean up certain rooms in the Port of Spain General Hospital but that has to do with the priority of the Government.

This Government is concerned with the next election and on Tuesday morning they would begin working, immediately, for the next election—whenever that comes. If they have to undermine the security of the country, in working for the next election, they would do that. If they have to trample on the rights of workers, they would do that. They would do everything possible to focus on the next election.

Mr. Speaker, this is how they are going to run this country. [*Crosstalk*] They are proud of that and they say it with glee. They are only concerned with elections; whether one could have an eye operation in the hospital is irrelevant; whether persons could have uniforms and proper working facilities and conditions that is also of no concern; whether people are treated equally and promoted in the workplace when they deserve promotion that is also irrelevant. If suddenly, however, they discover they need another \$100 million for CEPEP they would find it.

Mr. Speaker, there is a connection between this Bill which deals with bringing terms and conditions to guards and other sections of the labour force. This Government is about the “Cepepization” of the labour market. [*Desk thumping*] They have introduced over eight make-work programmes to mobilize and assemble a mass of, primarily, young people with low formal education into about eight or ten categories of make-work programmes—short-term, low-skill work. They are doing that and nobody could stop them; that is their 2020 vision.

Mr. Speaker, while they bring this measure—because of the UNC government—to assist the guards in the Customs and Excise Division, they must

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also consider bringing other measures to assist those workers who would be exploited. Workers who would work for a year on three-months short-term training programmes here: HYPE, YAPA—What do they call them again?

Mr. Ramnath: “Yappa dappa.”

Dr. R. Moonilal: Workers who are exposed to the environment, hazardous working conditions—a brush cutter could cut off one’s toe or something like that when they are working with this CEPEP. It is unfair to the workers when they are put under those conditions, it is exploitation and it is not giving a proper level of protection to the employees.

A year and a half ago when we spoke about bringing protection to the unprotected, we spoke about a small group of people—1 or 2 per cent of the labour market—but when we talk about that today, we might be talking about 20 per cent of the labour market that is just into make-work programmes. So bringing measures to address the plight of those workers is important. It is critical! We cannot allow 20 per cent of the labour market to be in CEPEP-type programmes—and unprotected—in this day and age. Increasingly, between white colour contract work and blue colour CEPEP and other programmes, nobody in this country would have a permanent job anymore. Mr. Speaker, permanent well-paid jobs or high-skilled jobs would not exist for anyone and that is where they are taking the country.

Thankfully, under the leadership of the Member for Chaguanas and others on this side of the House, somebody had the vision to bring forward this measure to address guards. That, however, cannot be taken in isolation from other workers who also operate in the Customs and Excise Division. I have had very pleasant experiences with those workers, they inspect the luggage and they are very thorough, professional people. I imagine it is because of the new airport where they are now more comfortable. [*Interruption*] They are unkind to smugglers. They might be hostile to persons whom they believe to be a bit suspicious.

Mr. Bereaux: Mr. Speaker, I just want to point out to the Member that the customs guards do not inspect one’s luggage. But go ahead, I am enjoying what you are saying.

Dr. R. Moonilal: The customs officers also need a certain measure of decency in their work. They need some decent working conditions, which the UNC government was about, by way of new facilities and so on, but they also need decent terms of employment and whether it is for uniforms or salary, they need that.

The guards that we are dealing with would also need further protection. This is just the beginning. But as people organize and mobilize themselves their needs

increase from pay to conditions, from salary to clothes and to other benefits. Workers must have both wage and non-wage benefits and critical workers such as those must also be treated equally. If it is that we cannot depend on the Government to recruit and remunerate workers properly and fairly, whether it is in the Customs and Excise Division or any other sector; whether it is in the central civil service or in the state enterprise; whether it is in CEPEP, URP, wherever, if we cannot trust the Government, then measures like these are really a waste of time. Assisting the Government on this rare occasion is really a waste of time.

Mr. Speaker, they must stand and give us a commitment that their leader would seek to treat workers with dignity, and the fundamental principle in addressing workers is one of equality. Now, that is a dreaded word for the Government, they do not want to hear about equality, that is something touchy. But equality is really the hallmark of that developed status that they are seeking. Trinidad and Tobago would not be a developed country if the Government continues to discriminate against workers, whether they are in the police service, the central civil service, wherever. As I said, if we discriminate against people we cannot reach to developed country status. We have to protect workers and insulate them from political attacks.

Mr. Speaker, their track record on this matter is poor. They attacked workers in the EBC. A couple days ago, a judge had to vindicate one commissioner at that enquiry and he struck down all the nonsense that the commission of enquiry came up with.

Mr. Speaker: Hon. Member, with respect, I think you are straying a bit. Try to come back to the Bill before us.

Dr. R. Moonilal: Mr. Speaker, let me come back on the same road I took to stray from the point, which was the point about treating workers equally. It is the point about treating workers equally; it is the point about protecting workers from political attacks. That is how I reached by the EBC. Let me come back from the EBC to say that workers must be protected from this Government. Mr. Speaker, we look forward to other pieces of legislation, basic conditions of work and the Occupational Safety and Health Bill. We look forward to amending the Industrial Relations Act to protect workers from this Government. We look forward to the implementation of the Equal Opportunities Commission to protect workers. It is a pity that the only piece of legislation they could bring to protect workers is this piece of legislation created by the UNC and left by the UNC. It is a pity that this is the only measure they could come forward with. Mr. Speaker, our job, on this side, is to protect the public. [*Crosstalk*]

Mr. Speaker: Hon. Members, please, both the Member for Diego Martin East and Couva South, let us hear the Member for Oropouche.

Dr. R. Moonilal: Mr. Speaker, this is the only piece of legislation they could find. This is what the UNC left. If the UNC did not leave this we would probably not have this to debate because they do not have the capacity to come up with their own legislative programme to address the problems of the people of Trinidad and Tobago. They have no agenda, that much is clear, and it comes across in the Parliament night after night. We would talk about their lack of vision and quality of candidates and so on tonight and tomorrow.

Mr. Speaker, we want, on this side, to urge the Government to bring other progressive pieces of legislation to address the plight of workers. That is an important call. We want to put the Government on notice that while we condemn the CEPEP—we believe there is no training component, there is nothing progressive about it and clearly the Members on the other side agree as well—those workers must be protected by a trade union. [*Desk thumping*] CEPEP workers must be protected from victimization and exploitation by a trade union and by workers organization, so that they would not be called upon on Monday to go and harass the UNC and to go and slow down the line with UNC supporters, such as we read in the newspaper.

Mr. Speaker, protecting workers and insulating workers is what the Bill is about. I am asking the Government to go one step further and look at the Customs and Excise Division and also to look outside where there are other categories of workers who may be more exploited than the guards that the Member for Chaguanas is seeking to protect in this measure. There are other workers who may be more exploited and the Government needs to keep an eye on that otherwise we may reach a stage where—Mr. Speaker, the Central Statistical Office would issue labour reports every year, and in its database they would have production workers, professional workers, elementary workers and so on. It must come as no surprise that over the last year and a half the data suggested that the number of jobs that they call elementary occupations are increasing in this country. That should surprise no one because, really, there are elementary people in Cabinet and the Government. So as I said, it should not surprise anyone that those are the kinds of jobs that they are creating, Mr. Speaker.

When the UNC spoke about 77,000 new jobs, they were not elementary jobs; they were jobs in the technology industry, jobs in manufacturing, jobs that came as a result of investment, not jobs that were make-work. There is a serious possibility that this category of workers would increase. [*Interruption*] You must

be sleepy because you spent the night in the police station trying to bail out your family.

Mr. Speaker, there is the likelihood that the Government, through this measure, would seek to increase the amount of extra guards. We know how people are recruited in this country. We would like an assurance from the relevant Minister that those persons who are to be deemed extra guards would not come from the general council and party group lists. We want the assurance that they would be interviewed; that they would be recruited with a certain measure of independence and transparency, something that the Government has not shown to this day. The issue of transparency is critical in recruiting extra guards and in treating them equally otherwise we would go back to stage one. Extra guards, the Member for Chaguanas would admit, could become another CEPEP gang.

Mr. Speaker, this is a real threat that the Government poses to the labour force of Trinidad and Tobago. The Member for Chaguanas also raised that critical point about the conduct of Ministers as it relates to all public institutions. This is our warning to the population today that this Government is on a particular path of undermining public institutions. I will not get into the EBC; I will not get into the Judiciary and I will not get into other institutions that they are undermining but I want to warn the Government that they cannot undermine public institutions that are critical to developed country status.

We know of their record with the service commissions, with the police commissioner and look what we have today, the exact situation which obtained some years ago with the Prime Minister trying to remove a police commissioner. The Prime Minister is now trying to install a comptroller of customs. We are calling upon the Government and the Minister to state, categorically, whether it is the wish of the Government to have—I do not know the gentleman, Mr. Speaker; I have no idea of this gentleman—what is his name, John? As I said, I have no idea about this gentleman, Mr. John; he might be a good man or a bad man. What I am saying is that the Prime Minister and the relevant Minister must assure us that this is the most qualified person to hold such an important position in this country.

Mr. Speaker, it may be that this office of comptroller of customs is more important than the police commissioner because when you get guns and ammunition is when you want to commit crimes. I do not want to get into crime because I think we made an agreement that we would finish before 12 o'clock tonight. As I said, the comptroller of customs might be more important than the police commissioner. If you take somebody who is your child's godfather and put

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them as comptroller of customs and undermine that institution, then it is a free rein for all their friends and families who are involved in unlawful activities, to run amok and to conduct themselves with bravado. Today there are leaders in the criminal underworld and in the terrorist's community, who are really beyond police and authority,

Mr. Speaker: Hon. Member, I find that you are really straying a bit. Try and come back to the Bill. We are talking about extra guards in the customs department.

Dr. R. Moonilal: Mr. Speaker, I thought that was an important point to make about undermining public institutions but I will say no more on it. I will talk about qualifications for persons. The Member for Chaguanas spoke about qualifications. What is happening in the country at every juncture is that the Government is reducing the qualification to get into public jobs. How much is it today, one subject with a Grade III? Have they reached one subject with a Grade III? *[Interruption]* Paramedics from Cuba, well, they have a different system of education, it is communist indoctrination.

Mr. Speaker, we need to get clear, from the Government, what are the qualifications for this very important function. You are importing goods into Trinidad and Tobago; there are businessmen who are very skilled in their business, they understand all the requirements to bring in things, how to fill out forms and so on. But those guards we are talking about, what are their qualifications? Could they write? Could they read English? Could they read Spanish? What are the qualifications to get into those positions? Mr. Speaker, it is a labour market issue. Many years ago persons coming in the labour market did not really need an education, just a few subjects here and there, not high level training but in this day and age if you are guarding anything you need to be aware. You would need to be able to read, to write and to communicate effectively. If you are guarding a property or containers and you see somebody tampering with the container or the luggage, you have to be in a position where you could communicate that in writing.

We know of the history of public officers where if one found a body on Abercromby Street one had to drag it to Duke Street because one could not spell the word "Abercromby". That is the history of public officers under the PNM. Now we, on this side, are asking that we do not go down that road again. We need to ensure that the office holders, the guards, whether they are extra guards or not, that they have basic education; to be able to read, write and communicate so that if they sense something is wrong they could communicate. We need to ensure that if they need to spell, for example, a Government Minister's name that they could

spell it correctly. We need to ensure that they could spell Government Ministers' names—as what the Member for Chaguanas told us about—coming in with whatever. But this is very critical and we cannot underestimate the importance of basic education, training and skills for this category of workers. I would not go further to say that they require extra computer training or anything like that, although one day guards at a very low level in an industry would require that type of training.

Mr. Speaker: Hon. Members, 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.

Dr. R. Moonilal: Mr. Speaker, while it is incumbent upon the Government to tell us something about the qualifications and character of this category of workers—In fact, Mr. Speaker, that is a critical point because when you recruit people for jobs, particularly as guards, you need to do proper—[*Interruption*] This is not the local government campaign where people could have a criminal record and become a candidate, you know. [*Interruption*]

Mr. Speaker: I think the hon. Member for Diego Martin Central is correct. You have made that point on several occasions. You are even repeating what the Member for Chaguanas has said, so please move on to some other point in the Bill.

Dr. R. Moonilal: Mr. Speaker, I cannot recall—but I might be wrong because I left the Chamber for a short while—the Member for Chaguanas speaking at length about qualifications for this category of workers. I cannot recall him speaking about—you may correct me—drug testing and psychological appraisals and so on.

Mr. Speaker: He did not go into that science so maybe you could.

Dr. R. Moonilal: Oh, he did not go into that?

Mr. Speaker: No.

Dr. R. Moonilal: Well, this is what I wish to do, Mr. Speaker. [*Crosstalk*]

Mr. Breaux: Mr. Speaker, could the Member give way?

Dr. R. Moonilal: You are disturbing me again. Anyway, I am younger than you are so let me give way.

Mr. Breaux: That is no fault of yours. The point I am making is that since this Bill was prepared by the UNC, could you then tell us all the points about training and testing that they had?

Dr. R. Moonilal: Sure. That is a valid question, Mr. Speaker. When this Bill was prepared we did not have a government that was tied to criminal and terrorist elements. [*Desk thumping*] When this Bill was prepared the State was not a victim and a prisoner of terrorists! When this Bill was prepared we did not have rampant racism and discrimination! [*Desk thumping*] I hope that answers you. So the issues we must raise now were not issues we would have been raising five years ago.

The qualifications of those jobs today are more than English and mathematics. [*Crosstalk*] For positions like this there is now the need for drug testing. It is important that when you recruit persons for this type of work that they conduct a police check on their character, that they do drug testing to know that those persons themselves are not users of illicit substances, which they may be supervising coming in. It is critical to know that they are given some type of psychological assessment so that a nut case is not picked up from somewhere and put to guard containers and so on. The state of their mental health is also critical.

Mr. Speaker, qualifications for workers today are not what they were decades ago. People never thought they would have to do drug testing for candidates—not candidates—for guards like this. But they have to do that for their candidates too, you know. They have drug addicts next to a drug pusher.

Coming back to this issue of guards, we must be satisfied that arrangements would be put in place for the recruitment of persons who are qualified. Arrangements must be put in place for persons who are qualified and we would like to know what are the qualifications. Arrangements must be put in place for persons who may need to have a police Certificate of Good Character, who may need to be cleared of being a drug user and so on. This is critical, Mr. Speaker.

Mr. Speaker, I know there was some arrangement made to end at the tea break. I am sure that the Member for Diego Martin Central, as normal, would have a lot to say—I am not sure he would respond to anything sensible—on this matter and it is not my wish to continue after tea because we must also go out on our public campaign and warn the population about this group of persons.

I would like to call on the relevant Minister to please not come and tell us what the UNC was doing and was not doing; what we did and what we failed to do—[*Crosstalk*] Listen, nobody wants to know what the UNC did then. People want to know what you are doing. [*Crosstalk*] They do not want to know about any bacchanal and propaganda; they want to know what you are doing now.

Thank you, Mr. Speaker.

Mr. Speaker: Hon. Members, it is 4.30 p.m., should we rise now or would you like to continue. [*Crosstalk*]

Mr. Valley: I shall not be long. There is not much—[*Crosstalk*]

Mr. Speaker: Hon. Members, please, please! [*Crosstalk*] Hon. Members, the sitting of the House is suspended and it would be resumed at 5.00 p.m.

4.32 p.m.: *Sitting suspended.*

5.00 p.m.: *Sitting resumed.*

The Minister of Planning and Development (Hon. Dr. Keith Rowley): Mr. Speaker, I rise on this debate to put in the record a response to the contributions made earlier because it is not what is said inside this honourable House that is impactful and insightful, it is what the historians would find when they look at the country's record. Therefore, notwithstanding the fact that those who have made contributions earlier have now abandoned the honourable House, for them it is not that there is a debate in this honourable House, and that there is any requirement for them to act decently, properly or otherwise, but they see the Parliament as a place to say anything, do anything. That is why if I am the only person in the honourable House this evening, I will respond to the Member for Chaguanas, so that the record will reflect that Ministers of Government, in my case, a Minister of Government, and I dare say I speak for my colleagues, had something to say when we got up and made a contribution in this honourable House.

Mr. Speaker, the Standing Orders, with which you are quite familiar, tell us that the English language is the official language of the Parliament so this evening we had a treatise on the Minister of Health being negligible; we had the brutalization of the English language about sleight of hand. I did not know "Santa Clause" was involved in the instrument of good politics. We had the hounding of dogs and all kinds of brutalization of the English language. That comedy by itself would have been laughable that when a Member of the Opposition, speaking in the Parliament, gets up and spends 75 minutes not only implying, but outlining to the country, situations and allegations, implying and stating that Members of the Government of Trinidad and Tobago, the current Government, my colleagues and I, that we as a matter of practice use the VIP lounge to escape the scrutiny of the customs of Trinidad and Tobago, and use that mechanism to import into this country all kinds of uncustomed goods—Mr. Speaker, I do not want the take issue with the Chair because I respect the Chair in the honourable House. I understand that if Members have evidence to make that kind of allegation that the Standing Orders provide for it that such an allegation is to be made on a substantive

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motion, otherwise what we would have here is Members of the other side, whether they are in Government, whether they are in Opposition, coming into the Parliament Chamber and saying things which are out and out lies, damaging, meaning to demean—

Mr. Speaker: Member for Nariva, you cannot sit like that and accuse a Member of lying. You will now have to withdraw the remark and apologize to the honourable House.

Mr. Sharma: I am not going to apologize.

Mr. Speaker: Well, if you are not going to apologize to the honourable House I will ask you to withdraw from the honourable House.

[Hon. Member did not withdraw from the honourable House]

Hon. Dr. K. Rowley: Mr. Speaker, that is precisely what I am saying, that the Members on the other side have not yet come to grip with the fact that this is the Parliament of Trinidad and Tobago. They think it is just a place to come and pontificate their propaganda, whatever they come here with, but I took serious umbrage when the Member for Chaguanas gave that impression and made statements.

I travel through the airport between Trinidad and Tobago on a regular basis and I have been doing so for years as a Minister of this administration and a previous administration, as a Member of the Opposition, and a Minister in this current administration. I have never come through the customs in Trinidad and Tobago and have not been required by the public officers to fill out the relevant form that the laws require even if you transit through the VIP, where I do not transit because the cowshed that they stole millions of dollars on holds no grandeur for me. I pass through the normal public arrangement. The only time I have been to the so-called VIP lounge where they stole millions of dollars was when I went there to meet President Iglesias. I have no difficulty with the Trinidad and Tobago airport, the Miami airport going through the public area, for VIP means nothing to me. *[Desk thumping]* What means something to me is for a Member of the honourable House to come here and make statements implying that I am implicated in passing through customs carrying contraband goods in my suitcase. I do not know what the other Members on my side want to say but I put on the record as a person carrying the title of Minister, and I dare say I speak for my colleagues, *[Desk thumping]* that we comply with the laws of Trinidad and Tobago.

On entry into this country, we subject ourselves to the customs of Trinidad and Tobago. It is up to the customs officers to determine whether they want to examine, to detain or to let pass. So for a Member to give the impression to

children in this country that the country's Ministers come through the customs carrying whatever, is totally irresponsible. [*Desk thumping*] If they believe that they are somehow damaging the PNM, I warn Members on the other side that this conduct of attempting to destroy everything in this country would leave nothing there for you.

I gave an example to my colleague from Naparima; If a man of a house as father of the household has a wife, mother-in-law, daughters, sons-in law neighbours, nephew and friends, how that man conducts himself as an exemplar in that household would determine the quality of that family and the character of the young ones they are bringing up. That is why today, when a former Prime Minister of this country is running all over the country like a rabid dog attacking, attacking, attacking in a most disgusting manner, he is not destroying the PNM, he is destroying the very tone and tenure of Trinidad and Tobago. And that is their objective. They believe if they are not going to be in power; if they are not going to be in Government they are going to destroy this country so to come and give the impression that Ministers of Government—If I want a bottle of Scotch I do not have to wait until I pass through customs duty free, I can go to the store and buy it and all my colleagues can do that. In fact, we are drinkers in modicum. Nobody on this side has any inordinate desire to drink alcohol to be in and out of places to treat alcoholism. I can tell you without fear of contradiction, nobody in this Cabinet is an alcoholic. We do not have to wait to go through customs to get a ten cents as a bottle of Scotch. The “locho” behaviour of the Opposition is degrading the office of Minister of Government whether they are in the portfolio or whether they are out of the portfolio. When they were in the portfolio their conduct as Ministers was disgraceful. Now they are out of the portfolio they are throwing attacks on the Ministers of Trinidad and Tobago to drag down the office to give the impression that Ministers behave in a certain way without a shred of evidence presented. The hon. Member could not present a shred of evidence. All he could do is to get up and make a general statement as parliamentary privilege allows, that Ministers of Government come through customs without being checked. Mr. Speaker, who are these customs officers that the hon. Member spoke about, who are not doing their jobs to allow the Ministers or anybody to walk through this country without declaring their customs arrangement? Who? That ramping—

Mr. Speaker: Hon. Member for Fyzabad, please, you of all persons would know that is not good parliamentary behaviour. When the Member is on his feet, you cannot sit in your chair and carry on a conversation or crosstalk. It is not done.

Hon. Dr. K. Rowley: And he should be the last person to speak, my friend from Fyzabad, because they talk about Ministers of Government using VIP lounge to escape customs and break the laws. Ask him when he gave up the red passport of a Minister and ask him how many foreign airports he passed through pretending to be a Minister of Government of Trinidad and Tobago when he was not?

Mr. Sharma: Mr. Speaker, this Member is using the privilege of Parliament. This Member has no red passport and has never travelled as a minister of Government. I am not corrupt like the others.

Hon. Dr. K. Rowley: Mr. Speaker, the question I asked him is: When did you give up the red passport you had when you were a minister, and also tell us if you ever used that red passport after you were kicked out of office? [*Crosstalk*]

Mr. Speaker, long after they were out of office they were masquerading out of Trinidad and Tobago, they would leave here with their blue passports, and when they got to a foreign country they would be accessing VIP and other arrangements with the red passports as though they were our Ministers. [*Crosstalk*] He cannot say that. I am talking to my friend from Fyzabad. I specifically spoke to my friend from Fyzabad. He must get up and say he never tendered a red passport in Miami, six months after they were out of office. [*Crosstalk*]

Mr. Speaker: He is not giving way.

Mr. Sharma: If the hon. Member is asking me a question, what do I do?

Mr. Speaker: But he is not giving way.

Mr. Sharma: Can I get a ruling on 36(5)?

Mr. Speaker: Hon. Member for Diego Martin West, the Member has made a point of order. This says:

“No Member shall impute improper motives to any other Member of either Chamber.”

I do not think that is what he did.

Mr. Sharma: Mr. Speaker, the Member is saying—

Mr. Speaker: I have ruled, hon. Member.

Mr. Sharma: Thank you.

Hon. Dr. K. Rowley: I will comply with the rules of this honourable House and ask whether the questions I ask are within the Standing Orders and the

Member would take whatever opportunity he gets to answer them whenever he wants to answer them, not on my time.

So we are to understand that a customs officer in the Caroni Swamp sees a boat offloading. [*Interruption*] These are the anecdotes that took up the evening—game warden in Caroni Swamp, saw a huge boat take up the blue river coming, he dived in a hole, when the boat passed he dived out, came to the highway, got a car, came into town to go back up there and when he got there he saw a faceless, nameless high ranking official of the Government leading the contraband goods out.

When I was about seven or eight years old, at the level of development as my friend from Fyzabad, I read a book call *Grimm's Fairy Tales*. It was full of stories like that but we all knew that they were from Mr. Grimm's imagination. When a Member of Parliament comes to the honourable House and presents that story, we take it for what it is. I have said in this honourable House, and I am saying it again, the time has come for the House Committee or any other committee that is so minded to treat with this whole question of the length of time that is allocated to Members to speak in the Parliament, because Members obviously have too much time and their intellect does not allow them to carry on for 75 minutes. It is only because of that length of time available to my friend from Chaguanas that he was trying to speak for 75 minutes. He had nothing to say so he ended up fabricating stories about mammal in the swamp; seeing boat offloading, he went down the highway to get help in Port of Spain and when he came back met a member of the Government. So you meet a Member of the Government leading a truckload of contraband, the same way he left to go into town to tell the person to come, why did he not go to the police station especially as they love the PNM so much? Why did he not go and call the police? He was so public spirited, he was in the swamp, he saw a boat offloading, he came out of the swamp to get help, he came on the road now with his car and saw a high ranking government official leading the contraband to wherever, but he did not go and call the police; he called no one. He talked to my friend from Chaguanas, who comes today with this nancy story, this dotishness, this foolishness, taking up parliamentary time.

Mr. Speaker, the House Committee must move very speedily to equate the speaking times in this honourable House with that of the other place, half an hour maximum and a possible 10-minute extension. That would allow hon. Members to make their point and it will get more debate going and we can treat with matters in a more succinct and efficient way and, it will deny imbeciles the time to make up stories to kill time.

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Imagine in the face of all that we know about the Piarco Airport building, all that is unsavoury about it, the Member for Chaguanas comes this evening and tries to justify the airport scandal and corruption by saying the old airport had one toilet for customs officers and because they might have two in the current arrangement that justifies a \$1 billion theft. If I spend \$1 billion, I would build 2,000 toilets. The bottom line is, there is no toilet in the Tobago waiting area.

Would you believe the largest number of passengers using the Piarco terminal building goes through the Tobago terminal. But, if you go into the departure area there is no toilet facility available to the public. After you spend \$1 billion more than you should have spent. [*Crosstalk*]

Mr. Speaker, I want to speak to you and I would like some protection from that—

Mr. Speaker: Please, Member for Laventille East/Morvant and particularly the Member for Fyzabad, the Member is on his feet, let him speak. I think there are a number of Members on the other side who have not spoken. Continue hon. Member.

Hon. Dr. K. Rowley: Mr. Speaker, they are seeking to justify the billion dollar theft at the airport by the addition of an extra toilet for customs officers. But the area where the public passes through by the thousand every day—if you go to Tobago and you pass through the holding area and need to use a toilet facility you have to come back out through security straight down the public area and search—because there is not one anywhere nearby—around the building until an employee directs you to an ablution somewhere. And the hon. Members gave the impression this evening that this is something wonderful done by the last government for customs officers. You gave them a toilet, well, thank God for that. We can now list a major UNC accomplishment, they gave the customs officers at the airport a toilet, and for that we should be eternally grateful; and it costs us \$1 billion.

This evening my friend from Chaguanas repeated over and over an allegation that the Government intends to appoint somebody to the post of Comptroller of Customs who is not the person immediately in line or who does not qualify for the job. After he repeated that seven times at different points in his contribution he accused the Government of interfering with the appointments because if this person is appointed, it would indicate that the Government is, in fact, interfering because the automatic succession process is not being made to work. You would not believe that that Member for Chaguanas was a member of the government which appointed Mr. Doopan as Comptroller of Customs over and above a

number of other persons who may have thought that they were next in line. How come when that appointment was made, we did not hear about any interference in the system; we did not hear about any undermining of the system. How come when that was done we did not hear that? I am not even aware that the Government is engaged in any appointment of a comptroller of customs but the hon. Member knows enough to come to the honourable House and to accuse the Government of undermining institutions. One wonders if he was a member of the government when the then Prime Minister waged a public war against the office of and the personality of the President. The highest office of the land that should be above the cut and thrust of politics came under attack from my colleague from Siparia, and the former Prime Minister—a public and relentless attack; and when the office holder did not crumble in the face of those attacks his personality was attacked. Yet they come here this evening to talk about undermining institutions.

The Chief Justice had to speak publicly in defence of the Judiciary and of himself when he came under personal attack and his office also came under relentless attack from the United National Congress. The hon. Member came here this evening to talk about attack on an institution because he understands that the Prime Minister is about to appoint somebody as Comptroller of Customs. You understand, Mr. Speaker, why you must not take anything they say seriously! They come to use the Parliament time to say anything but we would ensure that whenever they do it, the record would be corrected on every occasion. They would not be allowed to get away with that. When a Member accuses this Government of attacking and undermining institutions we would set the records straight. It was not the PNM government. It was the UNC government that launched an unvarnished attack on the Judiciary, on the bench itself.

Justice Mendonca made a ruling in the CCN matter with respect to the Gillette case and Telecommunications and the UNC and the Prime Minister were offended by the ruling. Justice Mendonca was assigned a house in Federation Park by the Chief Justice. He had taken possession of the house and was preparing to move in there. The UNC was so offended by his ruling that they sent uniformed soldiers, armed soldiers, the first time in the history of Trinidad and Tobago, the Defence Force was used to prevent the judge from taking possession of the house and then he has the unmitigated gall today to accuse us of undermining institutions. The UNC used our Defence Force to put a judge out of a house in Federation Park and when there was an outcry over it, they said the house was required. Up to this day, since they left office the house was never used and the officer who was in charge of that house, a certain Wade Mark, is still here today provoking people and trying to mash up this country. That is the record. That is undermining institutions, but of

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course, the same Justice Mendonca, he survived that attack to continue his work on the bench, he made a ruling, he struck down all the recommendations of the EBC, they love it, but they are hoping that the country does not understand what he has done.

There was a commission of enquiry, the enquiry found wrongdoing, Justice Mendonca confirmed the wrongdoing but he did not like the recommendations to rectify the wrongdoing so he struck down the recommendations, but before recommendations came findings were made and the findings were that the EBC was derelict in its duty. And that was the PNM's case all along because any decent person who is found to be in dereliction of duty would retire. But the findings have been confirmed by the courts, and no amount of UNC propaganda would change that. In fact, what we should be talking about now is how close we came to the UNC entrenching themselves in Government by interfering with the EBC. It was the PNM's vigilance that something was wrong with the state of the EBC. The EBC resisted and an enquiry confirmed that and they went to court and the bench reviewed the enquiry and confirmed the findings of the Deyalsingh Commission. So let us not get carried away about the recommendations. The recommendations are: How do we fix the wrongdoing? But we confirmed that there was wrongdoing, and that is a fact.

So when you all keep saying that EBC win and win; EBC did not win. The country came very close to the UNC entrenching itself by compliance with the EBC. The PNM said that we would have none of it and court has confirmed it. Justice Mendonca has confirmed the findings of Justice Deyalsingh's Commission that there was wrongdoing in the EBC and UNC was confirmed to have been inside it.

So even though 14 recommendations have been struck down those were the recommendations—how do we treat with what you have done—but it confirms what you did, undermined institutions. Who was it that came to this Parliament and amended the law to give a retiring police commissioner an extension? Who did that? [*Desk thumping*]

A number of police officers had reached their retirement age and they gracefully left office. There was a PNM government in office, there was a NAR government in office, PNM in office again, we never had that. The minute the UNC came into office there was requirement to change the law, to change the retirement regulations to allow an outgoing Commissioner of Police to remain in office for three years. If, today, the morale in the police service is low, that action of keeping on an outgoing commissioner, suppressing the expectation of the executive who wanted to move up, do you know the effect of that action on the

morale of the police executive? It demoralized the entire police service. It kept down every policeman because once the commissioner did not move out nobody could move, and that was how the UNC kept the police service. Not to mention the fact that all the carrying-on you hear about undermining and crime, they were the only government that stopped the recruitment of police officers during their tenure. They did not have enough money to thief so they stopped recruiting policemen. The barracks was empty for a period of time. When you hear them talking and bleating, do not make the mistake of believing anything they say, because they say what they think they want you to understand but the facts are at variance.

In 1991, they contested an election based on the level of crime in 1995; that was their issue, crime. When they got into office, this country desperately needing more officers and the replacing of those who were retiring, this UNC government, in its current incarnation, stopped the recruitment of police officers. Let them get up and say that is not so.

5.30 p.m.

Today they are talking about crime. They are saying that they are more concerned about crime. My friend from Oropouche said the Bill was drafted in a time when the Government was not in league with criminals. I can tell you for a fact, I will put my neck and everything I own on a block, that no one on this side is in league with any criminal. [*Desk thumping*] This Government: the Government of Trinidad and Tobago deals at arm's length with all citizens: criminals or otherwise. [*Interruption*]

As the Member is speaking, one of his colleagues who were charged for murder is at the Golden Grove Prison. Half of his other colleagues were charged for a variety of other crimes. Then, of course, it was under their administration that Mr. Sumairsingh was assassinated; after he wrote to the Prime Minister saying to him: "My life is in danger. One of your Ministers has threatened me." Of course, if you read Ken Gordon's book, he wrote that a hit was put on him and he virtually named the government official who hired the criminal to kill him. I am not making this up. Those are the facts. Mr. Ken Gordon, a distinguished citizen and former Cabinet Minister of this country, has written a book identifying a public official whom they know very well. He told the whole country that he was satisfied with the police information given to him that his life was put in danger by actions of friends of theirs. The Opposition has the gall to come in this House and say that this Government is in league with criminals.

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In the Tobago House of Assembly election, they put up a candidate with a criminal list as long as my arm and said they represent everyone, so criminals can be given a second chance in the Tobago House of Assembly. It was the same thing in Laventille and San Fernando, but have they come now to say we are in league with criminals. The only criminals we might be in league with, if there are, would be the criminals in this House and there is none on this side. [*Desk thumping*]

We are accused of undermining the country's institutions. This tie that I wear, Mr. Speaker, was worn by Dr. Eric Williams. Dr. Williams started as Chief Minister, confronting the Governor, the Queen's representative and the colonials. Dr. Eric Williams served this country for 25 years as Prime Minister, so too did Mr. George Chambers and Mr. Patrick Manning. Mr. Speaker, I wear this tie with such pride you would not believe because no prime minister of the PNM's administration, under this Balisier symbol, had any run in with the law at any level during the PNM, none whatsoever. Our prime ministers served this country for decades, under all kinds of circumstances. Not one PNM prime minister has ever been visited by a member of the law enforcement seeking information or cooperation. Six years in office of the UNC, the prime minister spent three and one-half years in the police station answering questions and the other three years in the courthouse. [*Desk thumping*] He is still there leading them and has the gall to come here where they have disrespected the Office of Prime Minister. A prime minister of our country is currently charged with breach of the Integrity Commission Act. That is a fact! In the courthouse, charged and convicted—a prime minister of this country.

Mr. Speaker: There is a case before the court. I am not sure he was convicted.

Hon. Dr. K. Rowley: Mr. Speaker, I am a Member of Parliament of long standing. [*Interruption*]

Mrs. Persad-Bissessar: The matter is still before the court. No, no, he cannot lie to the *Hansard*.

Mr. Speaker: Please, the Speaker is on his feet. Hon. Members, the Member raised the point and it did occur to me also. You are saying that the Prime Minister was convicted of an offence under the Integrity Commission Act.

Hon. Dr. K. Rowley: No, Mr. Speaker, do not speak for me. I can speak for myself.

Mr. Speaker: Maybe you need to clarify.

Hon. Dr. K. Rowley: Mr. Speaker, if the Member for Siparia was not so previous. I listed them item by item. The item I dealt with dispatched and put

away in the envelope was the Integrity Commission matter. I said he is charged under the Integrity Commission Act. I am moving on now to the libel suit. The then Prime Minister of Trinidad and Tobago was convicted of libel and had to pay damages. [*Desk thumping*] I am a Member of this House of long standing. I would not abuse my privilege in this House to make loose statements. I am stating facts. [*Desk thumping*]

Mrs. Persad-Bissessar: Mr. Speaker, there was no conviction of libel.

Mr. Speaker: Perhaps, you need to clarify that.

Hon. Dr. K. Rowley: Mr. Speaker, let us get into some semantics. An action was brought against the former Prime Minister with respect to the discharge of his duties. Evidence was tendered and a defence was put up. At the end of the day, he was found guilty. [*Desk thumping*] The Member for Siparia is not going to come into this House and use legal niceties to dance around the fact that a UNC prime minister was found guilty in a court of law for libel. Worse than that, libel could be accidental, the court also found him guilty of—

Mrs. Persad-Bissessar: I had enough of this.

Hon. Dr. K. Rowley: Mr. Speaker, I know she does not want to hear. The court also found him guilty of discharging his duties with bias. In this case the court made recommendations. One such recommendation was that that individual as prime minister must not discharge any responsibility with respect to telecommunications: his own portfolio. What a disgrace! [*Desk thumping*] That was a judgment of the court of Trinidad and Tobago. They have the gall to come here and tell us that we are undermining institutions when common or garden criminals propagate the UNC? That is the Office of Prime Minister. When they are not destroying the Office of the President and Chief Justice, they are destroying the very office that they held. They come here and try to give the impression that they are the guardians of our institutions and that somehow those institutions are now at risk under the PNM. What is happening now is that they are being salvaged under the PNM. We are rectifying the damage that they have done. [*Desk thumping*]

The Member for Chaguanas said that a customs officer told him Mr. Dookeran is an exemplar passing through customs. My friend from Chaguanas is not here so I would not involve him in the debate. I want him to be here when I deal with that point. The bottom line is that you cannot believe anything that the Opposition says. My friend from Caroni East is laughing.

Today, Mr. Speaker, through you and my colleagues, I got the Lindquist Report. History has a way of repeating itself. I am demonstrating that you cannot

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believe anything that the UNC says, whether it is a boat coming up the blue river. Imagine my friend, the Member for Siparia, a lawyer is trying to prevent me from speaking. She said that the prime minister, under her vintage was not found guilty of a charge. He walked out free—let him not pay Ken Gordon “nah”. It was right here, probably in this same position, that my friend from Caroni East stood in his capacity as Acting Attorney General. I was over there in that seat, holding the position of Opposition Member for Diego Martin West. When he came under pressure with respect to his involvement or lack thereof in the InnCogen deal, he got up right there, looked up to the press and told them that he had information that three PNM ministers were receiving \$2 million from American oil companies. That was the headline in the *Guardian*. He said that as attorney general, he was in touch with the American authorities so they can act. That was the headline in the *Guardian* because he made that expose’ right here. The next thing we knew is that the press asked him, after a day or two had passed, whether he had in fact gone to the American authorities with the matter he had promised in the Parliament. He said yes. When the press went to the American Embassy, they said: “We never saw the chap. He never came here.” That matter has died the death it should have died in ignominy because it was a frank and blatant untruth which was meant to deflect the glare of scrutiny that he was under during the InnCogen Paper.

As the Opposition accused us of undermining institutions, it was the Member for Caroni East, who came here and read a statement which started out by saying: “The Cabinet has instructed me to stop T&TEC from proceeding with their tendering procedures and to award the InnCogen contract to the InnCogen jokers.” He made the statement in this Parliament. He was hoping that by saying that the Cabinet instructed him, he would cloak himself in the authority of Cabinet and feel that it is something good. The bottom line is T&TEC was going along their tender procedure and they, minister and government, stopped T&TEC. The Member for Caroni East told us in this House that the Cabinet authorized and instructed him to instruct T&TEC to award the contract to InnCogen. We discover now that one of the minor matters in that award is a gentleman picking up \$21 million for telling them where Trinidad and Tobago is. We have to ask ourselves if a man could get \$21 million for pointing out Trinidad and Tobago on a map, you could imagine what the man got for giving them the contract. That is why today half of them are in the courthouse trying to explain where they got the money. They have to say: “It belongs to my wife, my daughter and my girlfriend.” That is not for us today. The bottom line is, whenever the Members opposite get up to accuse us of anything they should make sure that they have some information that is even credible. They should make sure that they too are credible when they make allegations against the PNM. [*Desk thumping*]

The UNC called our teachers criminals. They told the children that Miss and Sir are criminals and decreed no work, no pay, but they want us to pay them for not coming to Parliament. No work, no pay applies to teachers and nurses, but Members of Parliament who deliberately frustrate the Parliament want to be paid.

Last week I was watching my friend from Couva North very closely, when my colleague from Caroni Central was taking part in the debate on the Pharmacy Bill. He was furious and was making all kinds of derogatory comments, not so sotto voce, about the Member for Caroni East. The Member for Caroni Central was pointing out some nuances in the Bill and was seeking to improve legislation, forgetting what their job is. Their job is to legislate: to take part in the preparation and advancement of legislation. The head of the other side attacked the Member for Caroni Central by calling him arrogant, stupid and foolish. Mr. Speaker, you should have seen his behaviour. Did you not see him? He was calling him all kinds of names and asked him why he did not sit down because he was taking part in a debate to amend and improve a law to help people in this country with their problems with pharmacies, but they want to be paid. They do not want to work, but they want to be paid. Left to me alone, they would not get one cent. [*Desk thumping*] They could go and tell their constituents that they did not get paid, and they would ask them paid for what, obstructing and undermining the country?

This country has a law, which allows someone, if they have a disturbance with respect to transparency and accountability, they can enquire. We put a commission of enquiry in place when we have lost over \$1 billion on a contract and all the Opposition is concerned about is to attack the Chairman of the Commission of Enquiry; everyday is “Bernard, Bernard”, as though Chief Justice Bernard has a case to answer. They never deal with the evidence that is led by people who have come to give evidence. Chief Justice Bernard has given no evidence in the commission of enquiry, but the UNC is on Chief Justice Bernard’s case everyday as though if we destroy Chief Justice Bernard, we will destroy the mountain of evidence and the stench of the airport scandal.

Mr. Speaker: Hon. Members, the speaking time of the hon. Member has expired.

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

Question put and agreed to.

Hon. Dr. K. Rowley: Mr. Speaker, if we listen to my friend from Chaguanas, you would think that the Customs and Excise Division in this country is populated

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by choirboys and girls. I have no doubt that there are some very upstanding and distinguished officers serving in the Customs and Excise Division. We also know that one of the problems we have in this country is the perception that the Customs and Excise Division in Trinidad and Tobago is rampant with corruption. That is the impression that some people have. That does not say that every customs officer is corrupt. In fact, Officer De Souza, who lost his life is proof that we have in our Customs and Excise Division officers who practice integrity. [*Desk thumping*] But the information we have is that he lost his life because there are others who do business with the Customs and Excise Division to whom his life had no value. That officer lost his life trying to uphold standards which should be dear to all customs officers. We would be fools to believe what was told to us this afternoon by a former customs guard; that in the Customs and Excise Division, they are all choirboys and girls, they all go to church on Sundays and confess to Father and have never done anything wrong. We can believe that if we want.

One of the reasons we were so happy to move very quickly in putting the ASYCUDA (Automated Systems for Customs Data) in place—my colleague from Diego Martin Central was instrumental in doing that along with the former Minister of Finance—was that we could use technology to assist us in treating with this perception that our Customs and Excise Division was rampant with misconduct of one kind or another.

Mr. Speaker, when we bring Bills to the Parliament, we bring them to create laws that are meant to improve the lives of the people of Trinidad and Tobago. We will do it as frequently as the Bills are ready. The Members opposite should learn by now that we have no problem with where the Bills originated. What we try to do is to get the people's business done. What is clear is that the Opposition's mission to destroy Trinidad and Tobago involves destruction of the Parliament, its stature and decorum.

The behaviour of my colleague from Nariva is testimony. If he had any interest in his constituents, in being an exemplar or in earning his keep, he would not leave the House in the face of a benign ruling from the Chair. When the Members opposite are not attacking the Chair—I forgot this one, the Office of Speaker—as they have demonstrated for nine months in this country—is central to our governance. The relentless attack on the office of Speaker and presidency of the Senate is an attack on our institutions meant to destabilize the country.

This afternoon we took it in stride; they had two speakers in a row. If you had made a ruling and allowed two Government persons, no matter what the circumstances were, they would have gone to the highest heavens, from Timbuktu

to “O-hi-o-ho” to tell the world that you are racial and biased. That is their conduct. They have been attacking the office of Speaker relentlessly to weaken your resolve to rein them in. There is method in their madness. Their intention is to weaken the resolve of the presiding officers so that they would not rein them in, so they can get up in here and make all kinds of erroneous and irresponsible statements, without challenge from the Chair. Mr. Speaker, once we are given the opportunity, as we expect to be given, to stand in the Parliament and respond to anything the Opposition raises, we will be able to set the record straight on every occasion, because we are the PNM. [*Desk thumping*]

I saw one of their imps on the television yesterday morning talking about CEPEP and how it is supposed to be so corrupt. Do you know what his grouse was? He applied for a CEPEP contract and was not given one. To me that summarizes the whole situation. They seem to have found a rich vein to mind. They are minding the vein of CEPEP; let them mind that. We will mind the vein of all the interests of Trinidad and Tobago from foreign affairs, to energy, to environment, to planning and development. Wherever you go, the PNM Government is there. Because we see it as a duty, not for ourselves, or our party, but for our country. When you see their behaviour you only have to ask yourself, Mr. Speaker, where would Trinidad and Tobago have been without the People’s National Movement? [*Desk thumping*] Suppose the PNM had collapsed in 1986 and we did not come back in the political arena and the country was left entirely up to the likes of the UNC crowd? What would have been our position? The police service, the presidency, the judiciary, the treasury and the country all would have been gone through. All that would have been left—[*Interruption*] First World?

Mr. Speaker, since the Member for Fyzabad intends to behave like that, I want to point out to you that at the personal level, we have a responsibility. When the Members opposite want to throw slurs and slangs at us and accuse us of misconduct, that noise we are hearing is the same noise that found himself as a minister of government having to explain what his hand was doing in a female reporter’s pocket. He, as a minister of government, had to explain what his hand was doing in a female reporter’s pocket. She filed a complaint against him. Do you think he has any shame? He has no shame! He still comes here to try to disrupt the Parliament even after—[*Interruption*]

Mr. Speaker: Please, Member for Fyzabad. *Hansard*, you would expunge that comment from the Member for Fyzabad.

Hon. Dr. K. Rowley: I do not say anything in this House that cannot be substantiated by fact: written or otherwise. It is a fact of the record of Trinidad

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and Tobago that the office of government was demeaned by a Member of the Government having to explain what his hand was doing in the top pocket of a female reporter, who complained about his conduct. [*Interruption*] Mr. Speaker, ignore him. I would ignore him because when we are talking about destroying institutions, they did everything possible, from the Office of Prime Minister to the least of the Apostles, my friend from Fyzabad. I am not making this up. I would have preferred not to have said this. I take no pleasure in saying that that was the behaviour of my colleagues in the Parliament.

In terms of attempting to defend what we do as Members of Parliament, I told the Minister of Finance of their government to be careful of what he was doing because I do not want to tell my children that he went to jail. That is in the *Hansard*. I told him what he was doing is such that if he is not careful I would have the unpleasant task of telling my children I served with him in the Cabinet and he went to jail. The Members opposite have not learnt as yet. Their behaviour would not improve. When they want to attack the PNM they should come good because we can defend ourselves and we can defend our stewardship. [*Desk thumping*] They should come good. They should not come to this Parliament and seek to give the impression that the current government and Members of this Government are breaking the law and breaching regulations by passing through customs. How “locho” can they get, Mr. Speaker?

If there are facilities at the airport for VIPs and Members of the Cabinet use that facility how did it become a subject of division by Members on the other side unless of course, they subscribe to a “locho” mentality because we have a facility that is attached to the office, it somehow is a problem for them? They were there for six years and they used it. I have never heard one PNM person, not even a party member, say anything about the Government using the VIP lounge. I passed through the Crown Point International Airport almost every weekend. Something was built in that airport which is called the VIP lounge. I have never set foot inside there. Never! When passing through the Piarco International Airport, the only time I went into the so-called VIP lounge was when I was doing someone else’s business.

This “locho” mentality—while they are accepting pay increase and putting it in their pockets, they are criticising the increase of the Members of Parliament on the public platform. They are always making a big issue about pay increases, but we get through the door: “When ah getting the money?” That is their behaviour. They said: “We are boycotting the Parliament, we are not taking part in Parliament, we are not supporting anything, but we want we money now.” We

should not pay them one cent. They are too hypocritical. They are our colleagues, but they must rise to a certain standard. [*Desk thumping*] They are our colleagues and we expect a certain standard of behaviour of our colleagues. We are not fighting each other; we are part of a Government and Opposition.

The Government and Opposition are the Government of Trinidad and Tobago. Their role over there is spelt out in the Constitution. As long as they intend to play another role: a destructive role, we will not cooperate with them. If they use deception and deceit, we are going to say to them that what they have said is not true and when they try to come and pollute *Hansard* with incorrect references and outright falsehood, we have a duty to set the record straight. Let the record show that the Member for Chaguanas this afternoon misled this House and spoke a lot of foolishness, seeking to tarnish the image and reputation of the Government Members.

Mr. Speaker, I support the measure. [*Desk thumping*]

The Minister of Health (Hon. Colm Imbert): Mr. Speaker, I thank you for allowing me to catch your eye, although I had to jump up very quickly. I will be extremely brief. I think I understand why the Member for Siparia is leaving.

Mr. Speaker, there were two or three issues that the Member for Chaguanas spoke about that I thought I would deal with. One of the issues which I found were particularly reprehensible and immoral, was the attack on Sen. C. Sahadeo. [*Desk thumping*] That is why I got up to speak for a few minutes.

6.00 p.m.

Imagine in the last Salaries Review Commission Report an improvement was made to the terms and conditions of Members from the Opposition.

Mr. Speaker, prior to the passage of the last Salaries Review Commission Report, Members of the Opposition were not entitled to full tax exemptions on motor vehicles, but this PNM administration ensured that we accepted the recommendation which allows every Opposition Member of Parliament to purchase the most expensive motorcar with full tax exemptions. The day after it was announced that the Government had accepted the Salaries Review Commission Report, every single one of them went and ordered the most expensive vehicles like Mercedes Benz, Audi and BMW.

Dr. Khan: Mr. Speaker, on a point of order, Standing Order 36(5).

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

Mr. Speaker: Members, please. What is the point of order?

Dr. Khan: Standing Order 36(5).

Mr. Speaker: Standing Order 36(5), imputing improper motives?

Dr. Khan: Yes.

Mr. Speaker: Well, yes, the Member made a blanket statement there and, perhaps, the Member needs to rephrase that statement. The Member could take an example from the Member for Diego Martin West in that regard.

Hon. C. Imbert: Mr. Speaker, I thank you. As I indicated, as soon as that report was made law—there may be one Member who was not eligible, because you see, they feel that they are smart because they did not receive tax exemptions in the recent past—every single Member who was eligible went and checked out motorcars. The Member should try and contradict that! [*Desk thumping*] The only reason the Member for Barataria/San Juan did not take advantage of this law was due to the fact that the Member got tax exemptions a little while before, as a Member of Government. Do not try that on me! Every single Member opposite who was eligible for tax exemptions went and got it the next day, and yet a former Cabinet Minister would come here today, in this House, to seek to damage the reputation of a Cabinet Minister with an anonymous letter and complaining that a Cabinet Minister had exercised her entitlement, when every single one of them exercised their entitlement. It is nastiness! That is one of the matters I thought I would deal with.

Mr. Speaker, the other matter I want to deal with before I take my seat has to do with the remarks made by the Member for Chaguanas about Members of the PNM smuggling whisky through the VIP lounge and so forth. We on this side do not have a drinking problem. There is no Member on this side who has a problem with alcohol, and there is no Member on this side who is an alcoholic. I think the Members on the other side should take a careful look at themselves and do some introspection, because there are at least two Members on that side who have a problem with alcohol, and there are at least two Members on that side who could be accused of doing what they have accused us of doing. It is ridiculous!

The Member for Chaguanas got up and said that PNM Members are smuggling whisky, when the Member knows very well that at least two of his Members could easily be guilty of smuggling whisky through the airport, and at least one of them has been accused of carousing public servants in a ministry to smuggle whisky through the airport to deal with his drinking problem. I am amazed! They have “cocoa in the sun”; they are guilty of the very things that the Member for

Chaguanas spoke about, and they have the brass-face to come in this House and talk that level of nonsense.

Mr. Speaker, I thought I would correct the record with respect to that nasty attack on Minister Sahadeo and that ridiculous comment about Members on this side with respect to alcohol. People with glass houses should not throw stones.

Thank you. [*Desk thumping*]

Dr. Fuad Khan (*Barataria/San Juan*): Mr. Speaker, I just want to bring this House back to the proper decorum that existed at 4.30 p.m. I would like to mention to the Member for Diego Martin Central that the statements made by the Member for Diego Martin West with respect to the 18/18 scenario, which were attributed to Members on this side of the House, were erroneous. The Member said that Members on this side of the House did not work; so no work, no pay.

Mr. Speaker, during that period, Members of Parliament on this side were in receipt of documentation from the Parliament, and we were called Members of Parliament; our staff received salaries during that period and Members of Parliament on this side worked and serviced their communities and we did not receive any funds from Parliament. I just want to put the record straight because the Member for Diego Martin West was very adamant that Members on this side should not be paid.

Mr. Speaker, during the Finance Committee I asked the hon. Member for San Fernando East whether Parliament had money for Members of Parliament for that period and he said yes and that he was going to look into the matter, et cetera but unfortunately it never occurred to him to do so.

I call upon the Member for Diego Martin Central not to fall for what the Member for Diego Martin West said since the Member was a bit angry because he did not speak right after the Member for Chaguanas. I do not blame him because the press was not present when he made his contribution. The Member must understand that Members of Parliament on this side of the House worked tirelessly during that period even though we did not get any salaries. I am not going to make much ado about it, but I think that the record should be put straight.

The Member also accused Members on this side with a lot of corrupted movements. When I asked the Member to indicate to us how the Community-based Environmental Protection and Enhancement Programme (CEPEP) contractors were chosen, the Member did not answer the question, but he mentioned some foolishness about some gentleman on TV6 who indicated that he wanted a contract too. I saw the programme and, of course, the gentleman wanted

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a contract, and he was denied that contract on the basis of qualification, et cetera. We have asked that question and we have received certain answers, but we have not been able to find out why 110 persons who are mostly PNM supporters and activists received contracts when compared to the other 300 persons who did not get any contracts. I just want the Member for Diego Martin Central to understand that Members on this side of the House—and I am putting the record straight for the historians as well—worked as Members of Parliament during the 18/18 scenario and we did not receive any salaries.

Mr. Speaker, thank you.

The Minister of Trade and Industry and Minister in the Ministry of Finance (Hon. Kenneth Valley): Mr. Speaker, I am tempted to take my 75 minutes. Let me start by congratulating Members on this side of the House for the support that I have received with this piece of legislation. I have been listening to my colleague; the Member for Diego Martin West for some time, but this evening the Member was, of course, superb. I, honestly, have to get a copy of the Member's contribution.

Mr. Sharma: It is in the *Hansard*.

Hon. K. Valley: I have already asked for it. With respect to the Bill that is before us, I attempted to take some notes when Members on the other side were speaking, and the Member for Oropouche raised five points, and I want to respond to them very quickly.

The first point is in response to what seems to be coming out from the Opposition Benches that they do not want this Bill to encourage, or perhaps set the platform for another CEPEP. I want to make the point quite clear that all this Bill is really doing is legislating the status quo. There are already Customs and Excise extra guards. There is a problem and we are simply legalizing what is there. In other words, tomorrow we are not going to hire any extra guards. That is not going to happen. [*Interruption*]

Mr. Speaker, the other point I want to make has to do with the fact that during the period 1974 to 1993, one would have thought that this problem was solved, given the opinion from the Attorney General, but when one looks at the Bill the explanatory note says:

“Clause 7 would validate the Certificate issued by the Registration Recognition and Certification Board to the Customs and Excise Extra Guards Association, on 14th March, 1988. This clause would also validate the issuing

of the Certificate by the Board which cited the Chief Personnel Officer as the employer of the extra guards.

Clause 8 would validate all acts and omissions by public officers in respect of extra guards. This clause would also validate the collection of fees from merchants for the purpose of making payments to the extra guards and the payments made to them.”

When one looks at clause 6 one would see that it validates the collective agreement made between the Chief Personnel Officer and the Customs and Excise Department for the period 1991 to 1993. So there was no problem during that period as far as every one was concerned, but when the new collective agreement had to be put in place then the problem occurred. I simply wanted to deal with these two points, and I will deal with the others in some other debate.

I beg to move. [*Desk thumping*]

Question put and agreed to.

Bill accordingly read a second time.

Bill committed to a committee of the whole House.

House in committee.

Clauses 1 to 8 ordered to stand part of the Bill.

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

House resumed.

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

ADJOURNMENT

The Minister of Trade and Industry and Minister in the Ministry of Finance (Hon. Kenneth Valley): Mr. Speaker, I beg to move that this House do now adjourn to Wednesday, July 16, 2003 at 1.30 p.m. On that day we would consider the Kidnapping Bill amendment brought from the Senate and if we have time we would also want to do the Medical Board (Amdt.) Bill.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 6.17 p.m.