

*Leave of Absence**Friday, April 16, 2004***HOUSE OF REPRESENTATIVES***Friday, April 16, 2004*

The House met at 1.30 p.m.

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

Mr. Speaker: Hon. Members, I have received communication from the hon. Member for Point Fortin (Mr. L. Achong) requesting leave from today's sitting of the House. I have received communication from the hon. Member for Barataria/San Juan (Dr. F. Khan) also requesting leave of absence from today's sitting. The leave which the hon. Members seek is granted.

MUTUAL ASSISTANCE IN CRIMINAL MATTERS (AMDT.) BILL

Bill to amend the Mutual Assistance in Criminal Matters Act, 1997 brought from the Senate, [*The Minister of Foreign Affairs*]; read the first time.

PAPERS LAID

1. Report of the Law Revision Commission for the year 2002. [*The Minister of Trade and Industry and Minister in the Ministry of Finance (Hon. Kenneth Valley)*]
2. Annual report of the Integrity Commission for Trinidad and Tobago for the year 2003. [*Hon. K. Valley*]
3. Inaugural report of the Office of the Banking Services Ombudsman for the eight-month period ended December 31, 2003. [*Hon. K. Valley*]
4. Loan Contract No.1523/OC-TT between the Republic of Trinidad and Tobago and the Inter-American Development Bank Public Sector Reform Initiation Programme March 17, 2004. [*Hon. K. Valley*]
5. The Freedom of Information (Exemption) (No. 2) Order, 2003. [*Hon. K. Valley*]

Freedom of Information (Exemption) (No. 2) Order

Mr. Singh: Mr. Speaker, I would like some clarification on the last paper laid with respect to the Central Bank matter before litigation before the courts of this country. And I do not understand the sequencing because this is talking about 2003 and this is 2004.

Hon. K. Valley: I am laying a paper. I am not getting involved in a debate.

Mr. Singh: Mr. Speaker, I just wanted clarification.

ORAL ANSWERS TO QUESTIONS

The Minister of Trade and Industry and Minister in the Ministry of Finance (Hon. Kenneth Valley): Mr. Speaker, we have four answers today, however, the Minister of Education is out of the country. We have the responses which I can give, however, to the extent that there are supplemental questions, I do not know whether I would have the ability—*[Interruption]* Okay, Mr. Speaker, there is no problem, I will answer the questions posed to the Minister.

Mr. Speaker, four of the 12 questions will be answered, questions Nos. 69, 71, 93 and 97. *[Interruption]* We are asking for a deferral of question No. 99.

Mr. Speaker: So you have three by the Minister of Education and one by the Minister of Energy and Energy Industries?

Hon. K. Valley: No, I have 69 and 71 by the Minister of Education, 93 by Minister Williams and 97 by Minister Gift.

Mr. Speaker: That is correct.

Mr. Singh: Mr. Speaker, having regard to the nature and content of the questions and the predicament of my colleague from Diego Martin Central in his inability to answer supplemental questions, I think it is more appropriate that we defer the questions from the Minister of Education for more appropriate responses to this House.

Hon. K. Valley: Mr. Speaker, that is what I thought. *[Interruption]* Thanks a million, I stand corrected; no problem. Thank you.

Mr. Speaker: Are there other questions for which you are asking for a deferral of a week, hon. Minister?

Hon. K. Valley: Yes, Mr. Speaker.

Mr. Speaker: So, there is only one question to be answered today; question No. 93?

Hon. K. Valley: Two questions; Mr. Speaker, 97 would be answered also.

Mrs. Persad-Bissessar: Mr. Speaker, if I may, I have not heard anything from the Member for Diego Martin Central with respect to the number of

questions for written replies, which have been there since December. Whilst he is asking for deferrals for the oral ones—

Mr. Speaker: We will get to that.

Mrs. Persad-Bissessar: Well, I have noticed in the past we have said we would come to the written ones and we do not.

Mr. Speaker: No, no, please. After we do the oral questions then we shall go to the written questions and then you could address them.

Mrs. Persad-Bissessar: Thank you, Mr. Speaker.

The following questions stood on the Order Paper in the name of Mrs. Kamla Persad-Bissessar (Siparia):

**Russel Latapy High School
(Information on)**

- 68.** (A) Would the hon. Minister of Education state:
- (i) the estimated and the actual costs for constructing, equipping and furnishing the Russel Latapy High School;
 - (ii) the start up and completion dates of constructing, furnishing and equipping of this school;
 - (iii) the number of students the school was built to accommodate and the actual number presently accommodated?
- (B) Could the Minister state:
- (i) the name/s of the persons/companies and directors of each company awarded contract/s for constructing, equipping and furnishing of the school;
 - (ii) whether tenders were invited for the contracts awarded and if so, the bids made by each tenderer;
 - (iii) the procedure and criteria used to award each contract?

De-shifting of Schools

- 69.** Would the hon. Minister of Education state:
- (i) which schools have been de-shifted since January 2003;

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- (ii) which schools are still operating on a shift basis and the number of students attending each;
- (iii) the total number of teachers actually employed in each of these schools;
- (iv) the expected date each school will be de-shifted?

**Student Support Services Unit
(Improvement of)**

- 71.** Would the hon. Minister of Education list:
- (i) the steps and date/s of each step taken since January 2002 to make operational and improve the Student Support Services Unit of the Ministry of Education and the reasons for the delay in doing so;
 - (ii) the date when same would be fully operational?

Schools Heads and Deans

- 72.** (A) Would the hon. Minister of Education list the steps and date/s of each step taken, since January 2002 to implement the system of Heads and Deans in the nation's schools and the reasons for the delay in implementing same;
- (B) Could the Minister state the date when the system of Heads and Deans would be fully implemented?

Continuous Assessment Programme (CAP)

- 73.** Would the hon. Minister of Education state:
- (i) the steps and dates of each step taken, since January 2002 to implement the Continuous Assessment Programme (CAP) in the nation's schools and explain the reasons for the delay in full implementation of same;
 - (ii) the date when same would be fully implemented?

Final Curriculum for Schools

- 75.** Would the hon. Minister of Education state the steps and date/s of each step taken since January 2002 to provide a final curriculum (as distinct from draft curriculum) for each subject area and level in our nation's schools and the reasons for the delay in providing same?

Details of SEA Examination

76. Would the hon. Minister of Education list:

- (i) the total number of students who wrote the SEA examinations in 2002 and 2003 and the number expected to write in 2004;
- (ii) the number of students who scored less than 30 per cent and 50 per cent in the 2002 and 2003 SEA examinations according to education districts;
- (iii) the steps and date/s of each step taken, since January 2002 to address the educational needs of children who scored less than 50 per cent in the SEA examinations and entered into secondary schools;
- (iv) the steps and date/s of each step taken since January 2002 to reduce the number of children scoring less than 50 per cent in the SEA examinations?

Details of CXC

77. Would the hon. Minister of Education state:

- (i) the number of students who wrote each of the subjects offered by CXC in 2002 and 2003 and the number expected to write in 2004;
- (ii) the number of students who failed each subject at CXC in 2002 and 2003 according to education districts;
- (iii) the steps taken, including the date/s of each step since January 2002 to reduce the number of CXC failures?

De-linking of Teaching Service from Public Service

78. Would the hon. Minister of Education please state:

- (i) the steps and date/s of each step taken, since January 2002 to implement de-linking of the Teaching Service from the Public Service and the creation of a unified teaching service and the reasons for the delay in implementing same;
- (ii) the date when the same would be implemented?

The following questions stood on the Order Paper in the name of Dr. Adesh Nanan (Tabaquite):

**Certificate of Environmental Clearance
(Construction of houses by Government)**

98. (a) Would the hon. Minister of Public Utilities and the Environment inform this House whether or not a Certificate of Environmental Clearance has been issued for the construction of houses by the Government at each of the following locations:
- (i) Farm Grove - Curepe
 - (ii) Sixth Avenue - Barataria
 - (iii) Green Street - Tunapuna
 - (iv) Madoo Hill, Upper El Dorado Road - Tunapuna
 - (v) Water Pipe Road, Cane Farm – Tacarigua
 - (vi) Caura Valley
 - (vii) Bates Trace - St. Augustine
 - (viii) Oleara Heights, Circular Road - San Fernando
 - (ix) Tarouba
 - (x) Plaisance - Mayaro
 - (xi) St. Joseph Estate - Ortoire
 - (xii) Guanapo Estate - Rio Claro
 - (xii) Edinburgh 500
 - (xiii) Edinburgh Road - Longdenville
 - (xv) Carlsen Field
 - (xvi) Gran Couva?
- (b) For those locations for which certificates have been issued, could the Minister indicate the date the application was made and the date the said certificate was issued?

- (c) For those locations without certificates, could the Minister identify the reason(s) why the Certificate of Environmental Clearance was not issued?

**Certificate of Environmental Clearance Issue
(Crown Point International Airport)**

99. (a) Would the hon. Minister of Public Utilities and the Environment inform this House if a Certificate of Environmental Clearance was issued for the expansion of the Crown Point International Airport?
- (b) If the answer to part (a) is in the affirmative, would the Minister indicate the date the application was made and also the date the said Certificate was issued?
- (c) If the answer to part (a) is in the negative, would the Minister state the reason(s) why the said certificate was not issued?

Questions, by leave, deferred.

Annual Contributions to United Nations

97. **Dr. Hamza Rafeeq** (*Caroni Central*) asked the hon. Minister of Foreign Affairs:

- (a) Could the Minister inform this House as to the annual contributions paid by the Government of the Republic of Trinidad and Tobago to the United Nations and each of its agencies?
- (b) Could the Minister inform this House as to the actual annual contributions being paid to the United Nations Development Programme (UNDP) office in Trinidad in cash and other assistance including payment to staff, equipment, rental of building, et cetera.

The Minister of Foreign Affairs (Sen. The Hon. Knowlson Gift): Mr. Speaker, Trinidad and Tobago's contribution to the United Nations and its agencies is paid by the Ministry of Foreign Affairs, and the line ministries with the responsibility for the particular agency that falls within its portfolio. In this regard, the Ministry of Foreign Affairs is responsible for the payment of Trinidad and Tobago's contribution to the regular budget Working Capital Fund and the United Nations peacekeeping operations as determined by the calculation of an assessed percentage of the total budget of the United Nations.

It is not a fixed annual amount but it is determined by the overall budget approved by the United Nations General Assembly. Trinidad and Tobago's contribution, based on the scale of assessment for the year 2004, is 0.022 per cent.

Trinidad and Tobago is mandated to pay the foregoing contributions pursuant to its obligations under Article 17(1) and (2) of the Charter of the United Nations. This provides that the General Assembly shall consider and approve the budget of the organization, and the expenses of the organization shall be borne by members as apportioned by the General Assembly. The apportionment of expenses is in turn based on the triennial scale of assessments adopted by the General Assembly.

Listed hereunder are the most up-to-date payments in respect of the regular budget, Working Capital Fund, peacekeeping operations and other agencies for which the Ministry of Foreign Affairs is responsible.

Mr. Speaker, the listing that I just referred to is a fairly lengthy document and it is ready for circulation to Members of the House.

On part (b) of the question, I would like to point out that the annual contribution paid to the United Nations Development Programme Office in Port of Spain by the Government of Trinidad and Tobago is TT \$525,000 or US \$87,000.

Thank you, Mr. Speaker.

Dr. Rafeeq: Mr. Speaker, a supplemental question, please? In addition to the contribution that is being paid to the office, I did ask whether any other payments were made in cash or kind, in relation to rental of office, personnel or equipment.

Sen. The Hon. K. Gift: Mr. Speaker, no other payments are being made in cash or kind to the functioning of the office in Trinidad.

Vide end of sitting for written part of the answer.

Mr. Speaker: Hon. Members, the Leader of Government Business will answer question No. 93.

**Executive Chairman, Petrotrin
(Works done at Residence)**

93. Dr. Roodal Moonilal (*Oropouche*) asked the hon. Minister of Energy and Energy Industries:

- (a) Could the hon. Minister indicate the cost incurred by Petrotrin or any other state agency for repairs, refurbishment and enhancement

recently undertaken to the residence and compound of the Executive Chairman of Petrotrin?

- (b) Can the Minister name the contractors that undertook such repairs, refurbishment and enhancement of the residence and compound of the Executive Chairman of Petrotrin?
- (c) Can the Minister indicate the basis upon which those contractors were selected and whether they are regular and/or registered contractors with Petrotrin?

The Minister of Trade and Industry and Minister in the Ministry of Finance (Hon. Kenneth Valley): Mr. Speaker, in 2002 Petrotrin began a programme of rehabilitating residential properties at its Pointe-a-Pierre camp. It is to be noted that the residence of the Executive Chairman was included in the programme of rehabilitation and work commenced in May 2003.

The refurbishment works involved a virtual reconstruction of the premises due to its state of deterioration. The property consists of a main building of 3161 square feet; building surroundings that is, porch, garage and maid quarters of 4578.8 square feet, and a swimming pool of 1040 square feet. The total square footage of the refurbished building is 8779.8 square feet.

It was only after the work began that the extent of the repairs was discovered. This was so because no substantial work had been executed on the property since 1965.

The sum of \$2.1 million was expended for the repairs, refurbishment and enhancement of the residence. Mr. Speaker, because of the size of the property, the nature of the work and the age of the residence, this figure is considered to be very modest.

The following contractors undertook the repairs, refurbishment and enhancement of the residence of the Executive Chairman of Petrotrin:

Overall contractor	Alvin Dorset Architects
	Design Associates
	No. 4, Jerningham Place
	Queen's Park East
	Port of Spain.

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Main sub-contractor

Contractors and Decorators
No. 50, 6th Avenue
Barataria.

It is to be noted that the main sub-contractor utilized the services of other sub-contractors for specific works in the areas of electrical, plumbing, swimming pool and pump house facilities.

Petrotrin does not have in its list of registered contractors, a category which makes provision for the engagement of architects associated with contractors specializing in refurbishment. The main contractor was therefore selected on the basis of the review of architects who provided such a combination of services to facilities of a similar kind and stature. The contract was awarded by the Workplace and Property Management Department of Petrotrin.

Dr. Moonilal: Mr. Speaker, is the Member aware that the said compound of the Executive Chairman was indeed refurbished in 2001 at the cost of TT \$500,000? [*Pause*] You are not aware? So it is not correct about 1965 and the last refurbishment?

Hon. K. Valley: Mr. Speaker, the Member is not so aware.

Mr. Singh: Is the Member aware that the CEO of Petrotrin, Rodney Jaggai, previously occupied that residence?

Hon. K. Valley: Mr. Speaker, the Member is so aware, and he is also aware that other CEOs of Petrotrin, as well as Texaco, occupied those premises. One ought to know that this is, in fact, an inheritance from the period of colonialism.

WRITTEN ANSWERS TO QUESTIONS

Mr. Speaker: Hon. Members, questions for written responses on the appendix to the Order Paper should be passed to the Clerk for circulation. I understand that two questions have been circulated for today's proceedings.

If I may pre-empt the hon. Member for Siparia, I think what she was going to get to was simply that there are questions for written answers on the Order Paper since December. Whilst the Standing Order is quite clear, it says:

“Questions for written answers may be put down for the next sitting of the House and the answer when received shall be circulated with the minutes of proceedings.”

I do not think it is fair for Members opposite to be told that “This is the Standing Order.” I would implore the Government to respond to written questions in a timely fashion.

With respect to the questions for the hon. Minister of Education, in like manner, as the hon. Member was capable of answering for the Minister of Energy and Energy Enterprises, if the answer is available—I think he did indicate that he had some answers available but the supplemental questions would not have been able to be entertained.

I am appealing to the Government to be a little more alert and timely in the answering of questions, especially the written questions. Those questions are there from December; really and truly, we are now in April.

Hon. K. Valley: Mr. Speaker, the Government will be guided by the Sanding Orders at all times. *[Interruption]* The Government will be guided by law. The law in the Parliament is the Standing Orders. *[Interruption]*

Mr. Speaker: Order, please! Order! *[Interruption]*

Hon. K. Valley: Could I finish, please? Mr. Speaker, the Government attempts to answer written questions as quickly as possible. *[Interruption]*

Mr. Speaker: Order, please!

Hon. K. Valley: Understand what is required for the written questions. For example, there were a number of written questions which had been approved but the ministries are under an obligation, not only to provide hard copies but also to provide the diskette to the Parliament. *[Interruption]* That is the requirement! *[Interruption]*

Mr. Speaker: Hon. Members, please. The Member is trying to give an explanation, let us hear what he has to say.

Hon. K. Valley: Thank you very much, Mr. Speaker. I do not know why some people do not like the truth. I am saying that the Government would assist as much as possible. Some of the questions asked for written responses are really—*[Interruption]* Mr. Speaker, it is not easy, and while I admit that there are some questions there from December, I can assure you, Mr. Speaker, that it is not for want of trying to be effective, to communicate with our Members opposite. We will continue to do our best.

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The following question was asked by Mr. Winston Dookeran (St. Augustine):

**Regularization of Lands
(St. Augustine South and Oropune)**

- 66.** Would the hon. Minister of Housing state:
- (i) What is the status with the regularization of lands on the Streatham Lodge Estate, St. Augustine South?
 - (ii) When would Letters of Comfort be distributed to residents of Lower Dookiesingh Street, St. Augustine, South;
 - (iii) When would deeds be completed for distribution to relocated residents of Oropune Village, Piarco?

The following question was asked by Mr. Ganga Singh (Caroni East):

**Freedom of Information Act
(Information of)**

- 96.** Could the hon. Prime Minister provide:
- (a) A full and complete list of all state agencies, statutory authorities, state enterprises and other public institutions that are subject to the provisions of the Freedom of information Act?
 - (b) Of the above named organizations, please state which of these have complied with sections 7, 8 and 9 of the Freedom of Information Act by publishing the relevant statements?
 - (c) Of those that have not complied with sections 7, 8 and 9, please specify the reason for non-compliance and the timeframe within which the public can expect compliance?

Vide end of sitting for written answers.

ARRANGEMENT OF BUSINESS

The Minister of Trade and Industry and Minister in the Ministry of Finance (Hon. Kenneth Valley): Mr. Speaker, as I indicated on the last occasion, the order of business that the Government wishes to pursue today would, first of all, be Bill No. 1 on the Order Paper, then we would proceed to Bill No. 2, and then we would do the Motion.

Mr. Singh: Mr. Speaker, with great respect to my colleague, I know he is winging it today. On the last occasion he indicated that he would proceed with the

Motion, the Insurance (Amdt.) Bill and then the Telecommunications (Amdt.) Bill.

Hon. K. Valley: I am getting old, Mr. Speaker, that is why I have so many grey hairs. [*Crosstalk*] Oh no, some of us are getting there, others are already there. Mr. Speaker, I do not know whether the Chief Whip has a difficulty; I thought we were trying to facilitate the Member for St. Augustine.

Mr. Singh: I do not have a problem.

Hon. K. Valley: You do not have a problem, well, could we proceed?

Mr. Singh: Definitely.

Hon. K. Valley: Thank you very much.

Agreed to.

INSURANCE (AMDT.) BILL

[SECOND DAY]

Order read for resuming adjourned debate on question [January 09, 2004]:

That the Bill be read a second time.

Question again proposed.

Mr. Winston Dookeran (*St. Augustine*): Mr. Speaker, when the hon. Minister in the Ministry of Finance introduced this Bill some months ago, he indicated that the main objective of the Bill was to establish the post of an Inspector of Financial Institutions at Central Bank and, consequently, to abolish the post of the Supervisor of Insurance and the Inspector of Banks position at the Central Bank.

In so doing he argued that this Bill was, in fact, an attempt, on the part of the Government, to strengthen the supervisory arm of the banking sector.

I would like to argue that the Bill falls very short in terms of improving the supervisory arm for the financial sector. What the Bill does, in effect, is merely change the locus of authority from the Supervisor of Insurance to the Central Bank, but does not take any important measures that have been on the agenda for some time now to facilitate the best practice policy in this field. So the Minister, in fact, is claiming much more than the Bill is expected to do. This is important because for some time now we have been talking about changes in the financial institutional infrastructure in the country.

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In fact, the recent commentary by the International Monetary Fund had made reference to the urgency of these matters. For the record I want to outline what has been said. The Report says:

“The banking system appears to be sound, but early action is required to strengthen the position of the nonbank financial sector which remains less effectively regulated.

The exposure of the country’s financial sector to the Eastern Caribbean Currency Union (ECCU) and the wider Caribbean has been growing, but it is small relative to the total assets of the system.

Trinidad and Tobago continues to evolve as a regional financial centre warranting heightened supervision, especially of the nonbank sector.”

Mr. Speaker, it was the budget speech of two years ago in which the Minister of Finance also indicated the urgency with which the Government would undertake major reforms in the financial sector. But now two and a half years later, even after the task force that had been established to look at the financial sector made its report, this Government is still not ready to deal with the critical issues in the banking sector, but brought a Bill before us a few months ago that merely changes the locus of authority but does nothing to improve best practice policy, as has been outlined by many who have studied this matter in great detail.

Mr. Speaker, the Minister is, in fact, not rising to the responsibility after two and a half years in office, and after inheriting major work that has been done in these areas to be able to come to this Parliament today with this measure which remains just a partial response to a major issue.

In what context is this measure being introduced? Firstly, in the context that there is a blurring of boundaries between the banking sector and the insurance sector. There are, emerging today, a number of products that could not be so classified as belonging to either the banking sector or the insurance sector. Major changes are taking place in the definition of products and, therefore, it is the Government’s responsibility to protect the public interest in this changing scenario that is taking place in the financial world.

The blurring of the boundaries require fundamental changes not only in the Insurance Act, which I remember the Member for Siparia spoke about when the Bill was first introduced, but it also requires fundamental changes in the Financial Institutions Act, some of which I will outline as being highly necessary if we are to respond to the changes today.

The second rationale for this Bill is the ineffective regulatory system of the insurance sector. For some time now that has been the problem. It is in that context, therefore, that the best practice policy that ought to be pursued by the Government in this area includes a number of new developments for which there is need for a response, the first being information disclosure.

2.00 p.m.

Information disclosure is now being seen as a substitute for harsh regulatory measures and what is needed is a financial system with far more disclosure of information in order to protect the public's interest, together with steps to do what is required today. That is why I was somewhat surprised when I saw on the Order Paper this afternoon, a Bill to restrict the Central Bank from the Freedom of Information Act which works contrary to the general trend of information disclosure becoming an important governance tool in the management of the financial sector. [*Desk thumping*]

Mr. Speaker, there are also major changes taking place in the geography of the financial institutions. Today, we see the emergence of Caribbean banks; today we see the integration of regional and domestic banks in the international arena and many of our citizens are left open to the lack of scrutiny by the operations of these cross border activities. It is another major issue and one would have thought that the Government would have been able to answer. Cross border supervision remains a very important requirement in making our financial sector equipped with the modern tools of supervision. So once again we see a government looking at the surface, changing only the locus of authority, pre-occupied with the structure of power but not concerned about substance for the use of that power for the management of the sector. Cross border supervision and the necessary laws that need to be changed to bring this about is another area of best practice policy that has been omitted from the presentation, certainly from the prescription which has been placed on the Table of this Parliament. And thirdly, the point I referred to earlier about new products.

We are really in an environment in the financial world—I am sure the hon. Minister in the Ministry of Finance will agree that we are in a world in which information disclosure is a pre-requisite in which new products need to be brought under the net, and cross border supervision ought to take place. So when the Minister says that he is bringing a piece of legislation aimed at improving the supervision of the financial sector, he himself is misleading this House. There is no such provision, and what is worse is many of these proposals have been in the

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pipeline now for well over two years. The question we ask is: To what extent is this Government really on top of the situation? To what extent are they really coming with measures to alter the structure and make our country one in which we can respond positively to the changes around us? I was very intrigued when I read in today's newspaper the Government and the Prime Minister announcing that:

“Inflation continues to be the biggest problem that the Government faces as we accelerate the rate of the country's development...”

In light of this, Government has set a seven per cent maximum rate of the inflation...”

as a target which we hope he will not exceed.

In today's world of non-inflationary growth to set a target of 7 per cent is far too permissive in macroeconomic development.

Mr. Speaker, the Government has argued that because of the growth in the economy, one should expect inflation, but current thinking on that matter has changed that basic thinking, and I want to quote from a publication:

“Inflation—A Monetary Phenomenon

Not so long ago inflation was viewed as the unavoidable concomitant of sustained economic expansion—”

and in technical language,

“the traditional Phillips curve relationship.”

I believe the Member for Diego Martin Central made reference to that when he tried to explain rising inflation with the growing economy today. But the literature has shown that is no longer so. In the past decade, there have been numerous examples of economies including our own, undergoing long expansions by continuing to enjoy virtual price stability.

“A common feature across all these economies, including the whole of North America and Europe as well as the developing countries such as Chile and Mexico, has been strong commitment of monetary policy to price stability. In some cases, this commitment has even been expressed in explicit numerical targets...”

—and that is why I looked at the targets, which the Minister of Finance set—

“...for low inflation, as occurs in the United Kingdom, Canada, Australia and New Zealand.”

Mr. Speaker, to set a target of 7 per cent is to open the door to great uncertainties in macroeconomic management at this stage. What is causing our inflation? Some people have argued that inflation is the result of wage increases.

Mr. Manning: Mr. Speaker, I thank the hon. Member for St. Augustine for giving way. I wonder if the hon. Member would be prepared to give us his view as to what should be the maximum level of inflation that the Government should target?

Mr. Panday: No free consultancy here.

Mr. W. Dookeran: Mr. Speaker, I am sure, as I progress, it would be clear what is appropriate for this country. We are not averse to assisting the Government in its economic strategy. In fact, the major issue we are facing today and the major concern that I have, and the concerns that are now being expressed in many quarters and concerns that we have argued in the budget debate on two occasions is the risk associated to macroeconomic management, is now rising again. The global competitive report 2003/2004 measuring macroeconomic management in Trinidad and Tobago placed us in position No. 47 in 2003/2004, when it was at No. 33 the year before. So the evidence is being picked up by international publications. One year ago there was a much better rating on macroeconomic management. Now there is a rating of 47 and this is after there were three ministers of finance and a super minister of finance.

There is much talk about wages these days and, to some extent, the target that has been set for wage increase was done by the Government initiating a 15 per cent wage increase some months ago. So we are now going to run an economy with a 15 per cent increase in wages and a 7 per cent increase in inflation and as they say, a 6 per cent increase in growth. No wonder the country is about to see the expressions of discontent rising all over. [*Desk thumping*]

Mr. Manning: Mr. Speaker, I thank the hon. Member for giving way again. I think I should just let him know that the inflation rate for last year was of the order of 3.4 per cent, and this year it is running at about 4 per cent to date.

Mr. W. Dookeran: Mr. Speaker, more reason I wonder why the Prime Minister sets a target of 7 per cent. Why would he set a target of 7 per cent when the actual rates are 3.5 per cent, 3.8 per cent and 4.2 per cent? [*Interruption*] The

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mere fact of setting a maximum rate of 7 per cent is setting a target that would throw the economy offline. Other things are happening. The *Express* today talks of Central Bank injections into the economy.

“The Central Bank injected US\$40 million in the financial system on Tuesday.”

That is fine, but look at the results for the whole year. For 2003 the injection of foreign exchange in the local economy, that is, the use of the foreign reserves to support the foreign exchange was in the order of US \$505 million. You see a trend that is taking place. Two years ago they were spending less than \$200 million to support the exchange rate, now they are spending US \$505 million, a further indication of changes.

Mr. Valley: Mr. Speaker, US \$500 million was put into the system not to support the exchange rate. In keeping with Government’s overall policy, Port of Spain is being developed as a financial centre and the Member would be aware that a number of Caribbean governments are coming to Port of Spain to raise their capital requirement. For example, last year, the Member would know, that some \$750 million was raised in this market and it is supported by the Central Bank. More than that, the Central Bank is managing the reserve at six months import cover and the excess must be put into the market. That is where it belongs!

Mr. W. Dookeran: Mr. Speaker, there is a situation in the country where the foreign exchange situation is requiring substantial resources much more than before so there is pressure in the system. There are wage increases in the system, there is inflation in the system and one wonders why the country is not stable. The real cause of all the instability that one is hearing is linked to the macroeconomic management of the economy. And that is the point I am making!

When one looks at wages, for instance, there is much misinformation. I believe the Prime Minister said with what is going on in Point Fortin; one is likely to have investor lack of confidence developing. What are the real facts? What is the percentage of income in our national income that goes to wages? In 1995 it was 44.2 per cent; in 1996, 44.4 per cent; 1997, 42.7 per cent and so forth. And by the time came 2003, it was 34.7 per cent. So there is no doubt that cases can be made for increased wages in the country. To come with the old argument that because there are going to be increased wages, you have to fight inflation, is to ignore the fact that macroeconomic management is more important an instrument for creating inflation than are the wages in the country. The figures are here and when I read in the newspapers these arguments on wage inflation, it is true. If

there is a situation where there is excess liquidity—and the Central Bank report that was published a week or two ago talked about excess liquidity in the system in which there are rising wages, then it would lead to more demand and that demand cannot be supplied in the local system. It would be supplied by foreign imported goods for consumption and that would bring about a rise in the prices of imported goods. So to try to create scapegoats—I believe the Member for Diego Martin West was quoted to have said it was one multinational that was raising the price of steel. You see one has an option. One could create scapegoats, one could blame the business sector or one could blame the worker's sector but the real culprit in the game is the macroeconomic management. That is the point I want to make and that is what I hope the Minister of Finance would respond to in his response.

In fact, to support this point, the monetary policy report of September 2003 said, and I quote:

“During the course of fiscal 2003, the financial system experienced relatively high levels of liquidity generated mainly by net domestic fiscal injections by the central government. Net budgetary injections rose to \$3.2 billion in the fiscal year 2003, compared with just over \$1.3 billion in the previous fiscal year.”

So there is evidence of the changes that have taken place; excess liquidity in the system, rising wages without any productivity increasing, generating new demands supported by the foreign exchange, access to foreign dollars to import goods, creating a situation of instability in the system. Fortunately the buoyancy of our revenues is large, but there would come a time when that would no longer be so.

I want to put the record straight because it is important for the public debate to move from creating scapegoats in the labour sector, creating scapegoats in the business sector to look analytically at the government's management of its macroeconomic stance. It was said on two occasions before where we outlined that these are risks that should not go unnoticed and now in the middle of 2004, we are beginning to see the emergence of instability. We might mask that instability by rising revenues because of the price of oil, but we would only be masking it and fooling our people in the long run.

Mr. Speaker, the Bill before us is but a sorry attempt at building financial soundness in the country. Merely changing the locus of authority is a simple decision. What is really more important is setting up legislative changes to encourage best practice policy. There are many, many areas in which this can be

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done. For example, the amendment of the Insurance Act. The hon. Minister said that he was not interfering with that yet, so one is going to take the old Insurance Act, with all its loopholes that allow fiscal supervision to be a problem in the country and put it in the Central Bank without changing the Act and expect the Central Bank to perform better. If the hon. Minister had said this was step one and that he was coming with some time frame and major measures to deal with steps two and three, that is understandable. But to claim that this was going to improve supervisory functioning in the country is, in fact, false.

Let us look at some of the measures that ought to be put in place. One such measure is the creation of the financial ombudsman. Should that not be given legislative authority? Should we create that by administrative fiat which is what we have done, simply creating a position within the Central Bank or should there not be a legislative framework within which the financial ombudsman would work? Is this likely to become part of legislation in the future, or are we going to deal with it administratively? The financial ombudsman is supposed to deal with the complaints of the population against the banking sector in terms of inequity or inefficiency. If one were to just create this as an administrative power it would have no legal force. There is no real recourse. There is no power attached to the ombudsman by law and a strong case has been put that this should be done in a legislative framework, not in an administrative framework. So you create those institutions and you do not solve their fundamental problems of legal authority for the creation of the ombudsman. There are a number of other measures that have been on the agenda for some years now. The Financial Institutions Act of 1993 has been subject to amendment. The Minister of Finance made no reference in his submission to those provisions that would be put in place but he brings this Bill, which is changing the locus of authority and claims it is bringing about better institutional support for supervision.

The FIA Act should have been addressed on a number of points. Provision pertaining to consolidated supervision, cross border supervision; provision to enhance the enforcement powers; provision to deal with licensees that are not financially strong even though they may be in compliance with the legislation. We have to put measures in place to deal with that so that we do not just look at the figures and talk. Corporate governance for dealing with directors and management of licensed financial institutions, reporting of large exposures of the licensees, regulation pertaining to electronic banking, and money laundering provisions.

2.30 p.m.

So, in addition to the points I raised earlier, it is necessary now to make major changes in the Financial Institutions Act. What bothers me is that time is passing and no substantial changes are taking place in these areas.

In his presentation, the Minister said—and I quote:

“All legal proceedings commence prior to the coming into operation of this Bill by or against the Supervisor of Insurance should have the effect as if done by the Central Bank.”

I was wondering whether he would enlighten the House as to the status of legal proceedings that are commenced against the Supervisor of Insurance, so that we can see what the Central Bank will have to inherit to be able to perform this function.

A complete statement on the performance of the Supervisor of Insurance and the legal proceedings that have been undertaken are a sore point in the country today. We are well aware that there are many legal proceedings against insurance companies, but because of the slowness of the court operations, insurance companies use that as a means to prolong decision-making and the citizens have no recourse. It is a very important issue. This is a very important issue.

How many legal proceedings have been undertaken against insurance companies which have used the delays in the court as a means of prolonging payments over years. Are we going to deal with those kinds of issues? Is this what this Parliament is supposed to do? After waiting for two and a half years for this package of legislation, we see so many loopholes in what is presented today.

When the Bill was presented, we said that we had no problem with the specific measures being proposed, but this was part of the work that was ongoing for some years now. Not only does the Financial Institutions Act need to be looked at, but also the Banking Act, in order to make it more relevant. The position we have in the Caribbean where our laws seem to be updated is now at risk as well. As the years progress, we might find that we are falling way back in being up-to-date in our laws and banking institutions.

I talked about legislative authority for the establishment of the Ombudsman. What about the issue of an independent regulatory authority? Is there a policy position on the part of the Government on an independent regulatory authority to divorce monetary policy from regulatory policy? That has been the trend in many

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parts of the world. In order to have more effective regulatory and monetary policies, two different institutions have been established to handle that. Would the Minister outline to the House on this occasion the measures he intends to take, if any at all, in that regard?

What about mutual funds legislation? Today there are many mutual funds on the market, but the legislative authority to deal with mutual funds remains untouched. Mutual funds guidelines were established. [*Interruption*] To argue that you can be delinquent now because you were delinquent in the past is a false kind of argument. If you were delinquent in the past, you have to correct it.

The mutual funds legislation raises the issue of transparency in financial transactions—

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

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

Question put and agreed to.

Mr. W. Dookeran: Thank you Mr. Speaker and I thank hon. Members.

A key issue today is the issue of transparency—transparency in the performance of monetary policy. Where do we stand on that? Are we going to make banking a secret? Are we going to create secrecy in the Central Bank? The move was to try to open up the Central Bank so that the society at large would understand the workings of monetary policy—to see how it interacts with the different policies at work.

In the absence of that, we choose the wrong scapegoats. We blame the workers; we blame the business sector. We say that the business sector is creating the rises in food prices, so we probably want to consider price control. That is the kind of thinking that comes out of that approach; but we know that in today's world that is not something that we can go back on. We make a lot of "hullabooboo"—a noise about that. Unless there is a new transparency code by the commercial banks, not only to produce their accounts, but also to expose major transactions, we will not be up to mark on the issue of transparency.

Very important is the issue of the independence and accountability of the Central Bank. What is the Government's position on that? Does it view the Central Bank as an arm of the Ministry of Finance? Does the Central Bank have

independent autonomy in the discharge of its monetary policy? The Central Bank, if it has to be autonomous, it has to be accountable. How are we going to deal with this new accountability?

For some time now, we have been talking about creating a parliamentary subcommittee to which the Central Bank can be made accountable, as in other jurisdictions, so that there will be greater accountability. Rather than that, we have laws being introduced to restrict information flows, not improve it.

Mr. Speaker, I am arguing here today that after two and a half years, after we on this side have been promised, two budget debates ago, that there would be financial legislation to improve supervision and the conduct of monetary policy, we have a simple piece of legislation that abolishes two positions—the Supervisor of Insurance and the Inspector of Banks—and creates a new position of Inspector of Financial Institutions. That is being done in the name of financial soundness and stability.

Let me go back for a brief moment to the issue of inflation. All this has to take place in a framework in which there is no inflation. The Minister of Finance said he wanted to get some figure. I am saying that, in today's world, if he were to have a figure of more than 4 per cent inflation, he has to be caught in some difficulty. Inflation is a monetary phenomenon. It has to be dealt with by monetary policy. We cannot simply raise the mark and say monetary policy does not work. The same report I was referring to talks about inflation being always and everywhere a monetary phenomenon. Should we not call the Central Bank to account for the monetary policy and inflation today? Or should the Central Bank itself fall into the trap of blaming the workers and the wages?

The famous proposition is that inflation is always and everywhere a monetary phenomenon, that is to say, inflation can persist only if accommodated by monetary policy. By virtue of a switch to a flexible exchange rate regime eight years ago, the Central Bank of Trinidad and Tobago is now able to pursue an independent monetary policy by consequently exercising long-term control over domestic inflation. Having exchange rate stability and interest rate levels are the two objectives of the Central Bank. In today's world, there is a real challenge facing that institution as it tries to manage the situation before us.

Imported inflation has to be dealt with. Demand-pull inflation, wage inflation; all need to be dealt with. What we are witnessing is the absence of the functioning of proper monetary and fiscal policies in Trinidad and Tobago. Because we have resources—and we continue to have enormous resources in the years to come—

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we can put aside the prudence that is required in the management process, notwithstanding what the Member for Diego Martin Central says. We are seeing the evidence emerging.

Some time ago, we on this side of the House talked about areas of instability—I believe it was the Member for St. Joseph who was identifying a number of areas in which there would be instability in Trinidad and Tobago. In this legislation, we are once again facing an emerging area of instability. We are very fortunate to have a strong banking system, which is technologically competent, but we do not have a proper management or incentive structure for liquidity. What is happening is that there is no demand for the use of that liquidity and, therefore, one of the measures that ought to be taken is to find ways and means to improve the demand for that liquidity.

I believe the report a few days ago made reference to the fact that private sector credit was not responding to the reduction in the interest rate, which has been the policy followed by the Central Bank. In this respect, measures to look at private sector use of that liquidity becomes critical today—not only the use of liquidity by the public sector, with which the Government seems preoccupied. The Government appears to be following a policy of state-led economic growth, which is creating real problems why the rest of the economy is lagging behind.

Everything is expenditure here, there and everywhere because we have state-led economic growth. We do not have private sector credit being utilized. We have the foreign exchange resources being used heavily to support the exchange rate. We have a high inflation rate evolving in the country. We have creeping wage inflation. We have no strategies for the improvement of productivity and technology. We are once again caught in a period of the past and we are losing this great opportunity. It is not that we have not done this; we have done this before and we ought to have learned from that position.

Let me say a few words about pensions, which is another area. In fact legislation before us deals with the integration of insurance, banking, pension and credit unions. Apart from banking, in all areas there have been flaws—credit unions, pensions and insurance, but the Minister says very little about pensions. Pension reform should now become part of the financial package before us—full portability and transferability of pension benefits, harmonization of the National Insurance Scheme and the Old Age Pension System, the administrative integration of the NIS and the OAP, the guaranteed level of income maintenance in retirement and integrated regulatory framework for the pension industry.

Let us therefore not fool ourselves into believing that we have started a process of improvement of our institutional structures. I have pointed out many gaps and the technical work to resolve these issues has been done. The real problem now is to translate it into a legislative package, so that the country can be better off.

Is the Minister of Finance up to that task? Is the Ministry of Finance up to that task or are they involved in day-to-day firefighting or in trying to resolve the day-to-day issues? Are they looking at some picture? Are they putting everything in 2020—which is another hoax as my friend says? Are we putting everything in that and letting the country believe that there is some kind of steps we will take in years to come to become a developed nation? The introduction of this Bill is but an example once more of the Government missing its own target with respect to financial soundness, regulatory compliance and not getting an in-depth analysis of what is required today.

The reason we must be concerned in this Parliament is that we ought to protect the public interest and to have these issues raised, debated and brought forth. Rather than that, we seem to miss the target all the time. No wonder things get out of control. Could they run this country by politics and politics alone? Could everything be politicized? Would the hon. Member for Point Fortin be ostracized for taking a principled position? Or would he be seen as someone who has stood up for a policy position he holds closely to himself? I believe we are getting ourselves where everything is politicized and in that sense we are losing sight.

I heard the very distinguished chairman of one of the subcommittees of 2020, Dr. Farrell, talking recently about ethnic distribution of the resources as a prerequisite. I believe that is right. Let us tackle that frontally with the facts. Let us not use it for short-term political gains. Let us deal with these hard issues while the time is good. We are very fortunate in Trinidad and Tobago to be going through some very good times in terms of the energy and oil sectors, but let us use those opportunities to tackle some of the harder issues.

My feeling is that the Ministers are still learning. The three Ministers in the Ministry of Finance are still learning the work. They are still grappling with the elements. There are people in this country who can manage these affairs. There are people in this land who can get on with the job of managing the financial destination for our country. We cannot afford to have people who are learning the job managing the work. The time has come for us to have Ministers of Finance

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who can talk about finance, who can talk about strategies for inflation control, who can talk about the reasons for pursuing a policy of wage increases without productivity increases; who can talk about competitiveness, who can talk about making the economy competitive; but I am afraid—and I hope I am not unkind in saying—that our Ministers of Finance are perpetual learners.

For those looking from outside, the Global Competitive Report, done by the World Economic Forum, analyzing countries all over the world—they have seen the signs. We look forward with great anticipation to the next review of the International Monetary Fund to see exactly where this country is headed.

We are at the point now where we have to take stock and perhaps the discussions that are taking place between the Leader of the Opposition and the Prime Minister on constitution reform should be deepened into discussions of managing the economy so that we can have collective minds at work, rather than a debate subsumed by the rules. In other words, there are a set of rules and you must make the debate fit the rules, which is very often what we have in this Parliament. The rules determine the debate, not the debate determines the rules. In the same way, we may need to have a deepening of that kind of dialogue and the mechanisms by which it could take place may be a good step as being the dialogue that is taking place now on constitutional reform. It is through practice that there will be changes; practice to be able to resolve the issues as they emerge rather than set up some blueprint which will never be realized.

The Bill before us, as we had indicated before, is one that we have no difficulty in supporting. However, we use this opportunity to outline our own thinking on the rest of the legislative agenda that must be put to the Parliament for debate. That should be done sooner rather than later. We use this opportunity to look at the macro-economic management processes in place in the country and we urge the Government not to go on to the path of scapegoating the society. Look sincerely at the public policy management in the country and see whether or not it fits the requirements of a modern state today. Those were the days of 1970s when we blamed the different sectors for inefficiency in government. We are seeing that trend evolving once more. Let us therefore use this opportunity to look clinically at our management processes in public policy and more specifically to look at them in terms of the Insurance Act, the FIA Act, the Banking Act, the Mutual Funds legislation, in terms of pension reform, in terms of the Ombudsman Act, in terms of all these different complements of a package that we can be proud that this Parliament would approve.

I urge my hon. colleague and friend not to allow himself to be misled that he is doing something so profound by changing the locus of authority for the performance of a public duty, because that is all that we are doing here today. We support that change, but we say it is far too little and the Government has been there far too long to get away with so little.

Thank you.

3.00 p.m.

The Minister in the Ministry of Finance (Sen The Hon. Conrad Enill): Mr. Speaker, at the onset, I do not know where the Member for St. Augustine got the impression that this piece of legislation was intended to do anything else than to transfer the responsibilities, in the first instance as phase one of an ongoing progress and to bring, in the first instance, administrative efficiency to the administration of the insurance sector, while we work with ATTIC and all the other agencies to get agreement on some of the changes that are required. Let me correct that immediately. As far as we are concerned this was step one of a process. It was simply meant to move the supervision into the Central Bank that has been preparing for it for a very long time.

The reason why we stopped the discussion some time ago is that we recognized in moving the Ministry of Finance staff across to the Central Bank in dealing with that particular issue, there were issues relative to the union that we had to consider. We have now satisfactorily concluded those.

I want to deal with some issues that were raised by the Members for St. Joseph and Siparia. I would then conclude with some remarks for the Member for St. Augustine. The Member for St. Joseph, in his contribution, acknowledged that the Bill is one element of an action to strengthen the financial sector. In so doing, he enquired, by and large, about Government's legislative agenda and the timeframe with respect to further amendments to the Insurance Act, particularly with reference to the plan for the supervision of credit unions. We had indicated that strengthening of the entire financial system is in fact a key element in the Government's objective to achieve its Vision 2020. On that occasion we had said—I do not know why it is conveniently not considered and not remembered—that a committee was appointed in 2002 to review the financial sector in Trinidad and Tobago and to make recommendations for a more efficient, integrated and dynamic sector. In 2002, the committee submitted a Green Paper outlining policy recommendations for the financial sector. In fact, we laid it in Parliament as a

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document and we continued to refine the process. In 2004, the Green Paper has been strengthened and expanded into a White Paper on the financial system.

The White Paper on the financial system details a comprehensive, organized and integrated plan for upgrade of the entire financial sector. This approach, as opposed to ad hoc and fragmented legislative changes, ensures that all areas are addressed in a consistent manner. I will talk more about that later on. In answer to the question, the White Paper outlines an implementation schedule with timeframes for key areas of financial sector strengthening. Some of the objectives to be achieved over the next 18 months include:

- upgrading all financial sector legislation;
- development of the credit rating agency and the automated credit bureau;
- strengthening of the Securities and Exchange Commission and domestic capital market structure.

Legislative proposals have been subjected to public comment.

- development of a legal and administrative framework for the supervision of mutual funds; and
- investigating the feasibility of establishing a guarantee fund for insurance policy holders and a motor insurance bureau.

Work is already in progress for most of these objectives.

With specific reference to substantive amendments of the Insurance Act, the Central Bank, in conjunction with the Ministry of Finance, is scheduled to finalize comprehensive, legislative proposals and formulate them into a draft Bill. These amendments will incorporate provisions to introduce international best practice in insurance supervision. Areas to be upgraded include:

- the content and frequency of statutory reporting;
- revised investment criteria;
- corporate governance requirements;
- expanded responsibilities for auditors and also actuaries;
- an increased minimum capital; and
- continuing risk-based capital requirements.

Government has also recognized the significant role of credit unions in the financial sector and will implement measures to ensure that this area is adequately supervised. Legislation governing credit unions is being upgraded. Supervision of this segment of the financial services industry will be transferred to the Ministry of Finance and prudential standards for the operation of credit unions including corporate governance rules are also being formulated. A draft Bill is currently with the Attorney General's office, so that we can in fact bring something to Parliament.

The Member for St. Joseph also questioned that the existing Bill makes reference to the Minister taking certain actions. He questioned whether it was appropriate, in the context of the Central Bank, for the Minister to take action rather than the Governor.

The existing Bill, as we have proposed it, does not add to the powers of the Minister to take action. The Bill recognizes that the new regulatory authority would be the Central Bank. The prior approval of the Central Bank, instead of the Minister, will be required in relation to investment in certain statutory fund assets. These are contained in clauses 133(a) and (c) of the Bill.

The provision of clause 139 removes the sole discretion of the Minister in relation to approval of admissible assets and will require the recommendation of the Central Bank before such can be approved by the Minister. Additionally, the Minister continues to have regulation-making powers. Such powers are exercisable on receiving the recommendation of the Central Bank. Under the existing Insurance Act, all enforcement action in relation to the intervention is the responsibility of the supervisor, not the Minister. The Bill gives that responsibility to the Central Bank.

The Member for St. Joseph also enquired whether provision has been made for the interim period to allow the insurance companies to apply to the Central Bank to do business overseas. This is already provided for in the current legislation, so there is no need for an interim measure. Section 12(1)(c) of the existing Insurance Act allows for insurance companies to conduct insurance business outside Trinidad and Tobago with the prior approval of the supervisor. Clause 11 of the Bill will amend section 12(1)(c) of the Insurance Act to authorize insurance companies to carry out such business with the prior approval of the Central Bank.

The Member for St. Joseph also stated that there was a situation where the Chairman of the Unit Trust Corporation (UTC), Mr. Alleyne was dismissed but

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continued to be chairman of some subsidiaries of the Unit Trust Corporation. Upon revocation of the appointment of Mr. Alleyne as Chairman of the UTC—Mr. Alleyne was removed by the UTC as Chairman from the boards of the following wholly-owned subsidiaries effective December 18: UTC Financial Services Limited; UTC Trust Services Limited and UTC Property Development Limited.

The UTC, at its 192nd board meeting held on February 19 agreed to change the directors on the two boards of the following wholly-owned foreign-based subsidiary companies. As a consequence, Mr. Alleyne was removed by the UTC as ordinary director of the companies: the Chaconia Fund Services Inc.; and the Chaconia Financial Services Inc. Mr. Alleyne is still an ordinary member, not chairman, of the board of the Chaconia Income and Growth Fund Inc. (GIGF), pending his removal at the upcoming annual general meeting of this institution in early June 2004. GIGF Inc. is not a subsidiary of the UTC. The UTC has minority shareholdings of 5 per cent in GIGF Inc.

The Member for Siparia noted that there are 144 clauses in the Bill and before this sitting the Bill appeared to be a smaller version than what was being debated. By way of information, there is only one version of the Bill. No amendments have been made to date.

Part I of the Act provides for the designation of a Supervisor of Insurance and the general administration of the Act. In addition, throughout the Act reference is made to the Supervisor of Insurance. Transfer of the responsibility of the Central Bank cannot be legally accomplished by a Bill that amends only Part I of the Act. Such a Bill will be incomplete and leaves the current legislation with a large number of references to a Supervisor of Insurance; a position that will no longer exist.

In recognition of the differences in the forms of supervisory authorities, the Supervisor of Insurance, being an individual and the Central Bank being a statutory corporation, the Insurance Act was amended as far as possible to procure some level of consistency between the Financial Institutions Act, 1993 and the Insurance Act. To this end, it is accordingly necessary to have provisions to ensure that each reference to the term “supervisor of insurance” is appropriately replaced by references to the Central Bank, the board or the inspector of financial institutions.

The Member for Siparia was of the view that, in principle, there is nothing wrong with the repeated deletion of the word “supervisor” and substitution of the word “Central Bank” throughout the Bill, and would like us to indicate what will

be the real difference if the Bill had simply indicated that instead, the supervisor of the Central Bank is now carrying out these functions.

Firstly, the Bill does more than just transfer responsibility to the Central Bank. The Bill also amends the appeal provisions of section 205, to allow for any action by the Central Bank to continue unless the appellant is granted an injunction by the court to have the Central Bank action stopped. This is where the argument that this is simply a transfer is not correct. In the current situation, what currently exists is that an insurance company simply has to indicate that it intends to appeal and they continue writing business. In this particular situation we are saying that what we would do is ensure that unless the insurance company goes to a court and the court decides that the Central Bank action is to be stopped, the Central Bank will have the power to deal with the particular issue. Under the current section 205, any decision, direction, ruling or order given or made by the Supervisor of Insurance takes no immediate effect.

The Member for Siparia also expressed some concern about the insurance industry in the context of the ordinary person's ability to recover and measures that are being put in place to protect policyholders. By way of information, the Central Bank has developed on staff a special market conduct unit that will focus on all aspects of market conduct, including the prompt and fair settlements of claims. Furthermore, research on the matters of policyholders protection legislation is being reviewed at the Central Bank. Various forms and structures of guarantee funds and their level of success are being investigated.

Attention is also being given to the research and proposals on the introduction of a motor insurance bureau to deal specifically with losses from uninsured drivers are also considered. It is expected that with improved supervision insurers would be required to conduct their business in a more prudent manner and be less likely to fail. Additionally, as inspections are done on market conduct practices and recommendations made, improvements will reduce the number of legitimate claims that are not being settled.

The last issue that the Member for Siparia raised had to do with the fact that persons are tied up in the court with small matters, especially with motor vehicle insurance and also life and property insurance matters. The Central Bank will work with the industry to encourage each company to set up a complaints unit. Additionally, recommendations have been made in the White Paper for expanding the Office of the Banking Ombudsman to extend to all financial services. Consideration has also been given to exploring the feasibility of establishing a small claims

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court to expedite resolution of claims that go on to the courts. Those were the issues that were raised the last time we spoke on this particular matter.

I want to deal specifically with the question of what we are doing and where we are going, as it relates to the financial system of Trinidad and Tobago.

Mr. Speaker, you would recall that much work went into preparing a Green Paper which was laid. Comments were made. We now have, for distribution, for comment and discussion, a White Paper that sets out a vision for the economy of Trinidad and Tobago, a discussion on the existing financial landscape, an appreciation of the emerging global financial environment and division for the new financial landscape of Trinidad and Tobago within that context. We also have general recommendations; sector specific recommendations; an implementation plan; a legislative agenda; and an implementation schedule. Whether you agree or disagree with it, the fact remains that there is going to be a document that would be put to the general public and the Parliament for laying and clearly identifying the Government's programme for the financial system of Trinidad and Tobago. I think it is at this point in time that those individuals whom the Member for St. Augustine identified as individuals who are not in training on these particular matters, can in fact comment on the particular system and plan. The fact of the matter is we have used the best minds, we have tried to get the best talent and we are trying to move forward, recognizing that by 2020, and certainly before that, we intend to make this country a developed one.

Mr. Speaker, many of the other comments that were made did not relate specifically to the legislation before us. I do not agree with some things that the Member said. I believe that he is free to indicate what he did. We will take some of what he has said into account. We have a plan. We know what the plan is. The same people that he has access to, we have. We will talk with the same International Monetary Fund and World Bank. We are doing the same programme and implementation.

I just want to make one point with respect to the Central Bank. The Central Bank is currently governed by a law. We, at this point in time until that is changed, will manage consistent with the provisions of the law.

Mr. Speaker, that having been said, I beg to move.

Question put and agreed to.

Bill accordingly read a second time.

Bill committed to a committee of the whole House.

House in committee.

Clauses 1 to 10 ordered to stand part of the Bill.

Clauses 11 to 20.

Question proposed, That clauses 11 to 20 stand part of the Bill.

Mr. Yetming: Mr. Chairman, with respect to clause 11, when the Minister spoke he said that there is provision in the Bill for the transition. I wish he would explain where that provision is. *[Pause]* We are dealing with clause 11 where we are dealing with section 12 of the parent Bill. We are moving subclause (c) and substituting the following paragraph.

Sen. Enill: Sorry, the question is?

Mr. Yetming: Section 12(1)(c) is being replaced. Where you are saying the Bill will read: “a local company which is carrying on insurance business in Trinidad and Tobago shall not carry on insurance business outside of Trinidad and Tobago without the prior approval of the Central Bank”. My point on the transition, which you attempted to respond to in the debate, is that once this Bill is proclaimed companies that are already doing business outside of Trinidad and Tobago would not have had the approval of the Central Bank.

Sen. Enill: Section 12(c) simply has “without the prior approval of supervisor”. This is simply changed to that of the Central Bank.

Mr. Yetming: The point is, once this Bill is proclaimed, companies doing business outside of Trinidad and Tobago will not have had the approval of the Central Bank. They would have had the approval of the supervisor.

Sen. Enill: Clause 141 creates the transitional arrangement. It says:

“With effect from the commencement of this Act—

(a) all acts and things done prior to the commencement of this

Act, by for or on behalf of the former Supervisor of Insurance pursuant to the Act, shall have effect as if done by the Central Bank;”

Mr. Yetming: What am I looking at?

Sen. Enill: Page 47, clause 141(a). That is where the transitional provisions are.

Mr. Yetming: Okay.

Question put and agreed to.

Clauses 11 to 20 ordered to stand part of the Bill.

Clauses 21 to 30.

Question proposed, That clauses 21 to 30 stand part of the Bill.

Mr. Yetming: In dealing with clauses 22, 23 and 24 I am wondering why you are moving it from the supervisor to the Board of the Central Bank rather than the Governor. Even if you want to give the responsibility to someone above the Supervisor of Financial Institutions. I think this could be placing undue burden on the board.

Sen. Enill: The principle is that it is similar to what exists in the Financial Institutions Act. What we are seeking to do is to make these amendments, as far as possible, similar in application to that Act. So this follows that.

Mr. Yetming: What you are saying is that the principle of having a day-to-day event, so to speak, being done by the board I assume would be addressed when you are dealing with the board.

Sen. Enill: That is correct. The principle is to make both Acts, in principle, operate at the same level of consistency.

Mr. Yetming: I would not have seen anything wrong in giving the responsibility for dealing with the insurance sector to either the Supervisor of Financial Institutions or the Governor. It just seems unnecessary to bring the board into a matter like that.

3.30 p.m

Sen. Enill: The thinking is that under the Financial Institutions Act, the revocation of licences is done by the Board of the Central Bank and not by the Governor. Therefore, in these circumstances, it is simply a question of trying to keep the same consistency. That is the principle.

Mr. Dookeran: Is there not a special provision for the revocation of licences to be dealt with by the board as opposed to general matters of management?

Sen. Enill: What the Act sought to do, was try to harmonize the provisions that exist in the FIA, and these amendments fit that format. So this is what is being presented.

Mr. Dookeran: The specific point that I am making is that revocation of licences is dealt with in a special clause by the board.

Sen. Enill: Yes, it is.

Mr. Dookeran: And, therefore, the issue being the subject of a general nature, the board is going to restrict the Supervisor of Financial Institutions.

Sen. Enill: But does the board not give delegated responsibilities to officers?

Mr. Dookeran: If it is in the Act that it has to be the board.

Mr. Yetming: I know you are saying that you want to make it similar to the FIA. The board does not grant the licence. Why is it necessary for the revocation since there is the right of recourse in the court? I am just wondering whether this is not an unwieldy thing. There are several provisions in the Act that we are dealing with now—starting with section 25—where the board, which meets once a month, is going to have to take decisions on a host of issues that are related to revocation.

Sen. Enill: The way it is currently written, all we are seeking to do is to provide for the operations to be handled in a similar manner to how the operations are currently handled under the FIA, and where there are specific provisions for the board and officers within the board, the legislation deals with it in the same way.

Mr. Yetming: Now, if it is that you want to have similarity in the thing—I guess we would have to go ahead with it. I would like to believe that when we are doing the new legislation—I really do not see that the board which consists of eight or 10 persons should have to sit around a table and make decisions on issues like this. Prior to now, the Supervisor of Insurance, who was a technocrat within the Ministry of Finance, had that authority. You are not even giving this authority to the Supervisor of Financial Institutions. Even if you do not want to put it there, give it to the Governor.

Sen. Enill: The legal persons are saying that the board must be the one with the responsibility. However, in terms of the implementation of the action, the officer would do it.

Mr. Yetming: I do not want to prolong the discussion, but there are many other places in the Bill where the Central Bank or the Governor is specified.

Sen. Enill: Let us go back to the principle. The principle of this piece of legislation is based on harmonizing the activities within the FIA, and wherever in

the Act it refers to the board and to specific officers, that is how it is constructed in the FIA. That is the principle at this point in time.

Mr. Yetming: I do not necessarily agree with it. This is a separate piece of legislation. We are amending the Insurance Act. While I know that you would want to harmonize the manner in which we treat with an event, there is really no compelling reason why that needs to be so, bearing in mind, as I said, you are removing the authority from the Supervisor of Insurance to the Central Bank. Well, then put the Central Bank. Why are you putting the board? In many other cases, with the exception of the sections that deal with the revocation, you are dealing with either the Central Bank or the governor. So, why not say “Central Bank”?

Sen. Enill: Because this is the format.

Mr. Yetming: I would go along with the argument.

Sen. Enill: I would want you to support me on this clause for the time being.

Mr. Yetming: If you are saying that proper legislation is going to come—

Sen. Enill: One of the things that we do not want to do is to create something that does not fit within the operations of the Central Bank.

Mr. Yetming: Okay, let us go ahead.

Question put and agreed to.

Clauses 21 to 30 ordered to stand part of the Bill.

Clauses 31 to 51 ordered to stand part of the Bill.

Clause 52.

Question proposed, That clause 52 stand part of the Bill.

Mr. Yetming: We are dealing here with section 65(b) of the Act, by deleting the word “Supervisor” and substituting the words “Board” and “Central Bank or the Inspector”. Why is the word “Board” there? The power of intervention should be exercisable where the board is satisfied.

The difficulty here is that we are moving the responsibility from an individual to an institution, which is the Central Bank. In the Central Bank Act, the board carries some responsibilities in these matters.

We are dealing with the power of intervention, and if the Supervisor of Financial Institutions comes across a situation where he or she needs to intervene,

why does the board have to authorize that? Rather than say, “Board” why do we not say “Governor” or “Central Bank”? I could accept your point with respect to the revocation of licences, but we are now dealing with the power of intervention where the board would have to call a meeting.

Sen. Enill: Are you comfortable with “Governor”?

Mr. Yetming: Yes.

Sen. Enill: We would take that.

Mr. Chairman: What is the amendment?

Mr. Yetming: In 52(b), change the word “Board” to “Governor”.

Sen. Enill: Okay.

Question put and agreed to.

Clause 52, as amended, ordered to stand part of the Bill.

Clauses 53 to 75 ordered to stand part of the Bill.

Clause 76.

Question proposed, That clause 76 stand part of the Bill.

Mr. Yetming: I would like to suggest that instead of the word “Minister” we put the word “Governor”. We are dealing here with a very routine administrative matter. We had the Supervisor of Insurance before and we could expect the Minister to prepare this order, but where you have “Central Bank”, I do not see any reason why the word “Governor” cannot be substituted. This would be consistent throughout.

Sen. Enill: Mr. Chairman, yes, because of the matter.

Mr. Chairman: Clause 76 would then be amended by deleting the word “Minister” and substituting the word “Governor” and by deleting the words “on the recommendation of the Central Bank”.

Sen. Enill: Yes, that is acceptable.

Mr. Chairman: We would defer clause 76 for the time being, and we would return to that clause.

Question put and agreed to.

Clause 76 deferred.

Clauses 77 to 98 ordered to stand part of the Bill.

Clause 99.

Question proposed, That clause 99 stand part of the Bill.

Mr. Yetming: Again, there is the question of “Minister” and “Governor”.

Sen. Enill: The reason for having “Minister,...on the recommendation of the Central Bank,” is that the Minister is accountable to the Parliament. I think in this formulation, we would keep “Minister”. The protection here is that the Minister is making it on the recommendation of the Central Bank.

Mr. Yetming: If you want to stay with it fine, but you are transferring the authority of the supervision and management of the insurance sector to the Central Bank, and before this was under the Minister.

Sen. Enill: Even in the Central Bank Act, there are certain matters that the Minister—

Mr. Yetming: I accept that but this appears to be a minor regulatory issue. We have to deal with what is a policy matter.

Sen. Enill: At this time, the thinking is that we should maintain “Minister”.

Question put and agreed to.

Clause 99 ordered to stand part of the Bill.

Clauses 100 and 101 ordered to stand part of the Bill.

Clause 102.

Question proposed, That clause 102 stand part of the Bill.

Mr. Yetming: Again, the same question arises with respect to “Minister”.

Sen. Enill: In transferring the responsibility, we are also ensuring that the controls that existed before do, in fact, continue. Again, in these circumstances, we are saying that the Minister—

Mr. Yetming: In the interest of?

Sen. Enill: In the interest of accountability. What we are saying is, as a principle, “Minister,...on the recommendation of the Central Bank”.

Question put and agreed to.

Clause 102 ordered to stand part of the Bill.

Clauses 103 to 112 ordered to stand part of the Bill.

Clause 113.

Question proposed, That clause 113 stand part of the Bill.

Mr. Yetming: This is just prescribing the percentage of the external assets, and the Central Bank would have to put that up to the Minister?

Sen. Enill: Yes, on the recommendation of the Central Bank.

Mr. Yetming: I am just concerned about the bureaucracy. This comes back to the whole point of the timely and quality intervention and supervision of the sector, because for every move they have to make, or every little thing that they have to prescribe, they would have to go to the Minister. It just seems too bureaucratic. This is hardly a policy.

Sen. Enill: The question of “Minister,...on recommendation of the Central Bank” is one additional safeguard that we have in the system at this point in time. I do not accept that it is bureaucracy. Currently, there are many provisions within the Central Bank Act that require the Minister to interact, and that does not interfere with the decision-making process.

Mr. Yetming: I understand that. I would like to suggest—maybe we would not want to deal with it now—that when we are dealing with the broader legislation—I would hardly believe that in the case of the Supervisor of Financial Institutions in Canada, he has to go to the minister to sign an order that says, percentage of external assets and so forth.

Sen. Enill: Remember, I said that this was phase I and, therefore, I do not want to change anything unless I am sure that within the system there is this kind of balance. I want to make sure that we do not do anything that would be difficult to reverse at this time.

Mr. Yetming: I understand that.

Sen. Enill: All that I am trying to do at this point in time is to deal with the issues in phase I, and whatever issues come out from this phase such as bureaucracy and efficiency and so forth, we would deal with these matters in the second phase.

Mr. Yetming: You would have had the views of the Governor on these provisions and he would have accepted some of these provisions.

Sen. Enill: Yes, he did. So, it is a question of trying to work it.

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Mr. Yetming: Anyway, go ahead.

Question put and agreed to.

Clause 113 ordered to stand part of the Bill.

Clauses 114 to 127 ordered to stand part of the Bill.

Clause 128.

Question proposed, That clause 128 stand part of the Bill.

Sen. Enill: Mr. Chairman, I wish to amend clause 128 as follows:

- | | |
|--------|---|
| 128(b) | In the proposed section 205— |
| | (a) in subsection (2A), insert after the words “grants an injunction to the appellant”, the words “on such terms and conditions as the Judge may direct”; and |
| | (b) delete the proposed subsection (3) and substitute the following: |
| | “(3) Where a Judge grants an injunction under subsection (2A)— |
| | (a) no further action may be taken by the Central Bank in respect of any decision, direction, refusal, ruling or order to which the injunction relates; and |
| | (b) the injunction shall have effect— |
| | (i) unless otherwise revoked, varied or suspended by the Court, before any proceedings to which the appeal relates, are concluded; or |

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- (ii) until the Court determines the appeal,
whichever is earlier.”.

Question put and agreed to.

Clause 128, as amended, ordered to stand part of the Bill.

Clauses 129 and 130 ordered to stand part of the Bill.

Clause 131.

Question proposed, That clause 131 stand part of the Bill.

Mr. Yetming: I will raise it given—this is to place an ad in the newspaper. You see what has happened is that you take a Bill with the Supervisor of Insurance within the Ministry of Finance so the Bill says “Minister”. I think in transferring the authority to the Central Bank, what may have happened, without appearing to criticize, is that it was just an automatic—just to put after “Minister”, “on the recommendation of the Central Bank” instead of looking to the broader picture and saying the authority is now with the Central Bank, let us give the authority to the governor rather than putting “on the recommendation of the Central Bank” and creating that level of bureaucracy. Rather than making it easier for the supervision, in some respects we are making it a lot more bureaucratic. In some of the earlier things that I conceded on, I think we could have done the same thing.

Sen. Enill: I am coming back.

Question put and agreed to.

Clause 131 ordered to stand part of the Bill.

Clauses 132 to 138 ordered to stand part of the Bill.

Clause 139.

Question proposed, That clause 139 stand part of the Bill.

Mr. Yetming: Mr. Chairman, clause 139, under the Admissible Assets and Valuation of Assets Regulations, could the Central Bank not be the authority in regulation 2(1)?

Sen. Enill: We are changing “Minister” to “Central Bank” and deleting “on the recommendation of”.

Mr. Yetming: In (b) we are dealing with 3(2) rather than 4(2). Where you have “relation 4(2)”, it should read “regulation 3(2)”.

Sen. Enill: I am advised that 3 has no (2).

Mr. Yetming: In 4(2) there is no reference to Minister. I think it is intended for 3(2).

Sen. Enill: No. Page 232 of the Parent Act. The amendment, Mr. Speaker, will be:

Delete the word “Minister”, replace it with “Central Bank” and delete the words “on the recommendation of the Central Bank”.

Mr. Chairman: Hon. Members, the question is that clause 139(a) be amended in (a) as follows:

Regulation 2(1) in the definitions of “approved financial institutions”, “qualified valuer quoted and unquoted” by deleting the word “Minister” wherever it occurs and substituting the words “Central Bank”.

Similarly, clause 139(b) will read as follows:

Regulation 4(2) by deleting the word “Minister” and substituting the words “Central Bank”.

Question put and agreed to.

Clause 139, as amended, ordered to stand part of the Bill.

Clause 140.

Question proposed, That clause 140 stand part of the Bill.

Mr. Chairman: Hon. Members, there is an amendment as circulated which reads as follows:

In—

(a) paragraph (j)—

- (i) in subparagraph (i)(B), delete the words “by deleting clause 6 and”;
- (ii) in subparagraph (ii)(B), delete the words “by deleting clause 5 and”;
- (iii) in subparagraph (iii)(B), delete the words “and by deleting clause 7”; and

- (iv) delete subparagraph (iv) and substitute the following subparagraph:
- (iv) in Form 4, by deleting the words “Supervisor of Insurance” and substituting the words “Central Bank of Trinidad and Tobago”; and
- (b) delete paragraph (k) and substitute the following subparagraph:
 - (k) in the Third Schedule—
 - (i) by deleting the words “Supervisor of Insurance” wherever they occur and substituting in each place, the words “Central Bank”, and
 - (ii) by deleting the Coat of Arms wherever it occurs;

Question put and agreed to.

Clause 140, as amended, ordered to stand part of the Bill.

Clauses 141 to 144 ordered to stand part of the Bill.

Clause 76 Reintroduced.

Sen. Enill: In clause 76 we want to maintain it as is because of the order situation. I believe this section relates to the Minister making an order.

Question put and agreed to.

Clause 76 ordered to stand part of the Bill.

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

House resumed.

Bill reported, with amendment, read the third time and passed.

Mr. Speaker: Hon. Members, by agreement of the House, we will proceed to tea. So the sitting of this House is suspended for tea and will resume at 5.00 p.m.

4.20 p.m.: *Sitting suspended.*

5.05 p.m.: *Sitting resumed.*

TELECOMMUNICATIONS (AMDT.) BILL

Order for second reading read.

The Minister of Public Administration and Information (Sen. The Hon. Dr. Lenny Saith): Mr. Speaker, I beg to move,

That a Bill to amend the Telecommunications Act, 2001, be now read a second time.

The reasons behind these proposed amendments are fourfold. The first one is to deal with some drafting anomalies that have come up as we have been through the Act, merely to correct those anomalies. Secondly, this Act regulates a technology that is changing very fast and we have sought, where there are definitions or references to the technology, to make it neutral so that it not only covers what is taking place now, but will cover what takes place in the future. If we limit our definition to what is there now, and then if the technology expands and changes, we will have to come back to change it. If we find words that are neutral, then that covers it.

The third set of amendments is there are some provisions which can be ambiguous or one can read different things into them. We sought to make it quite clear what was meant by those sections. Finally, to create a framework for competition in the sector in a way that we allow the incumbent and new players fair opportunity of competing. The Act itself is an excellent piece of legislation and, therefore, what we are seeking to do now is having studied it, gone through it, where there are possibilities of misunderstanding, we make it quite clear what we want to do. Once these amendments are passed, Mr. Speaker, we will move swiftly to proclaim the Act which sets a time clock running as to how fast we can liberalize the sector and to bring competition into here.

Mr. Speaker, we on this side developed a national Information Communication Technology (ICT) plan called Fast Forward which sets certain goals for moving this society forward. It is to develop an information industry; to create a knowledge-based society in the country; to have a quantum leap in e-commerce; to fully utilize the nation's education system; and to access technology or make accessible technology to all people and communities in the country.

Finally, to move towards the establishment of electronic government in the country. All that is predicated on a telecommunications sector that is modern, competitive, cheap—which is not at the moment—and which moves apace with

the development of the country. So, it is important that we do the things that are necessary, which this Act allows us to do, to move towards that state as quickly as possible.

Mrs. Persad-Bissessar: Would the hon. Minister please give way? Would the Minister please explain why it is you want to move swiftly to proclaim this when you have not consulted with any of the call centre operators in the country?

Sen. The Hon. Dr. L. Saith: This Act, the passing of this Act has nothing to do with shutting down people. [*Interruption*]

Mrs. Persad-Bissessar: Of course, you do not understand it.

Sen. The Hon. Dr. L. Saith: You asked a question, would you allow me to explain. If you already know the answer, we can move on. I can move on very fast. [*Interruption*]

Mr. Ramnath: But you are a guest here.

Sen. The Hon. Dr. L. Saith: And I would be expected to be treated as a guest. This has nothing to do with a problem which seems to have arisen. This Act deals with telecommunications and the whole sector. The IOP is a small segment of that, and all this Act is doing is clearing up some ambiguity which will enable us to deal with what appears to be a problem in a more structured way. So I do not want you—these amendments and this thing was approved long before the issue that arose in the last week.

Mr. Speaker, I would like to go right now into the amendments. The first amendment deals with section 1(2). When the Act was assented to, after its passage in 2001, section 1(2) deals with the sections of the Act that were not proclaimed at the time, but it also included some provisions which form part of Parts III, IV, V, VI and X, and the way the Act is worded, we can proclaim the Act and those will be proclaimed, but these sections internally cannot be proclaimed under this arrangement. What we are seeking to do here is to amend the Act so that when we proclaim the Act it includes all sections.

The other amendments following are in section 2 where we have dealt with definitions and where we are trying to put the definition in a way that I suggested that would be technologically neutral. For instance, “public telephone service”, the way it is worded seems to suggest it is only applicable to voice transmission.

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We are changing that to include all possible means of transmission of information over the public telephone system, and that includes the IOP which, at the moment, is totally unregulated.

Telecommunications, as drafted, and terminal equipment is again very limited and we want to include in that definition where you have radio, terrestrial and submarine cables, which is specific to technology at the moment, the word “wireless” which permits a broader scope, because a lot of the new systems of transmission of information, whether it is voice or data, is moving from fixed submarine cables to the wireless system.

Telecommunications service, we are trying to simplify it so that the services defined as telecommunication services are those that operate in real time, regardless of what technology is used. So that a service is defined in a way that it refers to what is taking place regardless of the technology that is being used.

Universal service, as presently defined, fixes it but really it is a moving target and, again, we are seeking to define universal service in a way that as the target moves, the regulator, which is the Telecom Authority, has the ability to fix the obligation that the market requires in such manner.

Clause 5, section 4, Mr. Speaker, the way the Authority is defined in the Act is the Trinidad and Tobago Telecommunications Authority. We have a way, not only in this country but a lot of them, of putting acronyms to these things. Trinidad and Tobago Electricity Commission became T&TEC; Telecommunications Services of Trinidad and Tobago became TSTT. When we try to do that with Trinidad and Tobago Telecommunications Authority you see what we end up with: TATA. We are trying to change the name in a way that when we put an acronym it does not spell that word.

Mrs. Persad-Bissessar: It does not spell that word but it may still be the substance.

Sen. The Hon. Dr. L. Saith: Well it is your Act!

Mrs. Persad-Bissessar: Not mine.

Sen. The Hon. Dr. L. Saith: Well there are a lot of things that are not yours anymore. [*Laughter*] At sections 6 and 8, Mr. Speaker, there is a contradiction. In section 6 it says the board comprises a certain number of members and the executive director, to be properly constituted. In section 8 it says the executive director is a servant of the board and has to advise the board, so there is a contradiction, and what we are seeking to do here is remove that contradiction. To

move the executive director as a member of the board under section 6 and leave him or her under section—

Mr. Ramnath: And put Malcolm Jones as the head.

Sen. The Hon. Dr. L. Saith: Or Kelvin Ramnath. You are both from Petrotrin. And to make it quite clear that we take the definition in section 8 where he is a person appointed by the board to manage the authority and where he sits on the board in that capacity.

Section 13 right now says a quorum is four. We know now that these even numbers can lead to problems and what we are seeking to do here is make the quorum half the members of the board appointed plus one so that we do not end up with an even number; 18/18. So that change is merely to change it from four to an odd number, and while that may be the quorum, it may turn out that the number of people present are a larger number than the odd number and ends up even. So in that case we are giving the chairman the right to have the casting vote where there is a tie.

In section 17(1), the board members are protected from personal liability in respect of their actions where it is not their fault. In subsection (2) where it is mentioned again, it throws some doubt on that and we are amending it by taking out any reference to board members, so section 1 is the only section that is applicable and it says clearly there is no personal liability.

At section 18, we are having some amendments here again to clear all ambiguity. In section 18, paragraphs (d) and (f) are contradictory. Paragraph (d) says the authority has the power to establish national telecommunications industry standards and technical standards; (f) says the authority has the power to advise the Minister on such standards. So there is obviously a contradiction, and we are seeking to remove that by taking out that ambiguity and making it quite clear that the authority will advise the Minister and the Minister will want to proclaim these standards.

At section 18(3) it is not clear, it is implied but it is not clear that the authority has the authority to set quality of service standards and that is important in regulations. You are able to say what quality of standards providers must have. We are trying to make it explicit in the Act that that is a role and function that the authority has. Section 18(5) talks now about how the authority must act, and I will read it:

“The Authority shall in the performance of its functions and exercise of its power act in an objective and nondiscriminatory manner.”

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We want to add the word “transparent”. So it will be an objective, transparent and nondiscriminatory manner.

The following amendments deal with how one moves from where one has a virtual monopoly to a competitive environment, and to do it in a way that prevents anticompetitive practices occurring while this is taking place. So, 24(1) says that a provider must refrain from terminating the service of a user or other provider without the approval of the authority. Now, think about it. If we have that on law, it means that every user—and a provider may be supplying 400,000 to 500,000 users—who felt that he should not pay his bill or has a problem with the Bill goes to the authority and they will pretty soon clog it up and that is not providing anticompetitive measures. We are saying for a user, what should happen is we should put quality of service standards, which the provider must meet, and if there is a dispute, then the complaints council, which is set up in the authority, will deal with that, but we do not stop the person. However, for providers, which means it is somebody who is competing, we are saying yes, the authority has the right to stop it, because the dominant provider cannot use this clause to disconnect or not provide service to a provider because there is a dispute on the Bill and, therefore, they must go to the authority.

We are seeking there to make sure that the real purpose of that section, which was to prevent a provider who is providing service to another provider, that he does not use that clause to put him out of business for any length of time. We are saying where there is a dispute, they cannot do anything until they go to the authority and let the authority do it.

Section 24(2) talks about the requirement for provision of technical information on the dominant service provider. Now, while that may be as now where we have a dominant service provider, we hope as we go along that what we have is no longer any dominance in this, but we have equal or competitive providers, and if we want that, then we say that if they need this information, they should be able to get it from any provider, and the question of dominance then is not relevant and we are seeking to remedy that. The same thing holds for section 25(3) which talks about information again which requires an authority and which should be provided by all players in the market.

Amendments in this section also deal with the question of giving the authority much more flexibility in how they deal with interconnections. We all recognize that we have a dominant, or we have somebody who has landlines and it is very difficult and expensive to duplicate landlines and, therefore, there has to be some

procedure by which people who are providing the service can interconnect with the executive owners of landlines. Therefore, there must be some flexibility in how one develops the mechanism and the pricing by which that takes place, so we are seeking to amend this in a way that allows the authority some flexibility. Having done that, then there is really no need to define a dominant player in this section and we are taking out sections 4 and 5 which deal with the question of dominance because we have said there is no need for that in the arrangement.

Section 26 says that if there is a dispute between providers, it can only go to the authority if both parties agree. Now, what that basically says is if one party, it is to their advantage not to have this dispute settled, it will never get to the authority. What we are saying here is that should not be. Any party has the right to take their dispute to the authority and have the authority involved so that it does not create a situation where there can be a provider using that as a mechanism for not solving the problems that exist between them.

The amendment that section 29 deals with, how one gets the authority in a position to deal with pricing and cross-subsidies. That is important because where, for instance, in the present system you have one provider having the ability to provide services in various areas, landlines, Internet, OIP and other things, competitors coming in, in any one of those sections, can find themselves being subject to low prices, because the dominant provider or the provider that has all the services is using subsidies, using high rates somewhere else where there is no competition to subsidize rates here and put low rates to drive the entry provider into the system. And so, we are seeking here to give the authority the right to deal with the question of cross-subsidies and pricing.

Section 29(3) in the original Act talked about the authority being able to control international prices. That, in reality, is not possible. International prices are set by negotiations between providers and outside there, and therefore, it is not possible and it should not be in the Act. Section 29(6), as drafted, requires competition as a prerequisite to regulation of prices, and what it is basically saying is there must be competition in the sector to regulate prices. This is seeking to say no.

Mrs. Persad-Bissessar: Would the Minister be kind enough to give way? When you speak of competition, would you be able to tell us what is the role of Net2Phone Global Services, a subsidiary of Net2Phone Incorporated in this whole competition in terms of the contract which was signed with the Government?

Sen. The Hon. Dr. L. Saith: You are going back to the previous amendment I talked about saying that the authority cannot set prices where there are international negotiations, but it can set prices internally, and what we are saying in 29(6) is that in setting those prices internally, the way the Act is now drafted, the authority can only step in if there is no competition in the sector. They may be providing a service although there is no competition, but they do have a monopoly because nobody can come in. If it is left this way, you leave a loophole then for the provider to set any price without the authority getting involved there, and we are saying no, even though there is no competition, the authority has the power to see what you are doing and to set the price.

Net2Phone is an international arrangement which is not covered by these agreements.

Mrs. Persad-Bissessar: So they are outside.

Sen. The Hon. Dr. L. Saith: And they will remain outside, no matter what you do. Mr. Speaker, I am not ignoring you.

Mrs. Persad-Bissessar: No. Thank you for the reply.

Sen. The Hon. Dr. L. Saith: Subsection 6 deals with the ability of the authority to also look at pricing at the lower end, because we want to make sure that the provider, through whatever means, begins to, even as a loss maker, set too low a price to drive a competitor out of business. So in addition to looking at—

Mr. Singh: You should be shutting down BWIA then because they are setting predatory pricing.

Sen. The Hon. Dr. L. Saith: When we debate it we will talk about that, but you understand what we are trying to do. The same way we must have the ability to cap, we must have the ability at the lower level to deal with it.

Since we have dealt with the question of removing the dominance issue as a mechanism for discriminating about information, we can then—and we have removed it from there—however, in section 25 there is need to define a dominant provider and we have moved that there to section 25.

Sections 31 and 39, when the Act was passed, the period that still remained on the TSTT licence was about six or seven years, and what this basically says is that one gets a new licence for the remaining six years and the next tranche would be six years. We are now in 2004, that period is only going to be about a year or two, so what you have is a situation if it remains as it is, is a licence for two years and a licence for another two years before you go to the longer period.

The rub in that is that a new provider, in order to have it the same, will get the same two years and two years, therefore, to make an investment, will find it difficult. This seeks to remove that limit and to make it such that you can issue the first two licences for a period that will make it possible for somebody to renew. What we are saying is, change it so that the minimum period that a person will get a licence for now is four plus four, eight years and not one and a half plus one and a half. We are saying it is eight and we are removing by amending sections 31 and 39 to remove that limitation that now exists.

Section 33 talks about digging up the roads and all that is involved in a provider providing service, and the idea at the time in the Act was that if provider A has to go and dig up the nicely paved Manahambre Road or Couva Main Road, that you would advise the authority and the authority would be able to tell other providers that the road is being dug up, "Would you like to come in at the same time?" But the way it is worded seems to suggest that the authority was usurping the authority of the highways division. All this seeks to make clear is that the responsibility for approval still remains with the particular authority or the utility owner, and this clears up that.

Section 34, there is an inconsistency in the way a particular user is defined. In one it is user, installation owner, in the other it is authority, but they mean the same thing. We are seeking to just have one word which refers to the owner rather than the authority.

5.35 p.m.

Mr. Speaker, section 41—the question of how you allocate spectrum is very important. It is a limited resource and you have to be quite explicit in the means by which you allocate, because at some point in time you can run out. This amendment seeks to get it quite clear how you are going to manage your spectrum. Following that, in section 41(3) and (4), somewhere we are talking about the National Spectrum Plan, somewhere we are talking about something else, and we say call all the things that we are dealing with the National Spectrum Plan, so it is quite clear what we are talking about.

Mr. Speaker, section 50 states that the authority can inspect the hardware providers, but there is no way of monitoring how that would be used. Where there are reasons for seeing whether the licence is being adhered to, working with the individual provider, the authority must have the ability to have information on how the hardware is being used, so it seeks to give the authority that power.

Section 65 sets out the offences in clear detail what would be an infringement of the licence, but it goes on to say that for those items of infringement the operator must knowingly know that he is contravening the licence. Once you put in the word “knowingly” you begin to bring in all sorts of questions of judgment. We are saying that offences are quite clear: commits a breach of his licence; operates a station in a manner harmful to other providers; obstruct other providers; manufactures or sells systems and so on without an identification number; aids and abets any network broadcasting to operate contrary to its concession and fails to contribute to the funding which the Authority has put in place. Those are offences that you know pretty well, whether you had committed them or not. Therefore, we are removing the word “knowingly”. If you commit those offences you go to the courts, and there is no question of your saying, “I did not know,” so that seeks to clear that up.

Section 73 talks about a situation where there is some interference taking place that really creates a national security problem, the Executive Director should notify the Minister of National Security and Rehabilitation and the minister responsible. We are saying that they should also involve and notify the board, which basically has the responsibility, so in addition to notifying the ministers, they must notify their board that this is happening.

In section 78 we are adding, among the items that regulations should cover, quality of service standards, because we really believe that in addition to all other standards you are setting: the type of equipment used and the hours that you use it, we have to have in that the ability of the authority to say to providers, “This is the quality of service you must provide,” and consumers would have a benchmark by which to judge how it is being done. Therefore, we have included in section 78 a new paragraph that talks about quality of service standards.

In short, Mr. Speaker, we have sought to strengthen the Act by removing doubt, by making it possible to have the Act monitor even technologies still to come, to clear up some confusion, to further increase the competitive nature of our industry and to put us on the path where we can, in fact, get what we are seeking, which is competition in the sector, but competition geared to making sure that technologies are brought in as quickly as possible and provided to the population at as low a price as possible.

If we do that by passing these amendments, we will, in fact, be moving the country forward where, in this sector, at least, we can expect new investment, some expansion of business, some employment generation, the development of

skills in the information technology area, which has the potential of creating many well-paying jobs and moving our population to a knowledge-based society and a knowledge-based economy and finally cheaper rates in the sector.

Mr. Speaker, with that as the objective and working on the Bill that was passed in 2000, I commend these amendments to this honourable House, and I am sure I will get your support in having them passed.

I beg to move.

Question proposed. [Crosstalk]

Dr. Roodal Moonilal (Oropouche): Mr. Speaker, I thank you, notwithstanding the harmful interference from the other side.

On behalf of the opposing party, the UNC, I take the opportunity to respond to this very, very important matter, amending the Telecommunications Act. I will make a few introductory comments on the issue of telecommunication and information technology. There are a few general points I would like to make before getting into the meat of the amendment Bill and looking at some of its provisions, vis-à-vis the parent Act, the Telecommunications Act 2001.

On the one hand while the Minister was careful to point out that some of these simple measures are designed to close loopholes, clarify definitions and to make the parent Act easier to interpret by all concerned; the first question that one can ask is: If it is so simple, why did it take all of two and a half years to come to the Parliament to amend it? If it is just a matter of closing these loopholes and changing a definition here and there, why would this Government take over two years to come to the Parliament with this measure, when in one year out of that two years they were, of course, without the burden of attending Parliament and participating in parliamentary affairs? *[Crosstalk]* That is the first simple question for the Member for Diego Martin Central; I would not ask him any of the more technical questions later.

On the matter of technology and telecommunications, the Minister was quite wise to indicate that it was the UNC government who came to the Parliament and passed the Telecommunications Act 2001, a path-breaking piece of legislation in the context of the development of Trinidad and Tobago. The hon. Minister and, indeed, the Government of the day recognized that fact, but there is more to be said on that issue. We believe that the UNC has the legitimacy to speak on matters of technology and telecom. *[Desk thumping]* We do not believe that the PNM and

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the Government of the day could come to this House and, indeed, go to the national population, and speak about technology, the telecom sector and development. We do not believe they have the legitimacy for that.

Mr. Speaker, from the conduct of their business we believe that they are not serious, not only about the development of Trinidad and Tobago, but they clearly are not serious about developing the technology sector. This Telecommunications (Amdt.) Bill does precious little to that effect. In fact, I begin by telling the Minister that it is our considered opinion that this Telecommunications (Amdt.) Bill be withdrawn from the Parliament of Trinidad and Tobago [*Desk thumping*] pending consultation with the industry actors in the telecom sector and Members of the Opposition as well. They should withdraw this measure, because we believe that this measure, indeed, raises more questions than provides answers, will create more problems in what the Minister quite rightly said is a technical area, a difficult area to make law for. That is the next point in my introduction.

It is Members on this side, being the last elected government in fair and free elections, that came to the House with the Telecommunications Act 2001 and passed what was regarded as a pioneering piece of legislation. Just to put the context properly: during the period 1995, 2001/2002—because one would recall that it was at the end of 2001 that Members on the other side entered government by the back door. If you look at information on communication technology and some of the data at a glance for Trinidad and Tobago, it is very instructive.

Mr. Speaker, this is data taken from UNESCO and the International Telecommunications Union, in terms of ICT infrastructure and access to telephones, it is quite instructive that in 1995 this country had 168 per 1,000 people telephone main lines; by 2001, 168 turned to 240. In terms of mobile phones per 1,000 persons, in 1995 there were five mobile phones per 1,000 persons; by 2002 that figure moved from five to 197. In terms of other figures: personal computers per 1,000 citizens, in 1995, 20 per 1,000 persons; by 2001, 69.2. Internet users also increased rapidly. I do not want to read off the entire statistics on this matter or to read, for example, matters concerning newspaper circulation, television and so on.

In other areas as well such as the dissemination of technology to citizens in the country, the UNC government presided over the rapid dissemination of information technology. So important was this sector to us that it was the UNC government that introduced a Ministry of Information and Communication Technology. While the hon. Member and others on that side like reminding

people that they introduced, maybe in 1992, a Ministry of Public Administration and Information—and a decade and half later they are still boasting about it, that is their claim—we must also remind them that we created a Ministry of Information and Communication Technology, so important was that issue to our country's development.

Appropriately, they closed it down. Appropriately they went back to public administration and information and disbanded the Ministry of Information and Communication Technology. We are not sure of the reasons, but, generally, they were quite comfortable with designations from the 1960s: public utilities and public administration and information, but once they had to come into the future to talk about infrastructural development, information technology and so on, it was not a domain of comfort.

In terms of telecommunications it is an important indicator of a country's progress, both at an individual and household level, but also in the context of business expansion. It is instructive to note that when the Member for Couva North became the Prime Minister of this country in 1995, TSTT had 100 Internet customers. When the Member for Couva North renewed his mandate in December 2000, there were 25,000 customers at TSTT alone. That was the progress in five years of UNC administration. *[Interruption]*

Mr. Singh: Mr. Speaker, I take this opportunity to point out that, perhaps, it is the first time in the House that a Member of Parliament is using a palm pilot to make a contribution. *[Laughter] [Interruption]*

Dr. R. Moonilal: Mr. Speaker, I am just quoting some statistics; I am not depending on this piece of electronic technology to speak. *[Interruption]* This is another harmful interference.

Mr. Khan: It has to be harmful. Just for the edification of the Member for Caroni East, the latest articles show that even the palm pilot is now out of date. *[Laughter]*

Dr. R. Moonilal: Mr. Speaker, that makes it even sadder that it is the first time a Member of Parliament is using one; it is even a cause for bigger concern.

Let me repeat that piece of data, because they were trying for us to forget it: 100 Internet users in 1995 turned to 25,000 by the year 2000 at TSTT alone. In 1995, 5,000 persons had cellular telephones; by December 2001, 117,000 citizens

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had cellular phones; that has, of course, crossed to over 200,000 today. I am putting these statistics on the record only to demonstrate [*Crosstalk*] that between the period 1995 to 2001, this country was on the move, as far as technology and the dissemination of technology was concerned.

That was when we had a government generally concerned about the use of technology for personal and business development. It was not a government concerned about a weed whacker programme. The UNC government was concerned with technology in community centres, villages and towns. Let me indicate to Members on the other side that apart from the enormous dissemination of technology that took place, we were also about getting the technology right and getting the politics right, to use a term that is used now.

Our plan was to introduce Internet communities into this country; connect people to the government, to get the government online. We recognized the importance of information technology training and education. We were developing the industries of the future. It is well known that under the UNC government we talked about the industrial and technology park, to develop industries in software design, web hosting and design, telemarketing and help desk facilities. The telecom sector was identified as a growth sector, a growth engine for industrial development. Our vision was to create an intelligent society. It was not a Vision 2020 hoax that we are now learning about through Dr. Farrell and others; we were talking about an intelligent nation, and telecommunications had an important part to play in that imperative.

The Government appears to be caught in two minds, assuming that it is thinking: How do you amend the Telecommunications Act? The Minister was correct when he said that matters of these sorts tend to change rapidly. You could be debating a matter today and the next two months the technology changes. Technology affects work-related change and downstream industrial development. There may be need to review, as you go along. But the Government appears to be in a bind as to, “Should we amend the Telecommunications Act and deal only with telecommunications, or should we also create something like an information Act to monitor information and technology?”

Mr. Speaker, in other countries of the world, I can think about Malaysia now, they actually do have information legislation and an information Act that legislates and regulates computer technology, in that case. In our case, we introduced and

passed the Telecommunications Bill that dealt with the telecom sector, and that is creating a problem today, as you would see as we go along to all the different provisions in this Bill: Is telecommunications what it was in the beginning? You really want to create now something of an information Act, a technology Act to monitor and regulate technology.

Mr. Speaker, that would pose, of course, some very serious problems as you go down the road. For example, how do you monitor the Internet? Through the Internet we learn a lot about development in the United States and Europe; regulating Internet use is a public policy matter in other countries. For example, you read in the newspapers and on the Internet about problems with pornography on the Internet and other types of new techno-related crimes. In fact, because of the severity of terrorism and the threat that it poses to global peace, that is leading now into a realm where the professionals in research and development are addressing issues of monitoring and regulating computer technology. It is a big issue, one which we submit to the Minister and the Government, that deserves another piece of legislation, but not this. If you deal with it in a halfhearted, piecemeal way, you may destroy that economic sector you are pretending to advance. That is the point.

I believe, and we will argue this later, that the problem we now face with the uproar by providers of call services, the call centres, is related to the movement between telecom regulation and technology regulation; that is the issue there. Once you try to do the two in one and in a piecemeal way, by bringing an amendment bill, then you may be destroying the sector. That, to me, is a very important point to put on the table early. The Government would be wise to consider in the future, an Information and Technology Act to deal with some of the problems that it already identified.

As it relates to the measure before us, enormous discussions and consultation took place in the period before 2001, years before; it was not an easy process. I recall former ministers in the UNC administration going both to our Chamber and the other place, having a lot of difficulty, at pains in the debate, making the rounds, having amendments, having to amend the amendments and having to go back to get agreements. It was not easy, so an enormous amount of work took place before we could produce this country's first ever comprehensive telecommunication legislation.

Mr. Speaker, to go now and undo it with some measures that may be in contradiction to the stated policy objectives contained in the parent Act is really more than a burden; it is a nuisance and is counterproductive. That is another

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point I make early. We have to guard against that. We could be undoing years of work with one amendment bill if we do not tread carefully. The last time I spoke about metrology; this matter, like metrology, has a very technical bias and there are technical matters to discuss and to make the public understand. There are also matters of social and political issues at stake here.

This Government, of course, cannot boast anymore of coming to the table with clean hands, in the aftermath of the judgment in the Maha Sabha case where the court ruled that this Government had discriminated. They do not come with clean hands; I have already factored that into my contribution. Of course, the matter with the city clerk in San Fernando is now well known by all and sundry. The Prime Minister did himself no good by failing to defend his good name in the courthouse in San Fernando. The Government cannot boast about coming to the table with clean hands. We cannot be at fault. The saying is that the PNM remembers its detractors, they never forget.

Mr. Speaker, you will understand when we raise questions relating to suspicions that we have concerning this Government, because the court cases are now piling up. It is difficult to keep a file now with judgments against this Government. In fact, I may have to get them in soft copy to keep on my palm, because you cannot keep hard copies of judgments against this Government at all; they are becoming much too many now. And there would have been another one against them: the country remembers well that in another matter when they came into office, was to withdraw an appeal to the Privy Council; had they not withdrawn that appeal it would possibly have been another judgment against them. [*Interruption*] We still have to talk about Citadel and that type of matter.

The Minister stated that several of the provisions deal with some small issues, yet it took so long to come here. [*Crosstalk*] In the time they have been in office they have made no attempt to proclaim any part of this Act. They have done absolutely nothing on that front. [*Crosstalk*] It is in the beginning of the Bill that a matter concerning definitions creates a first stumbling block, so to speak, in this matter. Let us get to this question quickly.

It is our understanding that at the root of the conflict that we now face concerning the call centres is this dispute that has emerged in the public domain. It is an interesting dispute because it will lead, of course, to some public education on the matter. The dispute is that call centres are using computer technology; I think they call it “packet technology” for transmitting voice as data. They are converting voice to data and then the data moves not the voice. It is not the

switching technology of telephones and traditional analog technology. So the conflict is: Is it a telephone service or not, because it may not be; it is data transmission. That, to me, is a big conflict by some people saying that we can close them down because they are using telephones. Of course, we can take the word of the Member for Diego Martin East, he is in an advantageous position: he has no more credibility to lose. [*Laughter*] In fact, I am sure he would testify to the technology commission as he did to the Elections and Boundaries Commission.

We can leave this matter and say, “Well, the Voice over Internet Protocol technology is really converting voice to data, but it is not telephone.” Interestingly, the Telecommunications Services of Trinidad and Tobago (TSTT) recently introduced “Talk fuh so”; we saw the ads on television. It is very interesting, eventually nobody would speak or spell English in this country, because if you ask a youth today to spell the word “ecstatic” he or she may spell the Machel Montano version of it. If you ask them to spell the word “for”, it will be “fuh” so. I am very concerned that State enterprises and, therefore, the Government, would promote this problem we have among the young people to take us to Vision 2020. Incidentally, they have targeted these young people with the weed whacker programme. Misspelling in schools leads to problems.

Mr. Speaker, to come back to the Bill, concerning this issue of definitions, whereas the Minister may want to respond to suggest that this Bill is not really related to the crisis that came up a week ago, we would want to enquire of the Minister whether or not the changing of definitions in the amendment Bill impacts upon the services of call centres, so that when you change the definition of “telephone service” you move from switching technology to cover computer technology and you capture everybody, and start regulating everyone on the Internet.

So you go into a village with an Internet café somewhere and you start with the big hand of the State to get onto a register for an approved business. You do it like the National Entrepreneurship Development Programme (NEDCO) or the Community-based Environmental Protection and Enhancement Programme (CEPEP). That is the concern of the Opposition. They are changing the definition of “public telephone service”, and that would change as well the technology associated with traditional phone service to include technology that could be interpreted as covering Voice over Internet Protocol. I think it is not correct. It may not be entirely accurate—I will not say it was misleading—for the Minister to suggest that the debate in the public about the problems we face now with call

centres operators is unrelated to this Bill. I am not accusing the Minister of misleading the House.

Another issue is on the definition of “universal service”, for example. The amendment seeks to qualify and explain universal service by actually pulling a line from the parent Act and putting it into the interpretation. On the surface it might appear to be an unimportant matter, but one has to also be careful one does not qualify universal service and, by that qualification, the universal service is not universal anymore. That was also an issue in the definition section.

The Minister also made reference to this piece of jargon we always hear about called “real time”. One would be very curious to find out what is the technical definition of real time. Is it properly defined in technology? We have a sense of what it is, but sometimes these terms carry technical definitions as well, and not having the benefit of that type of understanding could cause problems for interpretation, which the Minister indicated that this amendment really was to clear up, the misinterpreting of the measure.

Another matter we would like to look at is the one of value added service. In section 2 of the Act the definition of the phrase “value added service” is deleted and they, of course, insert a new definition:

“‘value added service’ means a service, other than a public telecommunications service that, using a telecommunications service, provides or modifies content and applications not associated with telecommunications service;”.

We interpret that to be problematic, because it could be another attempt by the Government and institutions of the State to get into private business and unduly smother business expansion, creativity and so on. Is it an attempt to regulate and license the Internet service providers of the country?

Mr. Imbert: What is wrong with that?

Dr. R. Moonilal: We believe that if the Internet is to be licensed and regulated then this policy is a backward step and it may infringe on the rights of citizens to free access and information. The Internet is an information technology service; that I think is the important point, and one cannot restrict that. Apart from the legal issues associated with the freedom to get information, that is a backward step.

During the debate we heard a lot. In fact, one clause in this amendment Bill actually inserts the word “transparency”, and I found that to be amusing. In the

parent Act the word “transparency” was not there. I believe there is a clause in the amendment Bill with the words, “transparency, nondiscriminatory and objective”. That is very interesting coming from a government that cannot tell us who are the members of the secret police service; that cannot tell us who got a contract to do a study on an aluminium smelter plant at Point Lisas.

This is a government that on the same day brought an order to make Central Bank exempt from the Freedom of Information Act. This is a government that could not tell us where State taxpayers’ money went to with the NEDCO recipients. But this is a government that just made a whole clause in a Bill to insert the word “transparency”. It is so important that it deserves one clause in the Bill.

Hon. Member: You do not like that word.

Dr. R. Moonilal: Those on the other side would do well to remember that it was the UNC government that introduced freedom of information legislation to Trinidad and Tobago.

Mr. Valley: Is Ramesh who did that!

Dr. R. Moonilal: In fact, Mr. Speaker, there is a point I should have made in my introduction: At every point with this Government, it is undoing the movement towards transparency, equality and nondiscriminatory treatment. This Bill is also on the road to that, because as we would see later it removes transparency in several matters.

There is another issue in section 24 that I would deal with, where it is the intention of the amendment Bill to set up a consumer complaints bureau to take complaints from members of the public and those concerned. Why would this Government want to take that function away from the Authority and give it to another organization that is not a tribunal, that, for all intents and purposes, may not be housed in the same place as the Authority? Why would they create another bureaucracy to deal with that, while in the parent Act it is very clear that complaints could be made to the relevant institution related to the Authority?

Mr. Speaker, that is a cause for concern, because at the heart of this issue is the right of consumers to complain, the right to protest action and the right to do that in an easy transparent way and to have accessibility to the Authority. That is the concern here; that you are now splitting it up and creating another institution to do that job. Is it a case of creating another institution where you will, of course, have to advertise in all the newspapers to hire people through the normal process that this Government is so familiar with?

Mr. Ramnath: They have no shame!

Dr. R. Moonilal: Section 18 deals with the functions and powers of the Authority. The Authority has direct responsibility for matters concerning industry and technical standards. I am reading from the parent Act:

- “18(1) Subject to the provisions of this Act, the Authority may exercise such functions and powers as are imposed on it by this Act and in particular—
- (d) establish national telecommunications industry standards and technical standards;”

With the amendment the Authority will make recommendations or give advice to the Minister with such standards, upon the approval of the Minister. Is this a case of again taking that power and concentrating it in the political directorate that will have direct control and power over whether or not advice is accepted from the Telecommunications Authority? Is this a government that one could readily trust? Could we all say here that we have faith, that we trust this Government in the conduct of business?

This is a government where yesterday, when one minister was leading a delegation to meet the Atlantic LNG workers at the National Library, the Prime Minister, in collaboration with the very new Minister of Labour, went down to the strike camp, which undermines the process of collective bargaining; that you wait, when the leaders are away, to get into the strike camp to pursue workers to take a particular line of action, when their leaders are in Port of Spain negotiating with your minister, incidentally, not the Minister of Labour. [*Crosstalk*]

The Prime Minister went down to Point Fortin ably accompanied by the Minister of Labour and Small and Micro Enterprise Development who was not in Port of Spain negotiating with the workers and the Public Relations Officer of the PNM. [*Crosstalk*]

Mr. Ramnath: He is the closing down man!

Dr. R. Moonilal: Mr. Speaker, I am on the issue of trust, because the Government is asking us to trust them with this amendment Bill. I read in the *Guardian* newspaper of Thursday, April 15:

“Jeers, boos for Manning”

First of all, I apologize to my friend from St. Ann’s East, because on a previous occasion I indicated that he was not well known, but he was booed, so

that means he was recognized. [Laughter] [Crosstalk] They took the PRO of the PNM and Ambassador Plenipotentiary Jerry Narace and:

“Ambassador Plenipotentiary Jerry Narace strolled into the camp but stopped in his tracks when one striker shouted to him: ‘What you doing here? Get out from here!’”

He then went outside and stood under a green PNM umbrella. (Laughter)

Even that could not shelter him. [Laughter] They then asked the Prime Minister: “Yuh think yuh could win Point Fortin again?”

Mr. Speaker, that is how they approach the business of the State. The Prime Minister declared at the post-Cabinet meeting that it was successful; that he went with a message and conveyed it, so it was successful. [Crosstalk] The other one that went above our heads was when the Prime Minister said that he was not representing the Government, but the welfare of the country, which is not the Government.

In any event, I want to get back on track to my business here, because I am dealing with people sheltering under a PNM umbrella in a strike camp. I hoped that they learnt their lesson. My friend from St. Ann’s East—who I have known for many years from the youth movement of the party and Caribbean Youth Congress when we were in the NAR and he was in the PNM, at that time—ou really would be well advised to be serious when you deal with persons who are striking, who have spent 10 weeks or more at a strike camp and made that sacrifice. You do not take these people for a joke; they have made a lot of sacrifices. Mr. Speaker, let us get back on track. The issue is trust, and they have very little.

We are expecting through this amendment Bill the Minister with responsibility will take the advice of the Authority on matters concerning national telecommunications industry standards and technical standards. Why do you want to change that from the parent Act, to insert that the Minister will act and receive advice, and delete that it is the role and function of the Authority to establish national telecommunications industry standards? Of course, they insert the word “transparency” again; that is also a very important issue that I wanted to look at.

To go back to the more important business at hand, in section 25 there is also an amendment. It is amending section 25(2)(1) of the parent Act. Although this might be a bit time consuming, it is really necessary to read both so that persons could understand exactly where the change is coming. Section 25(2) states:

“In respect of a concessionaire’s obligations pursuant to subsection (1), the Authority shall require a concessionaire to—

- (1) permit other concessionaries of public telecommunications networks and public telecommunications services to have equal access to telephone numbers, operator services, directory assistance and directory listing without unreasonable delay, in accordance with requirements prescribed by the Authority;”

Already, under the parent Act, you have a situation where the Authority, by regulations would prescribe that. Incidentally, regulations which have not been drafted yet; after two and a half years in office we have not seen or heard of any regulations. But now they would like to change that at subsection 2(1) and insert the words “at a cost efficient rate” before “unreasonable delay”.

One of the risks involved here is that it is common knowledge that the Telecommunications Authority is a creature of the State; it is a State authority. The Cabinet would sit and ask each other to nominate some of their friends, and it would put together the authority. In the context where a monopoly provider may also be the State, you have both a monopoly provider being the State and the authority being the State, you also have now to protect consumers and the industry from collusion between the State and the State. That is the important point. So in a way you have to protect people from the authority, and protect them from the monopoly, which is the State, contacting another State institution and perpetuating monopoly, preferences and discriminatory practices.

When you introduce this type of clause “at a cost efficient rate” and you give the Authority some power in law, in the Bill itself, to determine a cost efficient rate, are you then suggesting or is it an implication that the Authority, in collusion with the monopoly provider, could just be determining rates and rule out others from the competition?

Mr. Ramnath: As they did with Lee Sing!

Dr. R. Moonilal: Lee Sing was a special case; he had 40 jobs to save.

Mr. Ramnath: He sat on the toilet seat from Jamaica.

Dr. R. Moonilal: They moved with haste to give their friend a licence; that matter is before the Anti-corruption Investigation Bureau, which will interview the bureau.

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

Motion made, That the Hon. Member's speaking time be extended by 15 minutes. [*Mr. G. Singh*]

Hon. Member: No.

Question put and agreed to.

Dr. R. Moonilal: Thank you, Mr. Speaker, and almost all the House.

On this matter of ensuring that you do not have collusion between the Telecommunications Authority and the monopoly provider, one must be careful that one does not allow in law that type of collusion. There is another clause in this amendment Bill that also deals with this matter, where there are problems. [*Interruption*] I am very sorry that Members on the other side may not be au courant with this and understand some of these issues. My friend from Arouca North may be prone to yawn; this is not talking about “Dog Patch Avenue”.

In section 26 they would like to change the law as it is and delete, for example, the word “as” to put the word “between”, and delete the words “both parties” and substitute with the words “either parties”. That also has a little risk, in that, where you have a situation where one party is the monopoly provider, the State has an interest in one party, and one party alone can come to the authority without the other party, then the authority could act on behalf of that party.

Whereas before you would have a request from both parties for the authority to intervene to settle negotiations between parties, they would both come voluntarily and request the authority to intervene. When you have a situation where the Authority could be acting in collusion with a monopoly provider and one party alone can go to the authority for intervention, it could lead to further discriminatory practices and the perpetuation of bias. That is also a concern that we should not take lightly.

Mr. Speaker, there is another issue related to this. I must agree, it is almost a non-issue, but the Minister raised it. My own view is that in putting together the Bill you really needed to get some clauses and make the “ting” look full, rather than come with three or four clauses, which you may have had intention to come with because it would affect the geography of the industry, so to speak. Rather than come with a bill with five or six clauses, you wanted to come with something

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more substantial, because it looks good too when you have 26 clauses and so on.
[*Crosstalk*]

In section 73 of the parent Act it is very clear that if there is an emergency situation: a disruption of the telecommunications network or harmful interference—and one can think of a crisis, given the time we live in, of an aircraft in the air and there is some interference with the telecommunications and the navigation systems could be affected, you need to act quickly to close down an operation or what have you.

In the parent Act it says that the Executive Director should immediately notify the Minister of National Security and Rehabilitation, and the Minister with responsibility, in writing, and seek to address the matter quickly. In the amendment they are including, not just the Minister of National Security and Rehabilitation and the Minister with responsibility, but the entire board. So in a crisis if we have a few minutes before a jet plane crashes anywhere, we really have to summon the board. It might be easier to pull a Cabinet meeting together in a crisis, than to find board members who may be even out of the country, for that matter, during a crisis. So where you now need a quorum with an uneven number, because you may have 18/18—[*Crosstalk*] When you have 18/18 you talk to the Presiding Officer to swing it in your way.

Mr. Speaker, where you have a crisis, the parent Act deals with it: you inform immediately the Executive Director, the Minister of National Security and Rehabilitation and the Minister with responsibility. In the amendment Bill you have now to round up the board in this crisis hour. We do not think it is necessary; it is really a non-issue and should be removed from the Bill. If only the Minister would agree that it is really a non-issue to be removed. In padding up the Bill—you know, Mr. Speaker, in cricket when you cannot play a ball, you just try to get the pad out.

Mr. Valley: What is your central argument?

Dr. R. Moonilal: You would not understand central argument or periphery argument, so leave it at that.

Let me get back to the business at hand and not be disturbed by the Member for Diego Martin Central, before he makes a statement that he has to apologize for next week.

We believe that clause is useless and should be removed. We also believe that there are other clauses in the Bill that are also useless, unnecessary and should be

removed. We believe as well that the definition of telephone service should be removed and, in fact, consultation should take place before you go making definitions like those into law.

6.35 p.m.

Mr. Speaker, another matter has to do with the floor price. While it is acknowledged that there are floor prices in some industries to prevent predatory pricing and unfair practices, when the Government undertakes to take out floor price in this industry, it could be ruling out competition. In a situation where there are monopoly providers at one level providing services at a price, and a floor price is determined, you are telling the international players that you cannot come under that, so you cannot provide a cheaper service to the public.

We already have a bulk of legislation and regulations in the parent Act to deal with unfair practices. Regulations and rules can be made to deal with unfair practices and predatory pricing, but now you come to establish floor pricing in law. Imagine if you could have a giant telecommunication firm operating in Latin America and the Caribbean and they want to come into the Trinidad and Tobago market and are told that they cannot operate under a particular price. Their economies of scales and scope will permit them to operate at a lower price, but the authorities are already empowered to undertake certain checks and balances to ensure that they are not doing anything that is unfair. So this clause as well could be used to perpetuate monopoly and that is the point which I think the Member for Diego Martin Central could appreciate because he wants to name an aircraft after Brian Lara. That is all he is concerned with.

Mr. Speaker, we predicted that the Government's approach would be to name a building, a mall, a pavement, and so on. They named an aeroplane after Hasely Crawford and he cried for a house years after. While they should be thinking of scholarships and investing in sports, in an academy, investing in young persons to promote cricket, the Minister of Trade and Industry says to name an aeroplane "Lara 400". That must be Vision 2020.

Mr. Speaker, on the matter of the spectrum problem, it is very instructive that a couple of years ago we were informed by the spokesperson of the Government that there was a review of the National Spectrum Plan because as we know, it is a resource that has enormous value to any country and there was supposed to be a national spectrum plan. We have not heard anything about that but in the Bill there is now a reference to a National Spectrum Plan, which we were not sure is a correct technical term.

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We understand that spectrum planning is also linked to collaboration and agreement with the International Telecommunications Union (ITU) and one wonders that in this national spectrum plan where there is no reference to the ITU, how feasible it is in relation to the ITU. Will we sit again and make a spectrum plan and then have to go to a General Assembly or some fora of the ITU to have that plan approved and implemented?

Mr. Speaker, a burning matter over the years as well has been related to this issue—the cellular licence—and to this day, notwithstanding all the propaganda, they have still not issued licences to several persons and organizations who believe that they may have even won in the court, but still did not receive any licence from this Government. The only licence—as we have noticed—that they were able to provide in quick time and with great efficiency, was one to their colleague at Citadel in August 2002 when they moved with haste, overnight, to get a licence approved by Cabinet and recommendations to provide a licence because I think about 40 persons were going to lose their jobs.

That is a serious matter, Mr. Speaker, let us not underestimate that and I could understand the Cabinet meeting in a special session to grant that licence. It is irrelevant that the licence was granted to their party supporter and financier.

We also had in August 2002, another matter of censorship at Trinidad and Tobago Television (TTT). You would recall where the head of news at that time claimed that he had instructions from senior government officials to suppress critical voices on TTT's newscast and the Minister of Public Administration and Information indicated in the House sometime—and we left it unchallenged on that occasion because the Minister, after all, was a guest here—that we all know that TTT News and other productions have lost respect over the years and they have no credibility. It is nice to remind the Minister that one of the reasons might be that PNM officials are suppressing critical voices at TTT, which Mr. Verne Burnett complained about in August 2002.

Dr. Saith: Mr. Speaker, I do not accept that, so just to clarify for the record I wish to state that as Minister, I have never been to TTT's newsroom. I wonder if the Member could say the same when he was the Minister?

Dr. R. Moonilal: Mr. Speaker, I want to encourage the Minister to think of the technology age. One does not have to be in the newsroom to influence the news. If you tell me you do not have access to a landline, or cellular phone, then that would be different. I recall being in the studio several times because I was invited as a guest, so if I am on a morning programme as a guest, I am in the

studio, but to influence news, one does not have to visit the studio, and I want to remind the Minister of that for the record. The important point is that the head of news made a complaint and it was a cynical attempt to make TTT a propaganda tool. So this is their record.

Mr. Speaker, telecommunications and any attempts to change the law and so forth are related to another important matter which has to do with public broadcasting, and up to this day we have not received a comprehensive policy document on the Government's intention as it relates to public broadcasting. It has introduced connecting to the future Trinidad and Tobago's National ITC strategy, it has introduced as well a National Policy on Broadcast and Broadcasting Industry and this is a sloppy, wishy-washy document. Public broadcasting takes about eight lines to say they are developing local programmes and the broadcasting service must serve the interest of everybody. Hooray!

Mr. Speaker, public broadcasting is an important dimension to the work of any government and it is not just getting government news out because this Government has spent about \$5 million or more in one year with newspaper advertisements. If they go for cocktails somewhere, we get a whole page advertisement with coloured pictures. That is one ministry, incidentally. That is their concept of public broadcasting.

Public broadcasting recognizes that it is in the public's interest to promote education, culture and information which may not be profit oriented. If you are promoting education and culture, that may not be profitable for the private sector business and so the public sector, through the State, has to get involved in non-profit, but their approach in dealing with that is to get rid of the workers at the National Broadcasting Network (NBN). Close NBN and open another state enterprise and the Minister has already told us that they will close one public entity and open another. This is on record. In doing so, they hope to take care of the problems as another industry is opened.

It is like the movement from Caroni (1975) Limited to the Sugar Manufacturers' Company. Incidentally, the Sugar Manufacturers' Company hired no public servants. Four contractors operate there and you will be working for six months and on a Friday, they tell you not to come to work on Monday and that is what happens with contract work. There are no terms and conditions, one can be exploited, and it is vulnerable. There are white-collar workers at the Sugar Manufacturers' Company at Usine Ste. Madeleine.

Take for example the information technology worker; anytime the manager feels that he does not like the colour of his shirt today, he has to stay home the next week. It is the same thing they want to do at NBN. To give contracts to their friends, bring them into NBN, and that would be public broadcasting, but public broadcasting has an important developmental function and South Africa is probably a leading example of the use of public broadcasting services to promote information, culture, and education in the public interest.

Mr. Speaker, we cannot trust the private sector media too much with some of the news, as you know. A few weeks ago I saw a headline on a newspaper which read: "Rowley and Hinds to act as Prime Minister". When I saw a headline like that, I rushed to get the last copy of that newspaper. I thought the Member for San Fernando East had gone completely mad, only to read the headline: "So says Solomon Babu, psychic". I thought the Member for San Fernando East had lost it completely. So that is the private media in operation. One cannot trust that media to promote public interest issues and the Member for Port of Spain North could be grumbling. He is on a happy note and I notice he is reporting that fewer children are dying and that may explain the grumbling.

Mr. Speaker, public broadcasting is an important function and it is interesting to develop this issue as to how that synchronizes with liberating that sector. An important issue which we recognized in the debate that took place a few years ago, was the issue of employment creation in the telecommunications sector. That sector was earmarked as a key job-creating sector.

We, as well as the Central Bank, have recognized that with all the growth and money we make from the energy sector: gas, oil and so forth, the non-energy sector does not create the jobs; so we have this economic growth and wealth coming in, but no job creation in the non-energy sector particularly in manufacturing. That is where these technology sectors like the Wallerfield Park were earmarked to create jobs.

The same call centres they want to close were the centres we were opening and expanding throughout the country to create jobs. Today they depend on CEPEP to create jobs and on NEDCO to create businessmen, not business but businessmen. They are creating businessmen without business who depend on CEPEP for jobs, while if you invest in the technology sector you create the long-term, private sector, and well-paid jobs. There is a low end to that but there is also a high end to the technology sector and you create the necessary jobs in that sector.

To what extent the delay in bringing regulations in proclaiming parts of this Telecommunications Bill has led to a situation where jobs could not be created, and business could not expand? When we look at the amending Bill and returning power to the authority to determine cost efficient pricing, floor pricing and so on, to what extent are you really liberating that sector to encourage business persons to get involved in the market and compete? When you take an approach of changing the definitions so that you have both the old technology with the new technology, which is not well thought out at all, you may be suppressing, and in doing so, suppress jobs and job creation in such a critical area.

Members on the other side may take it lightly because they have well-paid jobs; their salaries have raised about five times; what they do is another question so they may not think about persons with O'levels, A'levels and university degree who cannot get a job. [*Crosstalk*]

Mr. Speaker, the job-creating capacity of this sector is an important focus and we on this side are afraid that some of these provisions will lead to a situation where monopoly would be consolidated in the interest of one provider. That is the fundamental problem we have with this piece of legislation. It is not the problem of digging the road, that is not the problem, whether that is there or not is not a big issue. The issue really is reducing prices for the consumers.

If my friends on the other side do not understand the relevance of this—they do not pay their phone bill, so it is interesting that they do not care. Some of us actually pay telephone bills. The Regulated Industries Commission (RIC) issued a full-page advertisement concerning TSTT to indicate that they had been making figures above their returns and that is unfair. While it might be unfair that the monopoly provider is making more than the 15 per cent returns, are we hearing anything about returning the profits to the consumer? Everyone using a telephone for the last 10 years or so should get a rebate for the excess money that the provider made. That is acting in the consumer's interest. If you do not get water, you get a credit. If one does not enjoy a utility, why should one be paying for it? If excess profits are made, they should be returned to the consumer. That is an important issue that they should be addressing and not seeking to promote monopolies. They might be promoting a monopoly, while at the same time, the policy documents speak about competitiveness in the sector and opening the sector to local and foreign markets.

We have enormous research and submissions on this matter that I want to put on record. The Opposition Office has received submissions from key players in the telecommunications sector; those who operate call centres and Internet

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services and we have discussed with them their concerns. It is incumbent upon the Government to enter into discussions and consultations with all the players so that they may benefit from their expertise, from their sense of resolving technology matters before taking this type of action. The persons and institutions that sent emails, visited the office, and communicated with the Opposition Members did not benefit from whatever widespread consultation the Minister may have had with persons in the sector.

Let me end as I began by indicating that the then UNC government has legitimacy on this issue. It presented to this country not just a comprehensive vision for the technology sector, but followed it up with concrete policy initiatives. During the period there was enormous growth and expansion of information technology in Trinidad and Tobago to the extent where we found at the turn of the century it was critical to have a Ministry of Information and Communication Technology which they have disbanded. We have the legitimacy on this; they do not. They have legitimacy with 10-day work programmes. We cannot argue with them on that. They have legitimacy on painting stones and cutting grass, but not on matters of telecommunications and information technology, and the Minister in this case would do well to explain to us later how he has reconciled the difference in the switching technology to the packet technology and use blanket terms to include both and in a sense regulate what he did not intend to regulate and in that way suppress business, job creation initiative, and creativity from a large and important section of the business community.

Mr. Speaker, I thank you very much.

Mrs. Kamla Persad-Bissessar (*Siparia*): Mr. Speaker, a very dangerous pattern of governance has emerged under the PNM within the last year or two. Here we are at 7 o'clock and Government comes like a thief in the night to railroad and ramrod through this Parliament a very important piece of legislation that is going to impact upon the poor people of this country, and small businessmen in Trinidad and Tobago.

It is a pattern where we are seeing serious issues that are impacting on the people of the country where Government, by legislation, comes to stop what is taking place out there, or to correct an illegality that it has perpetrated outside.

We saw it with respect to the extradition matter where the case was dealt with in the court. The counsel in the matter was Pamela Elder. It was won in the court, but whilst it was in the court the Government came with legislation to change the law in order to make legal what was illegal. It is attempting to do it again with

respect to the Freedom of Information Act. We saw today that there is an order that was laid on the Table in Parliament to exempt the Central Bank as one of the entities that has a duty to provide information under the Freedom of Information Act. As they come with that to the Parliament, there is in the Supreme Court of Trinidad and Tobago an action that seeks to get the Central Bank to disclose under the Freedom of Information Act, and here we are with this Telecommunications (Amdt.) Bill to amend the 2001 Act where a similar action is taken.

Mr. Speaker, on April 08, 2004, persons were operating international call centres throughout the country and the managers and owners received a letter from the Regulated Industries Commission which reads as follows:

“It has been brought to the attention of the RIC that you are the manager of Worldwide Telephone Call Centre that is providing a Voice over Internet Protocol Service (VoIP) at a cost of \$1 per minute without the authority of a licence.

Please be duly informed that pursuant to sections 4(1) and 45 of the Trinidad and Tobago Telephone Act, Chap. 47:30 and sections 37(1) and 66 of the RIC Act, No. 26 of 1998, providing a VoIP service without a licence contravenes the sections noted above and, therefore, makes you liable to summary offence.

In furtherance to the Laws of Trinidad and Tobago, we now call upon you to cease your VoIP service within seven days on receipt of this letter. Upon failure to cease, we would institute proceedings against you without any further notice.”

This letter was sent to all owners and operators of call centres in the country.

Mr. Speaker, let us understand what these call centres are before we come to the purport of this and the action of the Government in this House today.

The call centres are set up by small entrepreneurs, they employ many young persons in the country, but even more important is that they provide a service at a very low cost to the poor man in this country. Who are the people who go to the call centres? Those who do not have telephones, and my colleague spoke about those who do not pay telephone bills, so that is like all those on the other side, that category of people. There is another category of persons who will have a computer in their homes and would be able to access through the Internet—

Mr. Bereaux: Mr. Speaker, please. I pay my telephone bills.

Mrs. K. Persad-Bissessar: Well, I congratulate you; you have taken yourself out of it. [*Interruption*] Mr. Speaker, let us not go there, because I may have to bring you into it as well, and I have no intention of so doing. So those on the other side who do not pay; the Member for La Brea pays his bill and backbenchers like the Member for Point Fortin and Mr. Hinds, you know you have not been drawn into the portals of the kingdom of the glory of the Member for San Fernando East, so you will continue to pay your bills until such time. I am saying that is one category of persons. I do not want to speak about mortgages and so on, you know.

I am putting the international call centres into context, so we have those who do not pay bills, then there are those who have computers in their homes and can afford them, and then there are the majority of people who do not have computers in their homes who can access a call centre to use its services at a very low cost.

These operators have been providing this service and I understand there are 80—100 call centres in the country, and we are talking about small businessmen and workers in these centres. That is the context in which they operate, that is the service they provide for the poor man of this country.

The RIC sent that letter on April 08, 2004, thereafter, the owners and operators got together, issued their press releases to the extent that they indicated that this was against the law and the ruling was totally in contravention of the law, the action was illegal and the RIC acted in excess of its jurisdiction. It has no jurisdiction whatsoever to even threaten legal action, far less to take legal action against these owners and operators.

So it has acted outside its jurisdiction in the first instance and assuming, but not admitting that that is not so, it does not have any power whatsoever to stop the people from operating because they are not caught within the sections of the law that the RIC quoted. So this is totally an illegal action on the part of the RIC, which is a state enterprise, and my colleague, the Member for Oropouche spoke about that, State to State. The RIC as a state enterprise and the telephone company as another state, of course, they talk to each other and things work out to suit.

The operators got together and indicated that they are nationals of this country and they have made a financial investment in good faith in the future of the country. We talked about investment.

7.05 p.m.

The Minister is not even here. I guess that somebody is taking notes for him. He talked about liberalizing; opening up competition and reducing prices. Here it is, there are competition and all these call centres are operating at a very low cost. The operators further pointed out that call centres employ a number of young people. They do their part in lowering the level of unemployment. They said further that they are providing a low-priced affordable communication access to the world, thereby benefiting a significant portion of the population who may either not have access or may not be able to afford access to the services provided by Telecommunications Services of Trinidad and Tobago (TSTT). They have stated their case.

What does this amendment intend to do? At the start of his contribution, I asked the hon. Minister if he would be kind enough to tell us why he told Parliament that he wanted to get this proclaimed swiftly. My emphasis here is on “swiftly”. Why is there this rush when he did not consult with these operators and stakeholders in the industry? His answer was that it had nothing to do with those people or the Voice Over Internet Protocol (VOIP). This Bill was around for a long time and that issue just happened to come up at the same time. Nonsense! How can we believe that? This Bill is dated March 25. The letter that came from the Regulated Industries Commission (RIC) is on April 08, 2004. The Minister wants us to believe that the two are not connected in any way. I must say that I think that he is a stranger to the truth, given the dates of these documents, to tell us that they are not related.

Furthermore, the Explanatory Note of the Bill speaks about these VOIP services. Section 2 states:

“Amendments to the definitions of the following terms are considered necessary for the reasons given:

‘public telephone service’”

The Minister went to the amendment and read the clause. Let me read that first before I read the purport of that amendment. Clause 4 states:

“Section 2 of the Act is amended—

- (a) in the definition of ‘public telephone service’ by deleting the words ‘the direct transport and switching of voice’ and substituting the words ‘interactive voice communication’;”

[MR. DEPUTY SPEAKER *in the Chair*]

Within there nothing is said about VOIP. When the Minister said that this has nothing to do with VOIP and these two are totally separate, he read the clause in the amending Bill but the Explanatory Note makes it very clear that that is exactly what is being targeted. “As drafted” means as exists in the parent Act, the substantive law which is the Act 2001. In the Explanatory Note section 2 states:

“‘public telephone service’

As drafted, there may be an interpretation that this definition applies only to traditional switched telephony. The proposed amendment which will delete the words ‘the direct transport and switching of voice’ and substitute the words ‘interactive voice communication’ will make it abundantly clear that the Authority will regulate the delivery of all public voice services irrespective of the means used to provide the service (e.g., VOIP);”

It is totally clear that this amendment would affect all those operators and owners of the call centres. It is also abundantly clear that the two matters are related. The fiasco that came out of the RIC and this Bill and what it seeks to do in that specific amendment are definitely related. Why is the Minister telling us that he would have this proclaimed swiftly? I ask again: What is the hurry? In his winding up, I am sure that he would probably find some time to tell us what is the hurry. The hurry is to liberalize the sector. He took almost two and a half years to bring the amendments and suddenly, it has become something that he must do swiftly. He has to get this done. I do not buy that. That is nonsense and I do not believe it. The matters are related and they are aimed at these providers.

When we look at the operations of TSTT, it is reported that the company made a pre-tax profit of \$500 million, in a country of 1.3 million people and their customers are only 200,000. You are now saying to forget these call centres. You now have to get a licence; you cannot operate and we would shut you down. Why is TSTT squeezing these small businessmen to apply for a licence before they can run? Why they must not do it? The case before the court with respect to the Maha Sabha and the licence to operate its broadcasting has given us the precedent for the manner in which that Government operates in the granting of licences. My colleague said it. He said that when you make a licence requirement you must get it from the Telecommunications Authority. Who is the Telecommunications Authority? In the same way when the Maha Sabha applied for their broadcasting

licence, they were totally bypassed and it was given to the friends of the PNM. Community Based Environmental Protection and Enhancement Programme (CEPEP) and National Entrepreneurship Development Company (NEDCO), my colleague said this and I would repeat it. When there are these requirements, they are making sure that their friends and families would benefit from the licences.

If you insist in putting this licence requirement, I think it is incumbent on you to also put in the legislation and the criteria under which these licences would be granted. What factors would be taken into account? What requirements must I meet? If they are there, then tell me they are already there. What is the hurry? We need to see what must be fulfilled. The 80 to 100 call operators must know what requirements they must meet. Is it that they must hold a PNM party card? Would there be well-defined criteria so they would be able to know fairly and in transparency that they can qualify to get a licence?

There is another issue. Mr. Deputy Speaker, in the profession that we both practice, it is well known that any time a law imposes a licence fee that affects or impacts upon any rights which a person may have, we are talking about a constitutional majority. This Parliament has the power under section 54 of the Constitution to make laws for the peace, order and good government of the nation. That same section goes on to tell us that in certain circumstances, you must get a requisite majority, not just a simple majority. I raise the issue today where you are now legislating to take away the livelihood of persons. You are saying that their livelihood now depends on the obtaining of a licence. Then, it is my respectful view, that you are now going into the constitutional realm and you are breaching the rights of the call operators.

Hon. Member: Nonsense.

Mrs. K. Persad-Bissessar: You could say nonsense how much you want. You will face it in the Supreme Court. We know the *Antigua Times* case and all those constitutional law cases with the licence fees or what is known as prior restraints on the exercise of a right or protection of property. Section 4 tells us clearly that no person shall be deprived of property except by due process of law. Here you want to pass a law that would affect that. That law must explicitly state so in the Preamble to the Bill and carry a requisite majority which is usually a two-thirds majority.

I join my colleague and congratulate him on the excellent contribution that he made in this debate. I join with him in calling on the Government to withdraw that

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specific part of the Bill, if not the entire Bill. [*Interruption*] I am not speaking to the Member for Diego Martin East. He is just yapping.

Mr. Deputy Speaker: Speak to me.

Mrs. K. Persad-Bissessar: Ask him not to speak to me, Sir. I do not wish to speak to him.

I am asking the Government if it is serious about transparency, accountability and caring—the ticket it went to the public with—to meet with the owners, managers and operators of these call centres. They are willing to talk with you. They have tried to reach you, but do not pass the law first. Talk with them before you pass the law. If you care about them talk with them. You see what happened in Point Fortin when the Prime Minister went there; they shouted and booed the Minister of Labour and Small and Micro Enterprise Development. You have to take the Bill to the Senate. Talk with them before you take this into the law. You cannot affect people's livelihood in that manner. Because you have parliamentary majority you would take away their livelihood! I ask you to speak with them. You can hear their concerns and see how this could be dealt with. I repeat that these matters are related. Under the existing law the VOIP and data services were exempt under the RIC in Schedule 2. You are now bringing them into the net to have them caught within this.

Thank you.

The Minister of Public Administration and Information (Sen. The Hon. Dr. Lenny Saith): Mr. Deputy Speaker, I would respond to the issues that are relevant to the amendment before us. I would start with the Member for Oropouche who in the period that he contributed to the Bill—I would not deal with the self promo of the UNC and what they did or did not do. It is nice to know, but it is not relevant at this point in time. He asked the question: Why did it take so long to bring this amendment to Parliament? That is in direct contradiction to the Member for Siparia who said that we brought it too fast because we want to deal with the problem.

The answer is simply this. It is a technical subject which requires the expertise of people who have the capacity to do this. We inherited a telecommunication division that was short of expertise and staff. We took the opportunity to build it; got staffing and a technical team was set up to go through the Act and see what was needed to be done. We had consultation with the Telecommunications Authority. On Wednesday, I had my third or fourth meeting with the Internet Service Providers (ISP) to get the views of everyone because the implications are

so wide and to distil it to an amending Bill, that covered as far as possible. You cannot satisfy everyone.

The exercise was completed early this year. The process was to take it to Cabinet to have it reviewed and approved, then to bring it here. I make the point again in response to the Member for Siparia, if you look at the process, it cannot be that the Bill was done and the VOIP was put in because of what happened with the RIC giving a release. The timeline does not allow you to draw that conclusion. I have said that it covers VOIP. At present, the RIC has given a ruling. This belongs here under the Telecommunications Authority to ensure that when the law comes into effect, there is the legislative framework to deal with it and to create an environment or a regime in which people do not have to appear to be either legal or illegal in what they are doing. This does not say that anybody would be closed down. It says that the authority now has the framework to deal with it.

[MR. SPEAKER *in the Chair*]

VOIP is a recent way of transmitting what would normally be done by telephone through the Internet. Jurisdictions all over the world including the United States are dealing with it. We are ensuring that as the technology develops and the framework for regulatory action is required, that we cover in the Act such action and we would not have to come back at that time to ask for the Act to be amended.

The Member for Oropouche talked about the increase in telephone usage, cellular licence and Internet usage. He knows that because he attended the launch of the technology plant. That is still very low and we need to stimulate its growth. It is now 10 per cent of the people who are connected to the Internet and the plan says that by 2007, we want 50 per cent, a five-fold growth. It has grown but not fast enough and it will not grow fast enough, if we do not put in the mechanism to bring down the cost of usage so that more people would use it. It would not grow unless we make it available to people who cannot afford a computer but provide the facilities. The question is: How can we continue and speed up the growth?

I take note that there should be an Information and Technology Act. Should we wait until we do that before we do anything? I think not. We have been looking at what is going on in the 9/11 commission in the United States where one side is saying the reason they did nothing was that they wanted to do a better job and get a wider plan. The other side is saying that they should do something. I do not think the fact that we may have to look at whether additional legislation is required in this area, we should not go with what we have. I give you the

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[SEN. THE HON DR. L. SAITH]

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assurance that I take note of the fact and as we develop, we may have to move this wider or replace it with something else. In the meantime, let us go with what we have because in the absence of doing that we have absolutely nothing.

I would take on board the points raised by the Member for Siparia with respect to call centres. I have requests from them to meet with me and I am prepared to do that. We have to go to the Senate. I would seek to meet with them next week.

Mrs. Persad-Bissessar: That is a great concession that you would meet with them, but if you meet with them after you pass it in the Senate, what is the point?

Sen. The Hon. Dr. L. Saith: I am suggesting that you know very well that it takes two weeks before we could debate anything in the Senate.

Mrs. Persad-Bissessar: I have known it to move from that place to here in one day. If you give the guarantee that it would be two weeks, I am very pleased to hear that.

Sen. The Hon. Dr. L. Saith: I can guarantee you that it would not be debated in the Senate before two weeks and before I meet with these people, as we keep meeting with people all the time.

Mr. Manning: Part of the function of this Government is participatory democracy.

Sen. The Hon. Dr. L. Saith: Member for Siparia, even if they boo me I would meet with them. My technical people have taken note of the points raised and I would spend some time on them. It is not the intention to put anybody out of employment. By putting it in a framework that deals with it, we stand a better chance of being able to continue the use of call centres in whatever form.

With those few words, I beg to move.

Question put and agreed to.

Bill accordingly read a second time.

Bill committed to a committee of the whole House.

House in committee.

Clauses 1 to 26 ordered to stand part of the Bill.

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

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House resumed.

Bill reported, without amendment.

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

The House divided: Ayes: 15 Noes: 9

AYES

Manning, Hon. P.

Khan, Hon. F.

Narine, Hon. J.

Williams, Hon. E.

Beckles, Hon. P.

Bereaux, Mr. H.

Rahael, Hon. J.

Roberts, Hon. A.

James, Hon. E.

Hart, Hon. E.

Callendar, Hon. S.

Job-Davis, Hon. E.

Hinds, Mr. F.

Imbert, Hon. C.

Valley, Hon. K.

NOES

Singh, G.

Yetming, G.

Persad-Bissessar, Mrs. K.

Rafeeq, Dr. H.

Partap, H.

Sharma, C.

Nanan, Dr. A.

Baksh, N.

Moonilal, Dr. R.

Question agreed to.

Bill accordingly read the third time and passed.

ADJOURNMENT

The Minister of Trade and Industry and Minister in the Ministry of Finance (Hon. Kenneth Valley): I beg to move that this House do now adjourn to Friday April 23, 2004, at 1.30 p.m.

I wish to inform the House that on that day the Government wishes to debate the matter on the Supplemental Order Paper, the Mutual Assistance in Criminal Matters (Amdt.) Bill and the Agricultural Census Order.

Mr. Ganga Singh: It is Private Members' Day on that day.

Hon. K. Valley: No. You are wrong. It is on 30th.

[MR. DEPUTY SPEAKER *in the Chair*]

Inflation (Food and Construction Prices)

Mrs. Kamla Persad-Bissessar (Siparia): Mr. Deputy Speaker, in the last budget presentation, the hon. Minister of Finance said,

“The phasing out of leaded gasoline will be accompanied by differential adjustments on the wholesale and retail margins leading to adjustments in the retail prices at the pump.

The following price adjustments will take place with immediate effect. The new unleaded 92 Ron grade will enter the market at the retail pump price of \$2.70 per litre. The retail pump price for leaded 95 Ron gasoline, it will replace, will be increased from the current price of \$2.45 per litre to \$2.70 per litre. The retail pump price for unleaded 95 Ron gasoline will be increased from the current price of \$2.85 per litre to \$3.00 per litre.”

These were the words of the hon. Prime Minister and with immediate effect all hell broke loose. This was the genesis of the cost spiral that we are seeing now with respect to the rising prices especially in the food and construction sectors, as evidenced by the increases in the retail price index and inflation index as provided by the Central Statistical Office (CSO) and by anybody who makes trips to the supermarket. We are seeing those increases especially within the first few months of this year, from January to April. Every month the prices show an increase.

I know that for this Motion we have 15 minutes and I would deal with some of those areas of concern. The first most important issue is rising food prices in a country. Those who feel it the most are the poor and the elderly. If we look at the household budget surveys that were done in 1993 and 1998, where the CSO goes out to identify the basket of items where the retail price index is calculated, we would see some changes. I spoke to someone from CSO who said to me that as a country develops you tend to find less of your basket of money is spent on food. It does not mean that you eat less, but because of the amount of money that is available in terms of liquidity, you tend to spend less of your funding on food. We have seen that from the survey.

We have also seen a tremendous increase in the retail price index. I read these figures from the CSO. The retail price index for all items in 1995 and 1996 was an average of 113.9. At the moment they can only give me a provisional figure, but they gave me for 2003. We would see the increase from that period to now. The retail price index for all items in 2003, is 153.6.

What is the retail price index? The CSO told me that is a weighted average of proportionate changes in the prices of a specified set or basket of consumer goods and services within two periods of time. This definition of the index emphasizes several points. It is an average and it measures the purchasing power of a dollar. An index is essentially a consumer priced index which measures changes in the price of goods and services purchased by households. The index of retail prices does not cover capital goods. We are talking about consumer goods. The index is not really a measure of general inflation because it excludes these non-consumer prices. However, the consumer expenditure constitutes a large proportion of total final expenditure, thus the index can be assumed to measure general inflation.

From the retail price index we have seen the increase from that period of time in 1995, when it was 113, to now which is over 153. When we look at the inflation index from the CSO the situation is the same. We would see increases in that inflation rate as put out by the CSO. In terms of statistics, what does that mean

Inflation (Food and Construction Prices)
[MRS. PERSAD-BISSESSAR]

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for you and me? It means that every basic item that is contained in that basket in terms of what the population sustains itself with has gone up. Rice, flour, oil and sugar prices have gone up. I made the joke the other day that the chicken has actually flown out of the coop. The price of chicken has just gone haywire.

When we look at actual comparisons, I think it is important to make the point as my colleague for Oropouche always does. Within the period 1996 to 2001, the UNC was able to bring down prices in this country. The prices of basic consumer items came down. Under two and a half years of PNM we are seeing a spiralling of prices in food and construction. Let me give some examples.

In 1996, one nip of flour costed \$24.95; in 2004, it is \$38.99. Under the UNC in 1995, rice was \$36.90; in 1996, \$36.90; in 1998, \$36.90 and then we got it down to \$35.99. Under the PNM, this same item is costing \$42.99. We looked at oil. I am talking about basic things. We use flour, rice and oil. When flour goes up we are talking about bread, roti and doubles, the basic meals that we have everyday. In 1996, one litre of oil was \$11.20; the UNC took it down in 1998 and 1999 to \$10.50. Today, for that same item we are spending \$19.99. Sugar shows the same pattern. I cannot go through this list for macaroni, potatoes, yeast and curry because I have 15 minutes.

I should not say this, but the hon. Minister is here. I know his elder brother who is one of my colleagues, Sen. Robin Montano, has asked us on several occasions to leave his small brother alone; do not deal with this issue of these prices. It has reached a stage where we had to tell Robin that we could not hold it back anymore. These prices have just gone haywire and are affecting all the people.

Mr. Singh: “An unleash de cassava stick on dem.”

Mrs. K. Persad-Bissessar: Mr. Deputy Speaker, what is tragic and pathetic is that when all these prices of the basic things that we eat are going up everyday, this Minister tells this country, “Eat cassava.” We talked about the contempt with Burnham. I always remember Marie Antoinette who was living in glory with all the money and luxury. When the people could not get bread to eat she said, “Let them eat cake.” That is the kind of attitude. The cassava is costing more than the flour, in the same way that the cake was costing more than the bread. Where is the caring? There is none whatsoever. These are just food prices.

When the hon. Prime Minister was asked in a post Cabinet briefing about food prices and the spiralling cost of living, he said that we would discuss it at another

time. Last month he promised a special session to discuss the significant increase in the cost of building materials and the impact on the development programme. This report was carried in the newspaper. If the newspaper is lying tell us it is lying. All this came about because of that one step to increase fuel prices in this country.

There is another problem because the Government then said it was importing these price increases. It is because they bring it in from outside. Food prices are going up and this Government continues to levy these very high duties and tariffs saying that it is dealing with protectionism on the food, so that the prices are high. Why not drop those? To import milk, macaroni, oil, chicken, turkey and red beans an importer has to pay 40 per cent tax and rice and flour, 25 per cent. Government collects approximately \$159 million every month in revenues from these duties on food. This is actually paid for by the consumer, not the manufacturer or the distributor. These taxes are paid and put on to the prices that go to the Government as revenue under the guise of protectionism. If food prices are going up the answer must lie in reducing some of these duties so you can bring down the prices. I would not attempt to do like one of the Members on the other side who said—when they were told that UNC had zero rated many of the basic food items—“You should zero rate it some more”. This might be a way of zero rating it some more.

With construction prices, I understand the price for steel has gone up again. The cost of ½ inch steel was \$17.19 and at December 2003, \$26.45; ¼ inch steel was \$4.08, now it is \$7.13—the prices are higher in April because I am quoting December prices—3/8 inch steel was \$12.07, it is now \$17.25; 5/8 inch steel was \$38.99, now \$51.75. It is the same for angle iron, for I beams, Z purlin and steel for window manufacture for galvanize roofing sheets and BRC. What would happen to this massive housing programme of 10,000 houses per year? You cannot build these houses. The ordinary citizens in this country cannot get one of these houses with these kinds of construction prices.

I ask the hon. Minister to tell us what he intends to do about the tremendous increase in prices in the food and construction sectors.

Thank you.

The Minister of Legal Affairs with responsibility for Consumer Affairs (Sen. The Hon. Danny Montano): Mr. Deputy Speaker, this is the first time I have had to speak in this House. It has been interesting because I thought that it might be a bit different from the other place, but I find that there is still a bit of intellectual vacuum.

Mrs. Persad-Bissessar: You are a guest in this House. Remember you are a guest for the first time. Do not insult your colleagues.

Sen. The Hon. D. Montano: Mr. Deputy Speaker, the first thing that the Member for Siparia said was that when the price of gasoline was raised last year that was the genesis for all other price increases. I cannot imagine for the life of me how anybody could draw that conclusion. That has to be a leap of logic that defies common sense. Nowhere and no how is the price of gasoline raised by 5 per cent connected to all the other prices that she has talked about. The statement is disturbing or it is just lack of logic.

She went on also to say, and I agree with this statement, that increases in the prices of food are felt most acutely by the poor and the elderly. That statement is true. What has this administration done to relieve that? This administration raised pensions to \$1,000; has expanded URP; instituted CEPEP, NEDCO and the Civilian Conservation Corps (CCC). I make no apologies for that! Furthermore, many of the educational programmes that we now have running, the students receive stipends. The simple elegant logic is this: Those in society who are vulnerable to the escalation in prices, the fact of the matter is that those families at the bottom of the economic ladder now have more persons earning an income and therefore are living a better standard of life. That is what we brought. [*Desk thumping*] I make no apologies for that! The fact of the matter is that more people are out there buying more than ever before.

The Member for Siparia also said that the UNC was able to bring down prices. Let me give the lie to that. The escalation in the prices of food is as follows:

Year	%
1996	12.2
1997	9.5
1998	14
1999	10
Year	%
2000	14
2001	7.5

Between 1995 and 2001 the cost of food in the country escalated by 88 per cent. She daresay that prices went down!

Mr. Deputy Speaker: Address the Chair, please.

Sen. The Hon. D. Montano: Let me give a little more information. The Consumer Affairs Division of the ministry monitors prices on a monthly basis. They have a basket of 62 items that they monitor every month. They compare their basket with that of the CSO. This is what we found. From July to December, 2003, 45.2 per cent of that list, the price went down; 40.3 per cent went up by less than 5 per cent; 9.7 per cent of the list went up by more than 5 per cent and 4.8 per cent had no change in price.

In 2004, we have a slightly different situation; 25.8 per cent of the list went down; 29 per cent went up by less than 5 per cent; 38 per cent went up by more than 5 per cent and 6.5 per cent had no change.

What is interesting is what I heard from the Member for Siparia. There seems to be a lack of understanding about the fact that we have an island economy. We are naturally subjected to price changes on the international marketplace and there are things about which we can do absolutely nothing. Let me give you one simple fact. Our currency is more or less aligned to the US dollar. Let us look at the change in the value of the US dollar and our dollar in relation to some of the countries that supply us with many of our basic products. The loss in value against the United Kingdom within the last few months is 15 per cent; from Euro, the loss in value in the currency is 11.7 per cent; from Canada it is 11 per cent; New Zealand, 17 per cent and from Australia it is 21 per cent.

The reality is that if you understand that, you would understand that anything coming from any of those areas would automatically be subjected to a price increase of this amount. Clearly, my friends on the other side do not seem to understand simple Arithmetic. [*Interruption*]

Mr. Deputy Speaker: You cannot speak tonight, but you may some other time. Allow the Minister to continue.

Sen. The Hon. D. Montano: Thank you, Mr. Deputy Speaker, although I do not need your protection or anybody else's.

Let me give you an example, lest Members think that what is happening here is only happening here. Let me give you an example of what is happening in some of the neighbouring islands. In Jamaica, between July and December 2003, the price of flour went up by 12 per cent; in Trinidad over the same period it went down by 1.1 per cent; brown sugar went up by 9.6 per cent, here it went down by .5 per cent; margarine went down by 1.9 per cent, here it went up by .5 per cent;

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cheese went up by 7 per cent, it went up here by 2 per cent; rice went up by 3 per cent, it went up here by 1.2 per cent; ketchup went up by 2.6 per cent, here there was no change; powdered milk went up by 2.7 per cent, here it went up by .3 per cent and cooking oil went up by 4 per cent, here it went up by 8 per cent.

It is very clear that we are not the only people that are suffering from the effects of imported inflation. I rather think that there are Members on that side who can advise and explain the reality of world economics. I have met with the Shipping Association and within the past nine months the cost of shipping into this island has increased by 100 per cent. I am also advised by major importers and suppliers that shipping accounts for approximately—and it varies from item to item—between 15 and 28 per cent of the cost of an item brought into the country. Therefore an increase in shipping cost has a dramatic effect. We have no shipping lines of our own and we have no control over that. Why is that happening? All you need to do is to turn on CNN and the BBC to see what is happening in Iraq and China and you would see where the demand is going and what is happening. We are at the mercy of the world economy. If you do not understand that, then I do not know what else I can say.

Over the past six months, the price of wheat has gone up by 22 per cent. We do not grow wheat. The price of soybean has gone up 47 per cent; corn has gone up by 49 per cent. We grow neither and therefore it has a result on the ending price of chicken. Clearly, my words are not finding favour on the other side.

Over the past year, in steel, the price of billets from Latin America has increased by 39 per cent. The two events that account for that are the reconstruction of Iraq and the tremendous growth that China is experiencing. China is growing at a rate of about 10 per cent a year with a huge population and is soaking up all surpluses in the country.

Clearly, Members on the other side find it difficult to deal with the facts and a real understanding of how an economy works. Allow me to tell you this. When certain statements are made about eat cassava, I spoke about eddoes, sweet potatoes and cassava. What the media decide to print is a matter for them. I make no apology for it. If they understand supply and demand, I am trying to encourage our farmers to grow more so we can import less. Very, very simple! [*Desk thumping*]

In closing, consumers in the country have power over their destiny. This is what I am trying to encourage. We must grow our food. I have said that you do not need to pay high prices and the results of that are very clear. Following from the middle of February, the price of chicken fell from \$5.00 to \$3.39 because

consumers said, "We are not paying those prices." It is as simple as that. Consumers have the power! I have done what I can. If Members on that side fail to understand, it is their choice, but I know that there are some who do.

Thank you.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 8.02 p.m.

WRITTEN ANSWERS TO QUESTIONS

The following question was asked by Mr. Winston Dookeran (St. Augustine):

Regularization of Lands (St. Augustine South and Oropune)

66. Would the hon. Minister of Housing state:

- (i) What is the status with the regularization of lands on the Streatham Lodge Estate, St. Augustine South?
- (ii) When would Letters of Comfort be distributed to residents of Lower Dookiesingh Street, St. Augustine, South;
- (iii) When would deeds be completed for distribution to relocated residents of Oropune Village, Piarco?

The following reply was circulated to Members of the House.

The Minister of Housing (Hon. Dr. Keith Rowley): The Land Settlement Agency (LSA) is the agency charged with the responsibility for regularization of tenants and squatters. In 2000, the LSA received 532 applications from the tenants of Streatham Lodge for statutory leases as follows:

Khalay Area 1 – 189

Khalay Area 2 – 211

Khalay Area 3 – 132.

The LSA has only dealt with persons from Khalay Area I, since that was the only area for which a change of use from agriculture to agriculture/residential was granted. In this area, eight Deeds of Lease were granted and 89 persons received a Notification of Statutory Lease.

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The problems with the regularization of tenants in Khalay Area I are as follows:

- (i) Tenants applied for 199-year deeds for parcels far in excess of 5,000 square feet (1/2-, 1- and sometimes 2-acre parcels). In most instances persons requested permission to subdivide into lot parcels for the construction of houses, despite the fact that the maximum land which should be allocated for residential use is 5,000 square feet.
- (ii) The lands were offered at peppercorn rates of 25 cents per square foot.
- (iii) Although deeds were issued to eight tenants, the premium was not set in accordance with section 15 of the State Land (Regularisation of Tenure) Act, which states that a premium must be declared by Order by the Minister.

As such, the LSA is reviewing the situation to ensure that lands at Streatham Lodge are offered at an adequate premium, which is declared in accordance with the law. While this is a lengthy and cumbersome process, the distribution of state lands is a serious responsibility which must be exercised judiciously.

Although the Land Settlement Agency has received applications for Letters of Comfort from persons occupying lands at Dookiesingh Street, St Augustine, these lands were under the jurisdiction of Caroni (1975) Limited. As such the LSA could not issue Letters of Comfort and subsequently regularize those squatters.

Based on a Memorandum of Understanding between the LSA and Caroni (1975) Limited:

The LSA supplied Caroni (1975) Limited with a list of all the persons from Dookiesingh Street who applied and who satisfied the criteria for regularization.

Caroni (1975) Limited agreed to deal with the persons occupying lands at Dookiesingh Street.

Housing units at Oropune Gardens, Piarco were distributed by the Oropune Multi Purpose Cooperative Society Limited without consultation with the Urban Development Corporation of Trinidad and Tobago Limited (UDEcOTT) and the Ministry of Housing. Investigations by UDEcOTT have revealed that some of the housing units were allocated to individuals who never resided in Oropune.

UDeCOTT is currently liaising with the AATT and other government agencies to obtain the required information to ensure that only those individuals who should be allocated housing units are in fact given deeds.

While this is a lengthy process, it is necessary to ensure that there is transparency in the distribution of deeds and that only those individuals rightfully entitled to housing units receive deeds.

The following question was asked by Mr. Ganga Singh (Caroni East):

**Freedom of Information Act
(Information of)**

96. Could the hon. Prime Minister provide:

- (a) A full and complete list of all state agencies, statutory authorities, state enterprises and other public institutions that are subject to the provisions of the Freedom of information Act?
- (b) Of the above named organizations, please state which of these have complied with sections 7, 8 and 9 of the Freedom of Information Act by publishing the relevant statements?
- (c) Of those that have not complied with sections 7, 8 and 9, please specify the reason for non-compliance and the timeframe within which the public can expect compliance?

The following reply was circulated to Members of the House.

The Prime Minister (Hon. Patrick Manning): The Freedom of Information Act, 1999 (FOIA) makes reference to “Public Authorities”, which are subject to its provisions. The sole definition of a public authority is to be found in section 4 of the Interpretation Act, and is as follows:

“Public Authorities” means—

- (a) Parliament, a Joint Select Committee of Parliament or a committee of either House of Parliament.
- (b) Subject to section 5(2), the Court of Appeal, the High Court, the Industrial Court, the Tax Appeal Board or a court of summary jurisdiction.
- (c) The Cabinet as constituted under the Constitution.

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- (d) A ministry or a department or division of a ministry.
- (e) The Tobago House of Assembly, the Executive Council of the Tobago House of Assembly or a division of the Tobago House of Assembly.
- (f) A municipal corporation established under the Municipal Corporations Act, 1990.
- (g) A regional health authority established under the Regional Health Authorities Act, 1994.
- (h) A statutory body, responsibility for which is assigned to a Minister of Government.
- (i) A company incorporated under the laws of the Republic of Trinidad and Tobago, which is owned or controlled by the State.
- (j) Service Commission established under the Constitution or other written law.
- (k) A body corporate or unincorporated entity: -
 - (i) in relation to any function which it exercises on behalf of the State;
 - (ii) which is established by virtue of the President's prerogative, by a Minister of Government in his capacity as such or by another public authority;
 - (iii) which is supported, directly or indirectly, by Government funds and over which Government is in a position to exercise control.

There is no schedule to the Act which lists all public authorities, and therefore no listing which would constitute a legal interpretation of the FOIA.

The attached list is, however, provided. It was originally compiled in November 2000, at the time of the promulgation of the FOIA, and in the ensuing period has been amended to reflect changes in the organization of government ministries and state agencies, and the exemption of public authorities from the operations of the FOIA. It is currently used as a guide to members of the public seeking access to information from public authorities, and to provide a framework

for implementation of the Act. It is with the agencies on this list that the Ministry of Public Administration and Information interacts in overseeing the operations of the Act.

List of Public Authorities

Agricultural Society of Trinidad & Tobago
Airports Authority of Trinidad & Tobago
Arima Corporation
Betting Levy Board
BWIA West Indies Airways
Caribbean Health Research Council
Caribbean Industrial Research Institute
Caroni (1975) Limited
Central Administrative Services Tobago
Central Bank of Trinidad & Tobago
Central Statistical Office
Central Tenders Board
Chaguanas Borough Corporation
Chaguaramas Development Authority
Cipriani College of Labour and Co-operative Studies
Civil Aviation Authority
College of Science, Technology and Applied Arts of Trinidad & Tobago
Consumer Affairs Division
Couva/Tabaquite/Talparo Regional Corporation
Customs & Excise Division
Dental Council of Trinidad & Tobago
Department of Motor Vehicle Registration and Control

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Diego Martin Regional Corporation
Eastern Caribbean Institute of Agriculture and Forestry
Eastern Regional Health Authority
Environmental Management Authority
Export Centres Company Limited
Firearms Appeal Board
Girl Guides Association of Trinidad & Tobago
Immigration Division
Industrial Court of Trinidad & Tobago
Inland Revenue Division
Institute of Marine Affairs
John S. Donaldson Technical Institute
Joint Services Staff College
Judiciary of Trinidad & Tobago
Lake Asphalt of Trinidad & Tobago (1978) Limited
Land Settlement Agency
Legal Aid and Advisory Authority
Maritime Services Division
Mayaro/Rio Claro Regional Corporation
Medical Board of Trinidad & Tobago
Metal Industries Company Limited
Ministry of Agriculture, Land & Marine Resources
Ministry of Community Development & Culture
Ministry of Education
Ministry of Energy & Energy Industries

Ministry of Finance
Ministry of Foreign Affairs
Ministry of Health
Ministry of Housing
Ministry of Labour and Small and Micro Enterprise Development
Ministry of Legal & Consumer Affairs
Ministry of Local Government
Ministry of National Security and Rehabilitation
Ministry of Planning & Development
Ministry of Public Administration & Information
Ministry of Public Utilities & the Environment
Ministry of Science, Technology & Tertiary Education
Ministry of Social Development & Gender Affairs
Ministry of Sport & Youth Affairs
Ministry of the Attorney General
Ministry of Tourism
Ministry of Trade & Industry
Ministry of Works & Transport
Naparima Bowl Board of Management
National Agricultural Marketing and Development Corporation
National Archives
National Broadcasting Network Ltd
National Carnival Commission of Trinidad & Tobago
National Emergency Management Agency
National Energy Skills Center

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National Flour Mills
National Gas Company
National Helicopter Services Limited
National Housing Authority
National Institute of Higher Education, Research, Science & Technology
National Insurance Appeals Tribunal
National Insurance Board
National Insurance Property Development Company Limited
National Library and Information Systems Authority
National Lotteries Control Board
National Maintenance Training and Security Co. Limited
National Quarries Company Limited
National Training Agency
North West Regional Health Authority
Office of the Prime Minister
Organized Crime & Narcotics Unit
Palo Seco Agricultural Enterprises Limited
Parliament Republic of Trinidad & Tobago
Penal/Debe Regional Corporation
Personnel Department
Petroleum Company of Trinidad and Tobago Limited
Pharmacy Board of Trinidad & Tobago
Pilotage Authority
Point Fortin Borough Corporation
Point Lisas Industrial Port Development Corporation Limited

Police Complaints Authority
Port Authority of Trinidad & Tobago
Port of Spain Corporation
Princes Town Regional Corporation
Public Service Academy
Public Transport Service Corporation
Queen's Hall Board
Registration, Recognition & Certification Board
Regulated Industries Commission
Rent Assessment Board
San Fernando City Corporation
San Fernando Technical Institute
San Juan/Laventille Regional Corporation
Sangre Grande Regional Corporation
Scholarships and Advanced Training Division
Scout Association of Trinidad & Tobago
Service Commissions Department
Siparia Regional Corporation
South West Regional Health Authority
St. Dominic's Children's Home
St. Jude's Girls' Industrial School
St. Mary's Children's Home
St. Michael's School for Boys
Statutory Authorities Service Commissions
Sugar Industry Labour Welfare Committee
Supreme Court
Tax Appeal Board
Telecommunications Services of Trinidad & Tobago Limited

The Cocoa & Coffee Industry Board of Trinidad & Tobago
The Nursing Council of Trinidad & Tobago
The Princess Elizabeth Centre for Physically Handicapped Children
The Trinidad & Tobago Solid Waste Management Company Limited
The University of the West Indies
The Vehicle Maintenance Corporation of Trinidad & Tobago Ltd
Tobago Council for Handicapped Children
Tobago House of Assembly
Tobago Regional Health Authority
Tourism and Industrial Development Company Limited
Town & Country Planning Division
Treasury Division
Trinidad & Tobago Association for Retarded Children
Trinidad & Tobago Blind Welfare Association
Trinidad & Tobago Bureau of Standards
Trinidad & Tobago Defence Force
Trinidad & Tobago Electricity Commission
Trinidad & Tobago Export Trading Company Limited
Trinidad & Tobago Fire Service
Trinidad & Tobago Forensic Science Centre
Trinidad & Tobago Free Zones Company Limited
Trinidad & Tobago Hospitality and Tourism Institute
Trinidad & Tobago National Petroleum Marketing Company
Trinidad & Tobago Police Service
Trinidad & Tobago Postal Corporation
Trinidad & Tobago Prison Service
Trinidad & Tobago Racing Authority

Trinidad & Tobago Securities & Exchange Commission
 Tunapuna/Piarco Regional Corporation
 Urban Development Corporation of Trinidad & Tobago
 Valuation Division - Ministry of Finance
 Venture Capital Incentive Programme
 Water and Sewerage Authority
 Youth Training and Employment Partnership Programme Limited
 Zoological Society of Trinidad & Tobago

The statutory requirement is publication by public authorities, in the Gazette and in a daily newspaper circulating in Trinidad and Tobago. The statements are set out in sections 7, 8 and 9 of the FOIA.

There is no statutory requirement for public authorities to notify the ministry of publication. The listing that follows is of public authorities that, according to the ministry's records have complied, either fully or in part, with sections 7, 8 and 9 of the FOIA:

Public Authority		Publication	
		Newspaper	Gazette
1	Agricultural Development Bank*		
2	Chaguaramas Development Authority		
3	Eastern Regional Health Authority		
4	Firearms Appeal Board		
5	Immigration Division		

Public Authority		Publication	
		Newspaper	Gazette
6	Land Settlement Agency		
7	Ministry of Communications and Information Technology**		
8	Ministry of Energy and Energy Industries		
9	Ministry of Finance		
10	Ministry of Labour & Small & Micro Enterprise Development		
11	Ministry of National Security		
12	Ministry of Planning and Development		
13	Ministry of Public Administration and Information		
14	Ministry of Science, Technology & Tertiary Education		
15	Ministry of the Environment**		
16	Ministry of Works and Transport		
17	National Broadcasting Network Limited		
18	National Enterprises Limited*		
19	National Gas Company		

Public Authority		Publication	
		Newspaper	Gazette
20	National Institute of Higher Education, Research, Science & Technology		
21	National Insurance Board		
22	National Library and Information Systems Authority		
23	National Quarries		
24	Personnel Department		
25	Petroleum Company of Trinidad and Tobago Limited		
26	Police Complaints Authority		
27	Small Business Development Company * (now The Business Development Company Limited)		
28	Statutory Authorities Service Commissions		

Public Authority		Publication	
		Newspaper	Gazette
29	Telecommunications Services of Trinidad & Tobago		
30	Tobago Regional Health Authority		
31	Trinidad & Tobago Bureau of Standards		
32	Trinidad & Tobago Defence Force		
33	Trinidad & Tobago Fire Service		
34	Trinidad & Tobago Forensic Science Centre		
35	Trinidad & Tobago Police Service		
36	Youth Training and Employment Partnership Programme		

* Public Authority has, since publication of its statement, obtained an exemption from the operations of the FOIA.

** Public Authority no longer exists due to change of Government administration.

Section 7(4) of the FOIA states:

“Where a statement has not been published in accordance with subsection (1), the responsible Minister shall promptly give reasons, to be published in the Gazette, for the failure to publish.”

It is, therefore, Mr. Speaker, the responsibility of each responsible Minister, which, in relation to a public authority is interpreted in section 4 of the FOIA to mean:

- (a) the Minister of Government to whom responsibility for the public authority is assigned; or
- (b) such Minister of Government as the President may, by Order, declare to be the responsible Minister of the public authority for the purposes of this Act.

to furnish reasons for failure to comply with the statutory obligation to publish Statements.

Annual Contributions to United Nations

97. Pursuant to question No. 97 earlier in the proceedings, the Minister of Foreign Affairs (Hon. Knowlson Gift) caused to be circulated to Members of the House the following statistics:

United Nations Fund/Agency	Payments in respect of 2004 contribution – US\$200c	Remarks
UN Regular Budget & Working Capital Fund (WCP)	Budget: US\$315,927.00 WCF: 6,000.00 Total: 321,927.00 TT\$2,028,140.00	Paid in full
UN Peacekeeping Operations United Nations Disengagement Observer Force (UNDOF) – June 20, 2004	US\$891.00	Assessed contributions paid in full up to the period shown in respect of each mission.

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United Nations Fund/Agency	Payments in respect of 2004 contribution – US\$200c	Remarks
United Nations Interim Force in Lebanon (UNIFIL) – June 30, 2004	1,969.00	The cycle of assessment for each PK mission varies and govern- ments are required to pay within a 30- day period from the receipt of the assessment notice.
United Nations Mission for the referendum in Western Sahara (MINURSO) – April 30, 2004	587.00	
United Nations Peacekeeping Force in Cyprus (UNFICYP) – June 15, 2004	486.00	Paid in full to the dates shown.
United Nations Observer Mission in Georgia (UNOMIG) – June 30, 2004	657.00	
United Nations Observer Mission in Sierra Leone (Includes UNAMSIL) (UNO/AMSIL) – March 31, 2004	5,492.00	
United Nations Interim Administration Mission in Kosovo (UNMIK) – June 30, 2004	6,762.00	

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United Nations Fund/Agency	Payments in respect of 2004 contribution – US\$200c	Remarks
United Nations Transitional Administration in East Timor (UNMISSET/UNTAET) – May 20, 2004	3,925.00	
United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) – June 30, 2004	13,060.00	
United Nations Mission in Ethiopia and Eritrea (UNMEE) – March 15, 2004	1,755.00	
United Nations Observer Mission in Liberia (UNMIL) June 30, 2004	17,075.00	
	Total = 52,659.00	
International Criminal Tribunals		Paid in full up to dates shown
Yugoslavia, December 31, 2004	US\$7,384.58	
Rwanda, December 31, 2004	14,658.00	
	Total = 22,042.58 TT\$138,868.25	

United Nations Fund/Agency	Payments in respect of 2004 contribution – US\$200c	Remarks
International Criminal Court International Tribunal for the Law of the Sea (ITLOS)	TT\$151,800.00 US\$69.44 919.56 <hr/> Total = 989.00 TT\$6,230.70	Ministry of Foreign Affairs Assessed contribution for 2004 was US \$989.00. The sum of \$919.56 was paid from an overpayment made in respect of the 2003 budget.
International Seabed Authority (ISA)	US\$916.00 TT\$5,770.80	Paid in full from overpayment made for 2003
United Nations Children's Fund (UNICEF)	US\$1,587.37 TT\$10,000.00	Paid in full for 2004
Group of 77 (G-77) and China	US\$5,000.00 TT\$31,500.00	Paid in full for 2004
Latin America and Caribbean Group (GRULAC)	US\$360.00 TT\$2,268.00	Paid in full 2004
United Nations Convention to Combat Desertification	US\$1,210.00 TT\$7,623.00	To be paid on behalf of the Ministry of Public Utilities and the Environment for the period 2004 to 2005

United Nations Fund/Agency	Payments in respect of 2004 contribution – US\$200c	Remarks
Organization for the Prohibition of Chemical Weapons	Euros. 9,859.70 TT\$77,445.00	Ministry of Foreign Affairs paid in full for 2004
United Nations Programme of Assistance and Exchange in the Field of International Law	US\$507.96 TT\$3,200.00	Paid in full for 2004

With respect to the agencies of the United Nations, the Ministry of Foreign Affairs, through its overseas missions, facilitates the payment of these annual contributions on behalf of the respective ministries.

Listed hereunder are the most up to date payments in respect of those agencies of the United Nations for which the Ministry of Foreign Affairs facilitates the payment of the annual contributions.

United Nations Fund/Agency	Annual contributions	Remarks
World Health Organization (WHO)	Sfrs. 48,577.00 TT\$306,025.38	Paid in full on behalf of the Ministry of Health
International Labour Organization (ILO)	Sfrs. 56,762.00 TT\$286,698.10	Paid on behalf of the Ministry of Labour and Small and Micro Enterprise Development for 2004

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United Nations Fund/Agency	Annual contributions	Remarks
Convention of Wetlands of International Importance (RAMSAR)	Sfrs. 1,000.00 TT\$5,084.00	Paid on behalf of the Ministry of Public Utilities and the Environment for 2004
The International Union for the Protection of New Varieties of Plants (UPOV)	Sfrs. 10,728.00 TT\$54,157.00	Paid on behalf of the Ministry of Legal Affairs for 2004
International Telecommunications Union (ITU)	Sfrs. 157,500.00 TT\$795,375.00	Paid on behalf of the Ministry of Science, Technology and Tertiary Education for 2004
World Intellectual Property Organization (WIPO)	Sfrs. 2,849.00 TT\$13,649.00	Paid on behalf of the Ministry of Legal Affairs for 2003
World Meteorological Organization	Sfrs. 10,699.54 TT\$50,385.20	Contributions paid on behalf of the Ministry of Public Utilities and the Environment for 2003

United Nations Fund/Agency	Annual contributions	Remarks
(21) – Organization for the Prohibition of the Chemical Weapons	Euros. 9,859.70 TT\$77,445.00	Paid on behalf of the Ministry of Foreign Affairs for 2004
International Tropical Timber Organization (ITTO)	TT\$447,382.00	Paid on behalf of the Ministry of Public Utilities and the Environment for 2004
Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)	TT\$14,000.00	Paid on behalf of the Ministry of Public Utilities and the Environment for 2004
International Maritime Organization	TT\$37,027.32 £3,504.00	Paid by the Ministry of Works and Transport for 2003
United Nations Educational, Scientific and Cultural Organization (UNESCO)	TT\$14,717.00 TT\$17,952.00	Paid by the Ministry of Education in two tranches for 2003
United Nations Fund for Population Activities (UNFPA)	US\$5,000.00 TT\$31,498.00	Paid in full on behalf of the Ministry of Planning and Development for 2004

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United Nations Fund/Agency	Annual contributions	Remarks
Universal Postal Union (UPU)	Sfrs. 39,360.00 TT\$198,768.00	Paid on behalf of the Ministry of Public Utilities and the Environment for 2004
United Nations Industrial Development Organization (UNIDO)	TT\$378,000.00	To be paid by the Ministry of Trade and Industry as annual contribution by Member States
United Nations Information Centre (UNIC)	TT\$12,000.00	Paid by the Ministry of Planning and Development for 2004
United Nations Economic Commission for Latin America and the Caribbean (UNECLAC)	TT\$36,000.00	The Ministry of Planning and Development makes quarterly payments to UNECLAC and to date the sum of TT\$18,000.00 has been paid
International Civil Aviation Organization (ICAO)	TT\$190,009.00	Paid by the Ministry of Works and Transport for 2003

The annual contribution paid to the United Nations Development Programme (UNDP) office in Port of Spain by the Government of Trinidad and Tobago is TT \$525,000.00 or US \$87,000.00.