

*Leave of Absence**Friday, December 03, 2004***HOUSE OF REPRESENTATIVES***Friday, December 03, 2004*

The House met at 1.30 p.m.

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

**Mr. Speaker:** Hon. Members, I have received communication from the hon. Member for St. Joseph (Mr. Gerald Yetming) requesting leave of absence from any sitting of the House for the period December 03 to 10, 2004. The leave which the Member seeks is granted.

**PAPERS LAID**

1. Report of the Auditor General of the Republic of Trinidad and Tobago on the financial statements of the Sugar Industry Labour Welfare Committee for the year ended December 31, 1995. [*The Minister of Trade and Industry and Minister in the Ministry of Finance (Hon. Kenneth Valley)*]
2. Report of the Auditor General of the Republic of Trinidad and Tobago on the financial statements of the Sugar Industry Labour Welfare Committee for the year ended December 31, 1996. [*Hon. K. Valley*]
3. Report of the Auditor General of the Republic of Trinidad and Tobago on the accounts and financial statement of the Mayaro Civic Centre for the year ended September 30, 2000. [*Hon. K. Valley*]
4. Report of the Auditor General of the Republic of Trinidad and Tobago on the accounts and financial statement of the Mayaro Civic Centre for the year ended September 30, 2001. [*Hon. K. Valley*]

*Papers 1 to 4 to be referred to the Public Accounts Committee.*

**HURRICANE IVAN****(RETURN OF TRINIDAD AND TOBAGO NATIONALS)**

**The Prime Minister and Minister of Finance (Hon. Patrick Manning):** Mr. Speaker, since September of this year, as a consequence of the devastation by Hurricane Ivan in Grenada, part of the assistance given by the Government of Trinidad and Tobago to Grenada has been the provision of several categories of skilled workers to assist in their reconstruction efforts.

At the present time, we have 119 security personnel drawn mainly from the Trinidad and Tobago Defence Force and officers from the Trinidad and Tobago

*Hurricane Ivan*

*Friday, December 03, 2004*

Police Service. This figure was, at one time, as high as 230, but is now being reduced. In addition, there are 151 other categories of workers comprised as follows:

TSTT	17
CEPEP	112
T&TEC	25
WASA	7

After consultation with Dr. The Right Hon. Keith Mitchell, Prime Minister of Grenada, I wish to advise this honourable House that instructions have been given for the return to Trinidad and Tobago of all nationals comprising mainly the abovementioned groups, by December 07, 2004.

In keeping with this Government's commitment to the philosophy of caring, these persons are being brought back early for the holidays so that they might make the appropriate and customary arrangements that will enable them to enjoy the Christmas season with their families and friends. Arrangements are being made for their return to Grenada early in the new year.

Finally, I wish to take this opportunity to record the commendation of the Government of Trinidad and Tobago to each and everyone engaged in this most important task for the excellent work they have carried out under the most challenging conditions.

Thank you very much, Mr. Speaker.

#### **CARIBBEAN COMMUNITY BILL**

[SECOND DAY]

*Order read for resuming adjourned debate on question* [December 01, 2004]:

That the Bill be now read a second time.

*Question again proposed.*

**The Minister of Science, Technology and Tertiary Education (Hon. Colm Imbert):** Mr. Speaker, I rise to participate in this debate on a Bill to give effect to the revised Treaty of Chaguaramas, including the CARICOM Single Market and Economy and matters relating thereto.

On the last occasion we had a contribution from the Member for Oropouche which touched on several important areas, but was spoilt somewhat by the usual

sarcastic flippant remarks of that Member. But I think it is necessary to go into other islands in the Caribbean. I have in front of me an editorial from the *Daily Nation*, November 17, 2004, and it is interesting. The article goes this way:

“Dems Double-talk On CSME...

With the charge by Leader of the Opposition, Clyde Mascoll that Government was running away from the CARICOM Single Market and Economy debate, which had to be deferred on two occasions for legitimate reasons, one would have thought that when the issue came to be finally debated that it would have been well researched by...the Democratic Labour Party (DLP). But they were not ready.

Barbados and the rest of the world was painfully subjected to a debate in the House of Assembly...that can only be described as a roll of political...paranoia by the opposition...

Barbadians will be shocked to learn that the articles of agreement currently being implemented by this BLP Government, (this is in 2004) are the same articles agreed to by the DLP in the Grand Anse Declaration in 1989. So that the creation of a single market and economy and the free movement of labour are all part of a commitment by the then DLP government by virtue of its signature to that declaration.

What now gives cause for this double-talk by the Dems?

We submit that the answer to this question lies in the inability of the Dems to make bold and courageous decisions and stand by them whatever the consequences.”

Now, I am not ascribing the behaviour of the Opposition in Barbados, as alleged—I do not even know how accurate this is—to our Opposition here in Trinidad and Tobago, but the point is important, that the matter that we are debating today, the Bill to give effect to the revised Treaty of Chaguaramas, which leads to the CARICOM Single Market, is essentially the end of an evolution of a process from the Grand Anse Declaration of 1989. So in 1989, the Heads of Government met in Grenada and set a timetable and a framework for this day—and we are here today—which is essentially the enactment into our domestic law of the Revised Treaty of Chaguaramas.

The point being made was: How could that party in that country oppose the Revised Treaty of Chaguaramas and the enactment of the Revised Treaty of Chaguaramas into domestic law, when they were the ones that signed the Grand

*Caribbean Community Bill*  
[HON. C. IMBERT]

*Friday, December 03, 2004*

Anse Declaration in 1989 which gave effect to the Revised Treaty of Chaguaramas. Essentially, the point was being made that they had flip-flopped, if I could use the local terminology that is popular nowadays.

**Dr. Khan:** Like your leader.

**Hon. C. Imbert:** You know, you have somebody on your side who is the original flip-flop man, and that is really the point I am making.

When I go into the history of the Revised Treaty of Chaguaramas, the history of CARICOM, which has brought us to this point today, the enactment of this treaty, we see that CARICOM flowed from a 15-year effort to fulfil the hope of regional integration. They had an attempt at a Federation in 1958 and eventually some 15 years after that, in 1973, we had the beginnings of the formation of CARICOM, and Trinidad and Tobago was very much in the forefront of that. In fact, when one goes into the history, one sees that Trinidad and Tobago has always been at the forefront of the regional integration movement and the movement towards a common market, and now the movement towards a single market and economy. In fact, it was the then Prime Minister of Trinidad and Tobago, Eric Williams, who convened the first Heads of Government Conference in 1963 in Trinidad and Tobago to deal with the need to move towards regional economic integration and regional political integration and the Caribbean Community as a whole. That was in 1963. Eric Williams convened that conference and started to lay the foundation for the formation of CARICOM. This resulted in Carifta, the Caribbean Free Trade Association which was established—

**Mr. Singh:** Free Trade Area.

**Hon. C. Imbert:** Free Trade Area; Free Trade Association, I am not going to quibble. But this evolution from the West Indian Federation towards the Caribbean Community and common market passed through Carifta—No, it is the Caribbean Free Trade Association; that is the acronym. I am afraid the Member for Caroni East is wrong. Do not listen to the Member for Oropouche. He is a little wet behind the ears; he is a little young in all of this.

So that coming out of that conference in 1963, we had the Caribbean Free Trade Association being established in 1965, when the Heads of Government of Antigua, Barbados and British Guiana signed an agreement in Antigua to set up Carifta. It moved from that; it evolved into a Heads of Government Conference in 1967 which caused the establishment of the Commonwealth Caribbean Regional Secretariat on May 01, 1968 in Georgetown, Guyana.

It is necessary to understand these things, because [*Interruption*] I will tell you what is the point. The reason for going back into the past to see why we are here and where we are looking forward to, is that not enough people, in my opinion, in Trinidad and Tobago understand the historical antecedents, the philosophy behind the CARICOM Single Market and Economy; the reason for CARICOM and the various evolutionary trends that have occurred over the last several years.

So coming out of the Heads of Government in 1967, we had the Commonwealth Caribbean Regional Secretariat established in Georgetown, Guyana in 1968 and then the establishment of the Caribbean Development Bank in October, 1969. So from the Federation we flowed into Carifta, then we flowed into CARICOM and then we had the establishment of the Caribbean Development Bank in 1969.

In 1972, the Heads of Government decided to transform Carifta from a free trade association into a common market and to establish the Caribbean Community, of which the common market would be an integral component. This idea of transforming Carifta, a trade association, into a common market, was eventually brought into fruition at the Heads of Government in Guyana in 1973. So that is what I meant about the 15-year evolution, from the Federation in 1958 to the formation of CARICOM in 1973 in Guyana.

So we move from 1973 to the present day. That is 31 years. So CARICOM was established in 1973 and we are now, today, 31 years later, where we are enacting into law the Revised Treaty of Chaguaramas, the CARICOM single market. There were many things that happened in between. More countries became members of CARICOM. Originally, they were four countries: Barbados, Guyana, Jamaica, Trinidad and Tobago, that signed the Caribbean Community Treaty in 1973, and then eight other countries came on board in 1974: Antigua, British Honduras, which I think is now Belize—Dominica, Grenada, St. Lucia, Montserrat, St. Kitts and St. Vincent. They became full members of the community in 1974, and the CARICOM was established by the Treaty of Chaguaramas and came into effect in 1973. Since then, there have been new members coming in. You had Suriname becoming the 14th member state on July 04, 1995, and Haiti securing provisional membership in July 1998, and, in fact, it was the first French-speaking Caribbean State to get full membership of CARICOM in July 2002 and have since had some problems, and I think their membership has suffered some suspension. So it takes us from 1958 through 1973 to 2002, where you now have 15 member states in 2002, and now 14 plus one.

So during that period you had many governments. You had the PNM government, the NAR government, the UNC government, now again we have a

*Caribbean Community Bill*  
[HON. C. IMBERT]

*Friday, December 03, 2004*

PNM government. During the period 1996—2001, the Member for Couva North will know that a number of agreements were made at various Heads of Government which he would have attended, which continued the process that was started in 1958 and 1973. In fact, the Member for Couva North would have been a member of a government, although I am not sure—a member of a party that formed a government in 1989—when the Grand Anse Accord was signed, which is really the basis of this Caribbean Single Market and Economy.

So that we have been at it since 1958. In fact, we have been trying in a serious way to create a Caribbean single market since 1973. This legislation, the Bill to give effect to the Revised Treaty of Chaguaramas, is one very important step. We are almost at the end of creating the CARICOM single market. We need to understand what we are doing, because I heard the Member for Oropouche talk about “vaps” and talk about bringing islanders here to Trinidad and Tobago, and making all sorts of other allusions to improper motives, and that sort of thing. But what we are really doing, we are completing a process that was well advanced during the period 1996—2001 by hon. Members opposite. They were very much at the forefront of progressing the whole concept of a single market from its early beginnings, to what we have today. In fact, the Revised Treaty of Chaguaramas was signed at a meeting of the Heads of Government in Nassau, Bahamas, on July 05, 2001, and the Member for Couva North was the Prime Minister at that time. In fact, I am pretty certain that he signed it, or he would have delegated someone to sign the revised treaty on his behalf.

So I find it very difficult, since the Revised Treaty of Chaguaramas was, in fact, developed during the tenure of the Members opposite—all of the arguments about the pros and cons, because there are a lot of issues in this. When I went into this treaty, there are a lot of issues in here that we, as a country, have to be careful about. There are a lot of things in this treaty that they signed that we are now enacting into domestic law, that we, as a country, have to keep our eyes and ears open to make sure that the spirit of the treaty, signed by the hon. Member for Couva North—we have to make sure as we move along that we follow the spirit of the framers and signatories to that treaty.

Speaking for myself, I have spent a lot of time looking at this treaty; looking at the removal of restrictions legislation, which we would do later today, and seeing whether the legislation that we are enacting is consistent with the treaty. After a lot of searching and questioning, I am satisfied that what we are doing today is, in fact, a faithful evolutionary step in the process of moving towards the Caribbean Single Market and Economy which flows from this treaty, which was developed during the tenure of the hon. Members opposite.

It is interesting when you go into the history of something like this and you see that three political parties, but four governments, that have held office in this country, have all been involved intimately in the evolution of this Caribbean Community and the CARICOM Single Market and Economy. It is, in fact, a creature of all the governments and all the political parties that have held office in this country from 1958 to now.

The point that needs to be made is: What are we trying to do with this treaty? That is why we have to get away from the scandalizing of this process, because it is very easy to scandalize it and talk about bringing in people here to vote, or something like that, when, in fact, this does no such thing. When you go into the treaty itself, what is important about it is its application. That is in Article 30. I think hon. Members opposite would have received a copy of the treaty. If they have not, they could go on the CARICOM website, as I did, about two hours ago, and download it for themselves; it is there. It has been there for sometime. In fact, it has probably been there since 2002; maybe even 2001. If you go into Article 30, you will see that the provisions of the treaty apply to the right of establishment, which deals with corporate matters: the right of establishment of a company in a country; the right to provide services and the right to move capital in the community. That is it. Just those three things: The right of establishment; the right to provide services and the right to move capital in the community. When one thinks about this, one sees this is all about business.

**Dr. Khan:** What about human capital?

**Hon. C. Imbert:** It does not address that. There is other legislation that deals with that. You have the movement of skills; the UWI graduates and persons with the certificate of skills, nationals from various CARICOM territories again—

**Mrs. Persad-Bissessar:** That is something UNC passed?

**Hon. C. Imbert:** Yes. That is something that evolved during the time of the hon. Members opposite and we are now refining that and putting some more flesh onto it. But this Revised Treaty of Chaguaramas only deals with three things: the right of establishment, which is the right to establish and operate companies in the 14 or 15 CARICOM territories; the right for CARICOM nationals to move through these territories and provide services, and the right to move money. That is it. The treaty in no way refers at any point to any political integration, to any political union, to any Caribbean constitution, or anything like that.

**Mrs. Persad-Bissessar:** You need to tell that to your leader.

**Hon. C. Imbert:** It is an evolutionary process. What we are about today, we are dealing with the Revised Treaty of Chaguaramas and all this is doing is giving flesh to the concept that was established way back in 1973, that you would have a common market within the Caribbean.

You know, 31 years is a long time, and when I was doing some research on this debate, I found a speech by the Jamaican High Commissioner in Trinidad and Tobago at a Rotary luncheon in May, 2003, when he spoke about what the CSME challenge is all about, and he made the point that the European Community is only 44 years old. So we have been at it for 31 years and the European Community has been at it for 44 years, and that flows from the Treaty of Rome, if my hon. Member for Oropouche would like to know. When you go into the writings about the European Community, it is very interesting, because the parallels are there.

**COMMONWEALTH SECRETARY GENERAL  
(RIGHT HONOURABLE DON MC KINNON)**

**Mr. Speaker:** Hon. Members, I would like to inform you of the presence in the Chamber of the distinguished Commonwealth Secretary General, the Right Honourable Don McKinnon. [*Desk thumping*]

**CARIBBEAN COMMUNITY BILL**

**Hon. C. Imbert:** Thank you, Mr. Speaker, and I would like to welcome this distinguished international citizen to our Chamber.

When one goes into the writings about the European community, it is very interesting. I have a paper here—I will send it to the Member for Oropouche so perhaps he can update his records. The paper is entitled: “The Europeanization of Representation in Simple and Compounded Systems”. What it means is that the coming into being of the European Union—and now there is a draft European Union Constitution, which will change the Constitutions in the member countries of the European Union—it is so interesting the points they are making, because we find a lot of our own issues inside there. [*Interruption*] You have no idea what I am about to say.

So when one goes into this document, the issues that are being raised in European countries are: What will happen to national sovereignty—this is the real issue here—when they dissolve all of these countries with this European Constitution? What will happen to an elector, for example, who votes for a government in France; or an elector in England who votes for a government in the United Kingdom and then finds out that somehow the European Union has changed the way that government works in this country?

There is a lot in here. They have gone much further than us. They have a common currency; they have the euro. Some countries have refused. Great Britain, for example, would not do it. I was in Europe this summer, and you go to England and you have to use the pound. They do not want to see the euro. You go to Ireland, and they are using the euro. In Ireland, they changed from the Irish pound—the punt—to the euro in seven days. In just one week they were using the Irish pound; one week later, they were using the euro. And all the signs had changed, all of the trade, the commerce, had changed in seven days. But England said. “No way, we are keeping our pound sterling”, and they are still there fighting up to maintain their sense of identity. So when you go into what is happening in Europe, you find a lot of parallels for us in Trinidad and Tobago.

Now let us come back to Trinidad and Tobago. What is this treaty going to do? This treaty is going to allow persons—let me deal first with the right of establishment. It will allow Caribbean companies the right of establishment in other Caribbean companies. So what the treaty seeks to do is to remove restrictions on the movement of corporations within CARICOM, from one CARICOM territory to another. So that it seeks to remove restrictions that would prevent a Trinidad and Tobago company, for example, setting up a branch in Barbados, in Jamaica, or any other territory within CARICOM. That is one of the first things it does. Of course, the converse applies, that corporations in Jamaica, Barbados and so on, can come here and set up companies and can operate without significant restrictions.

**2.00 p.m.**

Mr. Speaker, that is the first objective of this treaty. No longer would companies have to go through some sort of licensing system. I assume there will still be regulations. There are many matters that are still to be worked out in terms of exactly how companies would operate within CARICOM territories. But essentially, it now allows companies from Trinidad and Tobago freedom of movement; freedom of trade; freedom of commerce and freedom of operation within CARICOM territories and vice versa. For those of you who may have sought to operate in other CARICOM territories and have encountered certain restrictions, you may understand what the issues are. There are restrictions; you cannot easily move into these territories and operate companies. This Bill seeks to do away with that.

The next thing this Bill seeks to do is to allow persons who provide services, the right to move freely within the CARICOM community. This is quite a ticklish issue and I think we still need to properly define what services are. There is a definition in the treaty, of course, but we need to go deeper into that and define exactly what is “service” so that we would minimize abuse of that provision. The

*Caribbean Community Bill*  
[HON. C. IMBERT]

*Friday, December 03, 2004*

sectors of the economy in which services can be provided still have to be approved by Heads of Governments. If you go into this document you would see that services can only be provided in approved economic sectors. Heads of governments would have to sit and make a decision about the economic sectors that they would allow for the free movement in terms of provision of services.

Mr. Speaker, again, those of us who travel throughout the Caribbean and who seek to provide services in other islands will understand how beneficial a provision like that would be, because it seeks to allow individuals providing services to move within the region.

The final issue is the movement of money throughout the region, which is critical to business opportunities. Why is Trinidad and Tobago doing this? I can say that Trinidad and Tobago—if it is not the first—is one of the countries that will be removing restrictions. That is in the second Bill which comes later. We are right at the forefront of removal of restrictions.

**Mr. Singh:** You are just anticipating?

**Hon. C. Imbert:** I am not anticipating; I am simply telling you that the second Bill is designed to remove ambiguities. This is a broad statement of principles and as the Member for Siparia is a lawyer she will know that when it comes to the interpretation of these broad principles, and to actually get into the operation of how it works, you need a clearer definition and that is what the second Bill seeks to do. The second Bill seeks to give more information; to be more precise; to put more flesh on the bones of this treaty and to try to remove ambiguities that may result from the application of the treaty provisions in terms of the right of establishment and the right of provision of services, and there are others to come, which is the movement of personnel within the region and so on.

Mr. Speaker, I believe that we are the first country that will be enacting into our domestic laws the removal of restrictions legislation. We are about the fifth country that has enacted the treaty. Barbados and Suriname have enacted the treaty into law—these two countries have already done what we are doing today; they have proclaimed the legislation. There are two CARICOM countries, Barbados and Suriname, which have so far gone to Parliament and debated the incorporation of the Revised Treaty of Chaguaramas into their domestic laws and they have also proclaimed it. There are three other countries: Belize, St. Vincent and the Grenadines and Jamaica, which have enacted the treaty but have not yet proclaimed it. It is assumed that this will take place shortly.

We are the sixth country after Barbados, Suriname, Belize, St. Vincent and the Grenadines and Jamaica out of the 15 CARICOM territories that are enacting the

revised treaty into domestic law. It appears to me from my research that we are the first Parliament that will be debating the removal of restrictions, which fleshes out some of the provisions in this treaty.

As citizens, we just need to ask ourselves: Are we doing the right thing? Why are we doing this? We have embarked on a journey since 1958. We have really started moving since 1973 with the beginning of the Caribbean Community. Now, 31 years later, we are giving life to the seed that was sowed in 1973 and the question is: Why not? Why would you not want to, having been working towards a common market; a single economy; movement of personnel; movement of corporations and movement of capital, after 31 years and after all these Heads of Government Conferences—I do not know how many there are. If you go into the literature, it is a significant number of Heads of Government Conferences that have been held since 1973. There was the Grand Anse Declaration in 1989, which was 15 years ago. There was a lot of talk in the 1980s and 1990s about the single market and economy and we are here now and I can see no danger, on balance, to Trinidad and Tobago.

Mr. Speaker, this is something I have looked into in detail. I have weighed the advantages and disadvantages and I am satisfied that Trinidad and Tobago corporations; Trinidad and Tobago nationals; Trinidad and Tobago service providers will, on balance, benefit from the incorporation of the Revised Treaty of Chaguaramas. I cannot see any looming danger outside there except, if as a Parliament, we are careless when we enact the detailed provisions of the treaty into our domestic law. I can assure you that we on this side are not being careless at all. The legislation before the Parliament is a faithful representation of what is in this treaty.

Mr. Speaker, when you look around the world and you see all the economic unions and you see how the world is moving into economic blocs and sub-trading regions, and you look at the strength of the European Union, which is now rivaling the United States in terms of its wealth, power and influence and when you look at that vast trading bloc in Europe, which has now expanded from the original 10 or 15 nations to, I think it is 25 now—they have brought in a number of new countries into the European Union within the last year or so— In 2003, the 10 non-EU nations have signed treaties: Estonia, Latvia, Lithuania, Poland, the Czech Republic, Slovakia, Hungary, Cyprus, et cetera. They have expanded the European Union from 15 to 25 countries, this happened in 2003, and they were probably knocking on the door for many years.

Mr. Speaker, all the issues that we, as Trinidadians, have raised about why should a country with a small population have the same power as a country with a

*Caribbean Community Bill*  
[HON. C. IMBERT]

*Friday, December 03, 2004*

large population within an economic union have been beaten to death in the European Union and they are still arguing about it today. These are real issues but when one looks at the power and strength of the European Union and the way they are moving—as I have said, there is a draft European Constitution which will take over some of the sovereign responsibilities of the countries in that union—that is where they are going, the European Constitution—and they are becoming a very powerful bloc.

Mr. Speaker, we on this side of the world see efforts to form the Free Trade Area of the Americas, again another trading bloc, to counteract what is happening on the other side of the Atlantic. Within that sub-grouping I can see no other real possibility for us than to go into a sub-unit within the Americas and call it the CARICOM Single Market.

Mr. Speaker, I have weighed it and, on balance, I see no net danger for Trinidad and Tobago. I see only benefits as our companies move into the other countries and other countries move into ours as well. We will all benefit from our own resources, our own capabilities, niches, skills and so on. As I have said, I see no danger here at all. I see what we are doing today as the realization of the architects of the West Indian Federation in 1958 and the signatories to the many different treaties, conventions and agreements in CARICOM since 1973.

I wish to wholeheartedly support the Caribbean Community Bill that we are about today. I urge Members opposite not to behave like some of the parties in the other countries have behaved, having signed the Grand Anse Treaty in 1989 and then in 2004 make noise and want to renege. This, as I have said, has been an evolutionary process. The Members opposite have done a lot of work and must take quite a bit of credit for moving the Caribbean Community to where we are today. We are now in the driver's seat. We have now taken over the baton from you, as it were. As the Government of the country presently we are taking it towards the legislation of the single market. I urge you to support it. I expect you would have many points you may wish to make about the implications of this treaty but I cannot see how, in principle, Members on the other side cannot support this legislation.

Mr. Speaker, I thank you.

**Mrs. Kamla Persad-Bissessar** (*Siparia*): Mr. Speaker, it is indeed surprising to hear the Member for Diego Martin East sing the praise of the CARICOM and to give us a history lesson. He did not sound convincing at all, however, because he knows and we know that he is persona non grata in some of the CARICOM islands;

collapsed stadium—*[Interruption]* You would know which one. I am not surprised, however, that you have really had very little more to say than the hon. Minister did, in terms of history going back to what took place prior to this time and which was expanded upon by the contribution of my colleague, Dr. Moonilal.

Mr. Speaker, before I get into the specific details of this Bill, I think we need to note a pattern of events taking place in this country when it comes to matters of foreign policy. At the 10<sup>th</sup> Special CARICOM Heads of Government meeting held at the Hilton Hotel recently, major decisions were announced. One of these decisions was that the Prime Minister of Barbados announced that this Caribbean Single Market and Economy (CSME) would come into effect at its proposed deadline in 2005. The second was that the Prime Ministers of Trinidad and Tobago and St. Vincent and the Grenadines announced that they wanted to speed up the political integration of Grenada, St. Vincent and Trinidad and Tobago. The third announcement had to do with the signing of the Memorandum of Understanding (MOU) between Trinidad and Tobago and Jamaica, which allows Trinidad and Tobago to supply Jamaica with liquefied natural gas below world commodity price and by doing so, to expand that country's Alcoa Bauxite Plant. Those were some of the announcements that came out of that CARICOM Heads meeting.

Mr. Speaker, along with that, we are seeing in the arena of foreign relations, the way in which we deal with other nations, previous announcements made by the Prime Minister with respect to the gas line that would assist other CARICOM islands. We have seen the Prime Minister waving the wand as fairy godmother; giving to Grenada, St. Vincent and the Grenadines and Jamaica.

We have seen where the Prime Minister announced, at page 14 in his budget statement, a Revolving Loan Fund of TT \$100 million to be given, interest free, to nationals of the CARICOM region but not to Trinidad and Tobago firms, discriminating against the firms in Trinidad and Tobago. Mr. Speaker, they are giving this \$100 million, which is, in fact, an aid; a facility, interest free. I have asked my colleague, the Member for St. Augustine, within his experience, when more developed nations are assisting Trinidad and Tobago by way of loan or grant funding whether it is ever given interest free. Or, is it that if the facilities are made available that you pay interest on it. We could not find an example where a nation that was better off than we were—the United States of America; the United Kingdom, anywhere in Europe—that would give moneys to assist those within their region with interest free loans outside of their region. Here it is again the wand of the fairy godmother.

*Caribbean Community Bill*  
[MRS. PERSAD-BISSESSAR]

*Friday, December 03, 2004*

Then we see these significant developments where large chunks of our resources are being given away without any kind of information coming to the population or coming here to the Parliament so we really need to ask questions. I have read about Grenadian students in Trinidad and Tobago, but the Chief Immigration Officer is not able to say how many such students are here. I also thought that any non-national coming into Trinidad and Tobago would have to fill out immigration forms and to get approval before being given entry. How could the Chief Immigration Officer say that he cannot say how many Grenadian students have come here and enrolled in our schools?

The Ministry of Education also cannot say how many Grenadian students have been pushed into our school system in this country. The Immigration office has said, yes, these students have come. The Ministry of Education said, yes, we have enrolled them into our over-burdened school system; a system which the Minister of Education said that the UNC packed with children. There is not enough space for our children but you have brought the Grenadians and you have put them into our school system and you do not know how many of them and you do not know where they are. How are we dealing with these issues, Mr. Speaker?

I am being told right now that Jamaican engineers are coming in on three-year contracts—compromising the engineers here in Trinidad and Tobago—to work for the NHA. Where was this done? How was this done? Where is the discussion? How is it happening?

Mr. Speaker, I know that you guard your powers, rights and responsibilities very jealously. I know you do that as Speaker of this House. I have seen a clear breach of the Standing Orders in this Parliament, which would have been able to address the issues that I have raised which deal with foreign policy, but to date we have failed to obey the Standing Orders. I speak here of Standing Order No. 79A, which says:

- “(1) There shall be a Joint Select Committee on External Affairs to be known as the Joint Parliamentary Committee on External Affairs. This Committee shall be a Standing Committee appointed for the duration of the life of the Parliament.
- (2) The House shall, for the purposes of this Committee, appoint not more than six members to sit with members of the Senate, but any member may be discharged from serving as a member of the Committee and be replaced.
- (3) The balance of the Parties in the House shall be reflected in the appointment of the House members of the Committee.

- (4) The Committee shall consider such matters pertaining to External Affairs as may be referred to it by the Minister responsible for External Affairs, and shall submit its reports to the Minister who may in his discretion, lay or cause such reports to be laid in the House of Representatives.
- (5) The Committee shall have power—
- (a) to send for persons, papers and records;
  - (b) to appoint sub-committees from among its members and to delegate any of its authority to such sub-committee; and
  - (c) to make its own rules.”

Why have we not complied with this Standing Order?

**Mr. Valley:** Mr. Speaker, I wonder whether the hon. Member can inform this House how many times that committee sat between 1996 and 2001.

**Mrs. K. Persad-Bissessar:** Mr. Speaker, the hon. Member has been in this House, I am sure he has the answer to that question.

My point is, Mr. Speaker, that here we are with all kinds of issues dealing with foreign affairs and external affairs; all kinds of decisions by vaps; we have given away to Jamaica by way of the MOU, to sell to Jamaica this natural gas below world commodity price. Why are we selling to Jamaica below world price? Why are we doing that? What is more important, Mr. Speaker, is that in selling this natural gas to them we have committed to 20 years, when the country's proven reserves are 15 years. How are you going to sell them—*[Interruption]* That is the nonsense that you did. If we had complied with this Standing Order and this committee was established and this House was sitting, the people's representatives would have had a say in foreign policy matters.

The Prime Minister could not just go to Grenada and give out all this money without telling this country anything about it. He could not have gone to St. Vincent and the Grenadines. He could put this facility of interest free loans—discriminating against our nationals—for the rest of CARICOM but not for our citizens. Mr. Speaker, we do not need development? We do not need loans to develop our manufacturing sector or any of our sectors?

Mr. Speaker, you guard this House jealously, you guard your powers, your rights and responsibilities jealously and I am asking that this committee be established in accordance with the Standing Orders. *[Desk thumping]*

*Caribbean Community Bill*  
[MRS. PERSAD-BISSESSAR]

*Friday, December 03, 2004*

**Mr. Williams:** Member, yes, we signed an MOU with Jamaica and certainly what it sets out is that we are going to do a feasibility study of the entire project and it will be based on a commercial basis. The actual pricing may, in fact, be below world pricing in an effort to deal with our Caribbean community but the project, I assure you, will meet all the commercial criteria and profitability and commercial rates of return.

**Mrs. K. Persad-Bissessar:** Mr. Speaker, our information is that they have committed to sell below world commodity price. The point is made that that is what you have done but you have brought nothing to the Parliament. When somebody comes at you and you stand and try to give an explanation—*[Interruption]* Bring it in black and white! *[Interruption]* Not yet? When will it be done?

Mr. Speaker, look at where our gas reserves are? This Minister was not even concerned when he announced that the whole area of our reserves has shifted. We have gone down. Our proven reserves have dropped by 1.95 TCF. *[Interruption]* Just a minute! These reserves have disappeared! Proven reserves have gone down by 1.95 TCF. Mr. Speaker, it has disappeared and gone where? He also announced that 2.39 of probable reserves have disappeared as well but do you know what has increased? He said possible reserves have increased by 2.57 TCF. Mr. Speaker, do you know what the possible reserves are? You have taken it out of proven; so when we thought we had so much proven, it has disappeared and depleted. When we thought we had so much probable reserves—“probable” means most likely to get—that disappeared and we have increased the possible reserves.

Mr. Speaker, the Society of Petroleum Engineers defines possible reserves as those on proven reserves which on analysis of geological and engineering data suggest are less likely to be recoverable. Here we are with what we thought were our proven reserves depleted because it has disappeared. We are monetizing these resources to do what with the money? Where is the cost? Where is the benefit? What are we doing with this money? We are giving it away. There is a saying that a fool and his money are soon parted and that is exactly what is happening with this Prime Minister of Trinidad and Tobago. The money is just being given away; thrown away, not just in CEPEP, they are giving it everywhere. What is the cost benefit? Has any analysis been done? You keep telling us that we are doing this because we trade with these guys and therefore we have to help so they can buy back from us. Nothing is wrong with helping your brothers and sisters, but what is the cost benefit analysis for the amount that you are putting out?

The Minister spoke about Trinidad and Tobago becoming competitive by going into this CSME. He said that the competitiveness of Trinidad and Tobago

would be enhanced. Every year since the PNM came into government, Mr. Speaker, Trinidad and Tobago has fallen in the Global Competitive Index. We have dropped in competitiveness. Since this PNM government came into office, we have dropped rank. In 2001, under the UNC, Trinidad and Tobago stood at a good rank of 38. We dropped in 2002 to 42; we dropped in 2003 to 49 and in October of this year, we went down even further, to 51 in the Global Competitive Index. They talk to us about becoming competitive but yet every year your history in government has shown that we are dropping, dropping and dropping in rank. Where is the competitiveness? Why is this happening? It has to do with institutional capacity, crime, social structures in the country and it has to do with the way in which the Government conducts its business, that is why we are dropping in that index.

Mr. Speaker, whilst Trinidad and Tobago wants to be the leader and the light in CARICOM; leading the way out front; doing everything in CARICOM, we are dropping in the world rankings. This is why the Member for Diego Martin East is totally wrong when he said the UNC wants to give a different kind of expression about the CSME. We have no difficulty with that you know. Dr. Moonilal made the point that the UNC was always of the view and remains of the view that we will go with the Caribbean Single Market and Economy (CSME) but we have to go beyond that.

You said we took 20 or 40 years to get here, is that not all the more reason why you have to go further? We are caught in this RTA; we are caught in this CARICOM Regional Movement to the extent that we are neglecting the other ways in which we are going to develop competitiveness; in which we can develop and improve what you want to do for the quality of life for the people of Trinidad and Tobago.

Mr. Speaker, here we see Trinidad and Tobago losing benefits to Jamaica with the Memorandum of Understanding that has been signed; we are seeing what is happening with all the money that is being given away but there is no accounting to this Parliament and no information to the people through the Parliament. That is why I repeat that that committee has to be set up.

Mr. Speaker, let us get to the Caribbean Single Market and Economy (CSME) and this Bill we have specifically before us. The Bill "An Act to give effect to the Revised Treaty of Chaguaramas including the CARICOM Single Market and Economy and for matters related thereto". Mr. Speaker, I read the *Business Guardian* yesterday and there was a MFO poll; an opinion poll, and in that poll the results that were given yesterday indicated that at least two-thirds of the respondents

*Caribbean Community Bill*  
[MRS. PERSAD-BISSESSAR]

*Friday, December 03, 2004*

have absolutely no idea what Caribbean Single Market and Economy (CSME) is about. We are proceeding forward. It seems as though the clock stopped when the UNC left in 2001 because they have taken the process no further.

Mr. Speaker, here we are putting into law the treaty, which we got last night by the way—this 270-page treaty was sent to us last night. I do not know what we could have done with this last night. That is the respect that Members of Parliament have for the Opposition. Here we are debating something that is so vital and important—a 270-page treaty. This Bill is very short, a few pages, but when the Bill came there was no Schedule with it. Mr. Speaker, this is the Schedule; it should have come together because this means nothing without the Schedule, which is the treaty. We got this last night and we are asked to come here today to debate it. My colleagues who spoke before me did not even have the Schedule in front of them.

Mr. Speaker, that should not be happening in the Parliament. The Parliament should have a process and a procedure. As I said, you guard your powers, privileges and responsibilities jealously and zealously as well, and these things should not happen in the Parliament. It is total disrespect for us to be debating a 270-page treaty, of which we did not have sight. That is not how you do business—you came and you railroaded it. *[Interruption]* Of course, it was signed under the UNC, that is not the issue. The issue is that if we are debating this today—*[Interruption]* Yes, but unlike what he did when he left government the last time. Mr. Speaker, when he left he took all the papers from the file cabinet and carried them with him. When we left government and office we did not walk with the documents. They were government's property and they stayed in the government offices. *[Interruption]*

**Mr. Speaker:** Order! Order!

**Mr. B. Panday:** The money you got from the desalination plant when you were a member there.

**Mr. Speaker:** Order! Order!

*[Crosstalk]*

**Mr. B. Panday:** You forget the desalination plant; how much did you get from that? *[Crosstalk]*

**Mr. Speaker:** Order! Order!

*[Crosstalk]*

**Mr. B. Panday:** We are not sitting here and taking that crap, that is what I am trying to tell you. [*Interruption*]

**Mr. Speaker:** Order! Order! The Member is on her feet, please!

**Mr. B. Panday:** Every time you open your mouth we could stick our feet inside of it.

**2.30 p.m.**

**Mrs. K. Persad-Bissessar:** Mr. Speaker, these “fellas” has absolutely no shame. This is the most corrupt government this country has ever seen; the PNM government. We have seen here what has happened with allegations made against the Member for Diego Martin West.

We have seen what has happened. It is not me, it is my son. That is the explanation that they gave—the most corrupt set of people. Look at the corruption in the Community-based Environmental Protection and Enhancement Programme and the Member stands up and disrespects this House. On the last occasion the Member for Diego Martin Central—I tried to get the *Hansard* record—I recall when the debate was going on he raised the issue of corruption again.

I want to make it very clear that not one of the Members on this side walked with anything in their pockets. They walked out with their heads up and with their hands clean, but I do not think any of them can say that, except the Member for La Brea.

Mr. Speaker, we are talking about the CARICOM Single Market and Economy. And I am saying two-thirds of the people in the country do not even know what it is. They do not know what that is about. I thought the Minister, in his contribution, would have gone into detail explaining to us what is the single market and economy. What is the single market, what is the single economy, what is the difference between single market and single economy? I expected him coming with these 270 pages that he would have gone into the details by telling us what these provisions were but, more importantly, to tell us where we are now.

The Member for Diego Martin East wanted to go backwards. And when he came to the present he jumped across to Europe and read about the Treaty of Rome and the European Union. Why did he not deal with what is happening in CARICOM now with respect to those provisions? Why did he not tell us that? Why did he not tell us that in every respect the nations are backward in implementing and putting into place any of the provisions that should be put in place? Why did he go off to Rome? He went into the history because he really could not have

*Caribbean Community Bill*  
[MRS. PERSAD-BISSESSAR]

*Friday, December 03, 2004*

found anything in the present and then when he reached to the present, he went back to Rome.

Let us be clear what it is we mean when we talk about this single market, this single economy. The two are different. I think the hon. Member for St. Augustine talked about some of those things. I say thanks to him and I am sure the Member for Tobago East will also thank him for some learning that came through by way of the MBA and also thanks to Lloyd Best—I know the Member for San Fernando East has very little respect, given his words the last day but I do have tremendous respect for Lloyd Best.

Is the single market a space in which goods, services, people, capital and technology will flow freely, will circulate freely? That is what we are talking about when we say we want to set up a single market. The fact is the goods, the capital, the services; the technology should be able to flow freely. When we create this among states it involves, as far as the market transactions are concerned, the complete removal of physical, technical and fiscal frontiers so that we can move goods from here to Siparia, as easily as goods should be able to move from Barbados to Trinidad, as freely as people can move from Siparia to Port of Spain, as easily from Barbados, Jamaica into Trinidad and vice versa. But the single market is different from the common market but what has been happening here, in the single market, is all frontiers are eroded and that is why when they went to the European Union they went to the Treaty of Rome. That is what you should have done. It is different because the frontiers there have disappeared. We are keeping the frontiers. It is very different. So we are talking in one breath about this free movement of labour, capital, services and so on, and in the other breath we are saying no, we are holding on to our frontiers. Very different from the common market, very different from the European market and so unlike that single European Act of 1986, there is no concept of that area without frontiers, while that is implicitly within our Treaty. That is the market. The market has to do with these factors.

With respect to the economy, if you have a single economy what you want to get is unified economic monetary policies and this will include related legislation, executive instruments, related institutions; these will be all unified, and so one of the most important instruments when you are talking about a single economy would be a unified currency, a single currency. We are nowhere near to that or will we ever get to that at the rate we are going. That single currency issue is very important to our single economy. This is what I asked the Minister to tell me. Where are we in terms of being a single market, where are we in terms of being a

single economy? That is where my friend from Diego Martin East came to the present. That was what I hoped he would have told us; where we are today with respect to unification of economic policies, unification of monetary policies, unification of legislation, unification of institutions. Where are we today with that? That he would have told us as well where we are with respect to the single market.

When we look at the processes within it, tell me about those processes too. The first would be the institutional and legal framework for the single market and economy. No one on that side singing the praises of the CSME would tell us what the processes are and how far we have reached with respect to those processes and so we are looking at the establishment of the Caribbean Court of Justice.

The Act speaks of the Caribbean Court of Justice and I was very happy to hear the Minister say—he spoke only of the original jurisdiction so I am very happy the PNM has a change of heart, they are not proceeding with any CCJ to abolish the Privy Council. The Minister talked about bringing in a CCJ that would be in its original jurisdiction to deal with disputes arising under the Treaty of Chaguaramas. I thank him for letting the country know that the PNM has now reneged on its position about abolishing the Privy Council. Read the *Hansard* of hon. Minister Gift.

**Mr. Manning:** Mr. Speaker, just for the removal of all doubts, the People's National Movement has espoused no such position. The position of the Government is that it sees the Caribbean Court of Justice in two jurisdictions; an original jurisdiction and an appellate jurisdiction that replaces the Privy Council as the highest court in the land.

**Mrs. K. Persad-Bissessar:** Mr. Speaker, it is very clear that the hon. Prime speaks for himself. But he did not speak for Minister Gift. Minister Gift spoke for himself. It was clear then. It is what we always suspected. It is a one-man show. He makes the pronouncements and the rest of you better follow. But let me make it unequivocally clear that in the same way the Prime Minister made it clear that we will not support the abolishing of the Privy Council, we will not support the CCJ as the final appellate in this country. Just to clarify that, I will not be supporting but I still think they need to get their act together because—*[Interruption]*

Will you just keep your words to yourself? I really do not want to pelt you with any bottle or glass from here. Stop harassing me. I would ask the Speaker—That is why this Minister gets himself in trouble.

**Mr. Speaker:** I think the Member was about to ask for protection from you. Perhaps, you have not yet participated in the debate. You will have your opportunity, so let us listen to the Member in silence.

**Mrs. K. Persad-Bissessar:** I really do need that protection given the temperature and temperance of the Member.

With respect to the Caribbean Court of Justice, we are nowhere further with that. We are talking about the institutional arrangements. These must be in place if you want to implement. So, you have been there 30/40 years, and we are nowhere further with respect to that Caribbean Court of Justice. Competition policy is also one of the processes that are very vital with respect to the CSME. At the moment implementation with the treaty provisions has not been undertaken in a single CARICOM state with respect to competition policy. Why do they not tell us these things? Why do they come in this deceitful manner, everything is hunky-dory, we are leading the way, great things are going to happen. CSME is going to take place and we are going to lead the way. Why do you not tell us that none of these institutions are in place? Why do you not tell us none of these processes are taking place and then give us the deadline and the time frames within which you hope to get those things done?

Intellectual property rights: another very vital area within the CSME, must be taken care of. Several states do not have any intellectual property rights legislation at all. Thanks to the United National Congress, Trinidad and Tobago is No. one in the Caribbean with respect to intellectual property legislation. [*Desk thumping*]

CARICOM nations do not have any intellectual property rights legislation. Why is it not important? Trinidad and Tobago is such a multi-talented, multi-cultural society. The talents that come out of here in terms of our authors, musicians, the calypsonians, the chutney singers, the drummers, the tassa players, are in abundance, and if those CARICOM countries do not have intellectual property laws to protect that kind of talent, that wealth of talent, then you are opening up our people to exploitation and to the kind of piracy we are seeing now in Trinidad and Tobago, the music pirates who are out there on the streets, so we need to look at that. When do we intend to see that harmonized? How do we intend to get that going and what is the time frame? Tell us what your time frame is. No action has been taken up to the present time. Not only do these states not have the intellectual property rights legislation, no action has been taken to date about the establishment of a regional administration for IPR. If you are saying you are going to have your CSME then you need regional administration. That has to be set up as well. Tell us about that. You want the CSME, you want the CSME, you want the CSME, and you have to put these things in place. Nothing has been done in respect of the treaty provisions that talk about putting in place mechanisms for protecting indigenous culture, expressions of folklore and traditional knowledge, all of these within the ambit of the intellectual property laws.

Company laws are so vital. The Member spoke about companies moving and registering and companies being able to come here and do business here. Company law is not harmonized in the region. Some states have serious conceptual differences with respect to what kind of company law they are going to put in. Again, thanks to the UNC, Trinidad and Tobago has one of the most modern pieces of company legislation ever brought in this country. After 48 years, it took the UNC under my watch to bring into the Parliament the new Companies Law for Trinidad and Tobago. But it has never—Mr. Speaker, do you know what happened? I will let him know what happened because I know the hon. Speaker knows what happened. I will remind him of what happened.

They came on the eve of an election in December 1995, with a document they said was company law because they needed it pass to get some kind of loan and told the Parliament, “pass this for me please, I have to get this money and when we come back we will fix it up.” A bad piece of legislation! That was in 1995. The UNC set up the task force and revised the entire legislation that brought it into reality that made it work. It could not work but it did. We had a task force set up with all the top people in the company’s law area in this country. I remember Judy Chang was there, Hamel-Smith, Furness-Smith, Ramrekeringh. I remember all these people. We worked for almost a year. I worked on that task force so I know what I am talking about, and we brought to this Parliament and passed what I would say was one of the most comprehensive and most modern piece of companies’ law. But what is the situation with the rest of CARICOM? They have not taken the model law from CARICOM itself. CARICOM had a draft. They have difficulties with that where they do not want it. How are we going to say companies can come and conduct businesses and so forth, but their legislation is so backward because they are still holding a 1948 backward piece of legislation in companies’ law? Barbados is the only one that has theirs. I am saying processes, the institutions, tell us about those. Where are we with them? What is your time frame to get these going?

Financial services: Banking and insurance securities is another important part of the CSME. Action on harmonization in these fields seems to be very distant because studies are now being undertaken with respect to similarities and dissimilarities existing in national legislation. Again, you talk about the service sector, you talk about movement of capital. Capital has to do with financial services, with banking services, with insurance securities. That is the financial sector and where are we with that?

When we come and pass this—I am doing this because I am saying nothing is in place and when we enact into law the provisions of the treaty and pat ourselves

*Caribbean Community Bill*  
[MRS. PERSAD-BISSESSAR]

*Friday, December 03, 2004*

on the back and say great, we run off to the next CARICOM Heads Meeting and say, hey, Trinidad and Tobago has done well, we have put this thing into our laws, we are out front, we are the leader, we are waving the flag for CARICOM. But nothing else is in place anywhere and they would take another 40 years for this to come into being. At the rate they are going that is what they will do and by the time they get there the thing is already outdated, outmoded, out-fashioned. It cannot work and that is why even this revised Treaty, yes, we signed the 2001 but you sat on it. This is 2004 and you are not bringing this to enact it into law. Why did you not bring it before, and do not tell me it was 18/18 and there was no Parliament. When you enacted that then you could have gone into the other processes, the other institutions that we had been looking at, but you are now coming just to enact the Treaty, a very strange thing.

We saw an attempt last year with the Caribbean Court of Justice, the Bill was laid in the Senate and then it was taken out of the Senate, it was brought to the House, it was on the House Order Paper, but the provisions of the treaty—so somewhere along the line they got some sense which makes for the CCJ to be put into the domestic law. The Treaty was not part of the law but they are coming to tell us pass the law for the CCJ without putting first this into place, putting the cart before the horse. This is what comes first, and I am saying you have taken so long to bring that, so the other processes that should have been taking place within the last couple of years never happened.

Customs Law: The model law that must be prepared for CARICOM has been abandoned. Did the Member know that? The model law dealing with customs, again, very important and I am seeing—I am not anticipating, but I see on the Order Paper the next Bill that is to come talks about a Factors Act, 2004. But we do not have that Act yet but from reading the next Bill that is coming—we are talking about factors, these are customs clerks, customs brokers and so on, being able to come and practise but here it is, what about the law? They have abandoned the harmonization of that law; the model law prepares it as if it has been abandoned by the OECS. They have devised their own law. What are you going to do? In any case several member states have serious difficulties with the model law for customs. It is so vital if you want to have free movement of goods. Customs law is going to be a vital part of that.

Government procurement: also very important as a process. The CSME has no provisions of Government procurement. That is a feature of all the other trading blocs and regional RTAs in the world, the WTO, the FTAA, CPEU, all of these have Government procurement provisions. Our treaty has absolutely nothing on that.

No action has been taken on drafting and negotiating their community, government procurement protocol. There are technical requirements and none of this has been done but we are saying everybody must be able to move freely.

Dispute settlement; also very vital. Where are we with respect to that today? Apart from the CCJ there are really two other measures being proposed, the conciliation commission and arbitration tribunal. But most countries have not submitted nominees for arbitrators or conciliators for any of these. It is not functioning. What is going to happen with the disputes when they start to arise? What is going to happen with that? No focus on that. When we come to the free movement of goods with the single market—already Trinidad and Tobago has no difficulty with the movement of its goods. Trinidad and Tobago commands about 96 per cent of interregional trade to CARICOM. So this is not really going to increase our trade. We are really up to as much as we could go. Not much more increase could come. Do not tell me the CSME is going to allow Trinidad and Tobago to benefit more in terms of that intra-regional trade and the amount of it that we command.

The free movement of services: No member state has yet enacted legislation to put into effect treaty provisions removing restrictions with respect to the trade in services. What is your deadline? What is your time frame?

The free movement of persons; again, thanks to the UNC. It was the UNC Government who passed in this Parliament the Immigration CARICOM Skills National Act, which today allows skilled nationals holding university degrees and so on, to move freely in the region to come into our country.

When we passed that law we put in a condition. It is section 12 of that Act which said that we would only have nationals from other CARICOM states coming where there was a reciprocal statute within the CARICOM nation. So if Barbados was not allowing our nationals with qualifications to go into Barbados, then we would not allow their nationals to come here. There must be reciprocity.

I am saying we are going to remove that and we would talk about that a little later. We are going to remove the reciprocity. We must take them but they cannot take our citizens. How could we allow that? Are we discriminating against our own people? Are we pushing ahead, out there, trying to buy votes for the FTAA? I do not know what it is that we just seem to be putting everybody else in CARICOM in front of the people of Trinidad and Tobago. That is what is happening. Where is the foreign policy? What is the foreign policy of this Government? How is it dealing with foreign affairs? How is it dealing with Trinidadian vis-à-vis the other

*Caribbean Community Bill*  
[MRS. PERSAD-BISSESSAR]

*Friday, December 03, 2004*

CARICOM nationals? Where is the saying, “charity begins at home”? We are compromising—I think Dr. Moonilal, put it rightly, our patrimony. He talked about Patrick money. We are compromising our own citizens here. Wake up and look at it. How many of our citizens today care about this CSME because they do not know what it is and how it is going to benefit them. All they see it is, as one thrust that is being pushed by the Government and that is, to flood Trinidad and Tobago with people from the other islands. Go out there and take a poll! Find out. That is what everybody sees this whole thrust in the CARICOM is about. Ignorance, perhaps, non-education, but I cannot help but agree when I go through the list of processes, the list of institutions, matters that need to be in place to make this meaningful, none of it is in place. The only thing that they are pushing ahead with is giving away the money and allowing other islanders to come and flood Trinidad and Tobago. PNM style, voter pad style and that is the only part of the CSME that the PNM is paying attention to and putting focus upon, and so, voter padding. That is what it is. That is what the public is saying. Go and ask them. That is the only area in which information is coming. They are not being told, they do not know about anything else that is happening with the CSME. When we come to the free movement of capital no member state has any legislation or implementation programmes to put the treaty provisions on removing restrictions for free movement of capital. We are going to put this, we are getting CSME, we are putting domestic law but you do not have anything to implement that provision. Nothing to implement with respect to common external protection. Most states have adopted the issue with the fourth phase of the Common External Protection Regime but it is far from really being achieved to give protection to states. This is because of the incomplete defective application of the CET, the increasing use of derogations from it and we saw here in Trinidad and Tobago the presence of non-tariff barriers as we saw with chicken when we derogated, where we removed that tariff and so the common external protection is not working for the benefit of the people. That, too, is way behind.

When we come to sectoral policies to deal with the single economy, the treaty gives us sectoral and unified policies with respect to agriculture, industry, services and transport and these policies are mainly with intentions to promote, co-operate, collaborate. They fall very far short of what is expected from a sectoral policy that should guide us to the CSME. When it comes to macro-economic coordination it is the same kinds of problems. So on every front, on every level, nothing is happening with respect to putting in place the processes and institutions needed for the CSME to function.

With respect to the monetary union, the single currency, the approach to this issue has been to monitor macroeconomic parametres against the pre-determined

targets to gauge the extent of macroeconomic conversions which is the accepted pre-condition for moving to a single currency. Attaining the targets has fallen far below whatever was expected with respect to all the parameters. No mechanisms are being provided to correct underperformance. It concerns the issue of the monetary union COPAC, which is the subcommittee out of the CARICOM Heads of Government accepted the recommendations of the Committee of the Central Bank governments that the monetary union involving all CARICOM member states is not achievable at this time, so they have thrown away that whole concept. It is gone! They have just thrown it away. All practical purposes, a single currency for the single market has been abandoned.

I am saying, okay, come and tell us you have done this, why you have done it, explain to us where we are with respect to having the CSME implemented and put in place. Do not make big, big, broadcast next year 2005 because in every single regard it is deficient, it is not progressing and in many regards it has just been abandoned. The processes have been abandoned, institutions have been abandoned. Nothing, nothing, nothing is taking place!

With respect to the political implications of the single market and economy—and the Member for Diego Martin East made it very clear that the Treaty has nothing to do with political integration. Perhaps, he should say it a little louder so his Leader would hear because the leader is talking about the CSME and CARICOM Single Market and Economy and is going all over the world talking about political integration with St. Vincent and Grenada and so on.

I wonder if people remember Barbados banned their goods coming out of Trinidad and Tobago fairly recently. I wonder if people remember when in the islands they used to say Trinidad and Tobago dollar is worthless. They did not want to see a Trinidad and Tobago dollar. You could not go to Jamaica. Jamaica is the cream of the Caribbean. If you go as a 'Trini' there you are the poor cousin from the country, laughing at you. The Trinidad and Tobago dollar was nothing.

Mr. Speaker, today these countries playing friends. Today these countries mamaguying the Prime Minister so that he will take up moneys and give to them, but he has not told us what the cost benefit analysis is to the people of Trinidad and Tobago from these manouevres. Dr. Moonilal spent quite some time on that political integration. I endorse everything he said with respect to that and I go further to say that there is no way in this country that there would be any political integration with any other CARICOM state unless it is approved by the Parliament and the people's representatives in Trinidad and Tobago. It cannot happen any other way. That is the only way. So this is pie in the sky but do you know what?

*Caribbean Community Bill*  
[MRS. PERSAD-BISSESSAR]

*Friday, December 03, 2004*

My fear is that they will use this CARICOM Treaty in devious ways that will allow them to really have that kind of integration without coming to this country.

Previous PNM government, when they wanted to bring something call the Public Order Act, a dangerous piece of legislation that dealt with rights and liberties curtailment of those rights and so on, the Public Order Act. In fact, there is a famous attorney-at-law in this country who has been lambasted for that Public Order Act, very well known, upright lawyer in this country, was then Attorney General, brought the Public Order Act and he was run out with it because it was seriously curtailing people's rights and freedoms and do you know what the PNM government did then. They changed the provisions and brought provisions to stop your rights and freedoms by putting them quietly in what we call the Summary Offences Act so that they did not need a special majority at that time. Because they worded it in such a way and slipped it into the Summary Offences Act. You know that Mr. Speaker, and that is why I am saying whilst we on this side are very aware that there would be no political integration with anybody unless approved by the people in the Parliament of the Republic of Trinidad and Tobago, with the proper majorities, our fear is that they would use these underhand ways to slip it in, in different ways in various pieces of legislation to allow movements to take place, to allow actions to take place in various pieces of legislation piecemeal as we go along the way. That is our fear and that is why we will continue to speak out against it so the population is aware. Education is your strength, when people are aware and they know about it they will state very clearly.

Dr. Moonilal asked the Prime Minister, through you, "in your campaign for the election will you go with a mandate to the people and say I want you to vote for me and when I get back into government I am going to form a political union with Grenada and St. Vincent and the Grenadines". Go to the public and tell them that. Get your mandate and let the people know this is what you want to do. Carry it out there openly and freely so that when that issue comes the country would know and would be aware of it.

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

*Motion made,* that the hon. Member speaking time be extended by 30 minutes.  
[Hon. K. Valley]

*Question put agreed to.*

**Mrs. Persad-Bissessar:** Mr. Speaker, thank you, Members of the House. I was on the issue of the political implications of the CSME, and I started off by confirming the Treaty has nothing to do with political integration. And, therefore,

that is an issue that has to go to the electorate by any party wishing to have that as a mandate. It cannot be dealt with under these treaty provisions.

Mr. Speaker, when we looked at the history raised by the Member for Diego Martin East, raised by the Minister and raised by Dr. Moonilal going back, very impressive range of decisions, very indepth decisions but at the end of it all very little has actually been put into operation. And does this have to do with a lack of institutional capacities? Is it that we do not have the capacity to implement? Is that part of our problem? Is it a lack of institutional capacity?

**3.00 p.m.**

It cannot simply be institutional capacity shortages. There must be the political will to implement. That is why there has been the treaty since December 2001. You wait until December 2004—how many years later—before you put the treaty. If you recognized that you needed a treaty before you do these things, why did you wait? You took years before you brought the treaty and you will take further years. Tell us your time frame to put these matters into place.

Do the other CARICOM nations have the political will to get this going? They have taken so long. Today I have shown you, with respect to the processes and so on, that those are nowhere near where they need to be. There is nothing in the treaty objectives that commits the nation states to essential values for a Caribbean community; yet if we create a unified economic space, that is the purpose of this community. There is nothing within the treaty that declares or recognizes a Caribbean community.

So, we would have a single economy, but a multiplicity of currencies. That is a contradiction with respect to a single economy. Whilst we declare a commitment to high levels of regional economic unity, the governments continue to operate in a mode of full national sovereignty. Here we are, all united, going forward, but at the same time contradicting what we are putting on paper because each nation is going ahead with respect to its own sovereignty.

The change to a single market is accomplished by way of changes in the community legislative system in Europe. The introduction of European directives approved by qualified majority voted for most subjects that are obliged to be transposed into national law in the member states. These were designed to encourage adoption of the measures needed for completion of the single market. Here our Caribbean Community is yet to make the political transition necessary because of the commitments we have undertaken to create a single market and economy. The adjustments are best illustrated in the CSME with respect to national

*Caribbean Community Bill*  
[MRS. PERSAD-BISSESSAR]

*Friday, December 03, 2004*

sovereignty and, most important of all, the bottom dollar, funding of the community institutions.

Let us look at that issue of funding. Dr. Moonilal touched on it in his contribution. It is very clear that this CSME will call for the establishment of a host of new community institutions and organizations. They include the Caribbean Court of Justice, which we spoke about, but they also include regional security bodies, regional intellectual property rights office and regional development funds. Most of these new committee institutions will be premised on the existence of national counterparts. So we will have the regional bodies and then the national counterpart within a nation state.

The committee already supports dozens of these kinds of organizations. We have the CARICOM Secretariat, the Regional Negotiating Machinery, the UWI already being funded from the committee. What are we going to do then with all these new institutions? How are they going to be funded? Who is going to foot the bill? We saw, for the CCJ, that Trinidad and Tobago, big brother Trinidad and Tobago, as always, is making the largest contribution. [*Interruption*] Trinidad and Tobago and Jamaica.

Mr. Speaker, do you know what happens with the 14 CARICOM states? After one or two years when they cannot keep up the payments, what will happen? What happened to the University of the West Indies? Where does the money come from? Have we addressed our minds to how this funding will be? Will we continue to fund this? Each nation state will contribute its percentage with Trinidad and Tobago taking the largest share to pay for all these things, to carry everybody else. Are we looking at ways in which the CSME would get its own funding and resources? Have we looked at that at all? Please tell me. This is what the European Community does. This is what they did. They did not say, "Well, Trinidad and Tobago, you continue to pay the money." Tell me about that because the most vital thing for the success of the CSME has to be money. We know the attitude of this present Government is that money is no problem, do not worry. Trinidad and Tobago is there; Trinidad and Tobago will dole it out.

I am not happy with the resources of Trinidad and Tobago being utilized for every Tom, Dick and Harry all over CARICOM. It must be done in a way that when we weigh the cost versus the benefit, there is a balance. It cannot be that when we weigh costs and benefits, it is tipped in favour of CARICOM and against the citizens of Trinidad and Tobago. It must not be. Tell me where the resources and the funding will come from. How will you finance the CSME and all the institutions it will call for? I would be happy if, when you are winding up, the Minister would share that with us.

When we look at the GNP in our CARICOM states, 1 per cent of the GNP, excluding Haiti, would come up to about US \$300 million a year—that is the kind of contribution that happens in the European Community. Currently our Government contributes US \$10 million to the CCS annual budget. The financing issue and particularly the institution of an own-resource system, therefore, will become a real test for us in CARICOM if the CSME is to succeed.

I ask anyone on that side to tell us how they will fund the CSME; to tell us in phase I, what will Trinidad and Tobago put out. Each time we hear different amounts—\$300 million, \$500 million. We do not know. They do not tell us. I do not think they even know. That is a vital question that needs to be answered. How much money? What are the time frames? How much is Trinidad and Tobago going to put out? How much will you put out next year when you start? How much will you put out the year thereafter? These are several issues on which I would like the Minister to enlighten us.

Mr. Speaker, I end as I started. This House jealously guards its powers, its rights and its responsibilities. All over the nation we are complaining about the foreign policy direction in which the Government is going; we are complaining that there is a total lack of information when it comes to different policy issues in the countries; it is not shared with us; it is not shared inside or outside the Parliament.

As Members of Parliament, everyone here will tell you that the only time we hear about these deals being brokered with people all over the CARICOM is if we are lucky to read a newspaper that day and you find an article on it—an MOU with Jamaica, political integration with St. Vincent. A journalist happened to be somewhere where an announcement was made and you read it. This cannot be the way this country must operate its foreign policy. It cannot be that you wake up one morning, catch a “vaps” and you make a pronouncement. It cannot be that you travel to Grenada and you feel so sorry that you promise everything; or you travel to Dominica or to Jamaica and you tell the Jamaican Prime Minister when the hurricane “done”, to call you and tell you how much they need. That cannot be the way we manage the resources of this country.

We have the experience with the oil boom when the money was there and the then Prime Minister said that money was no problem and then the money ran out and people really saw hell during those lean years. This gas and oil boom will also come to an end. That is why I read out the numbers from the IMF report about the reserves—15 years proven reserves. What are you going to do after those 15 years, if today you monetize every cubic foot of gas and throw it away? That

*Caribbean Community Bill*  
[MRS. PERSAD-BISSESSAR]

*Friday, December 03, 2004*

cannot be the way foreign policy should be conducted. That is not the way to manage the patrimony and resources of the children of this country.

I end as I started. Let us obey these Standing Orders and establish that Joint Select Committee on External Affairs. I do not know who is supposed to do that. I do not know if the Government has to tell the Speaker to establish the committee or if the Speaker, of his own volition, on a request from the Government and the Opposition, can select Members to sit on the committee, I really do not know. I am sure, Mr. Speaker, that you would know the procedure. I say, therefore, let us get that Joint Select Committee on Foreign Affairs in place.

Finally, Mr. Speaker, I thank you for the time you have given me and I want to say that I would like the Government to walk about a little more and talk to people in this nation. They need to do that. Walk and talk to some poor people. Go and find out what is happening with respect to food prices. As we come to Christmas, we see the housewives who have to buy for their families. Tomatoes have now gone to \$15. Check out food prices. Before you dip your hand in the Treasury again to give to another CARICOM state, deal with the food prices in this country and pick up and give to the people of Trinidad and Tobago.

I thank you.

**The Minister of Foreign Affairs (Sen. The Hon. Knowlson Gift):** Mr. Speaker, I would like to go back to the first session of this debate and pick up a couple of points raised by the respective Members. The Member for Oropouche raised, in his contribution, such issues as our meeting on Wednesday, which was an unusual day for the sitting of this House. He raised another issue of the status of the CCI, the CSME staffing, its structure, the funding of the CSME, the question of the Regional Development Fund, the single market and single economy and the question of a political union.

I would say that the Member for Diego Martin East dealt with many of these issues in what I would regard as a very full manner, so that I would not refer to them since I am sure the Member for Oropouche must have been satisfied with the way these issues were addressed.

I wanted to make reference to some more relevant issues and among them we were given quite a lecture, if I may put it that way, by the Member for St. Augustine. He referred to a number of areas, such as governance, the FTAA, interference by other Caribbean political leaders, the multi-track trade policy and something missing on the agenda.

I would venture to say that whilst some of those points are relevant, the issues of a multi-track economic policy by the Government of the day, is one which is very high on our agenda. In that connection, in addition to meeting our CARICOM obligations, we are in the process of engaging other regions. We are in consultation with such regions as the Central American Common Market countries. On the bilateral basis, we have instruments that we have negotiated and signed with such countries as China and Japan, the principal among these being a trade and investment policy, investment promotion and investment protection. This is an indication of the multi-track economic policy which the Government is pursuing.

I would also add that in furtherance of that objective, we find ourselves having literally to arrange for official state visits of Latin American leaders, who are interested in forming close alliances with Trinidad and Tobago. We have on track the negotiation of the official visit of the President of Chile. We have a request for another state visit by another prominent Central American President.

Indeed, we are not oblivious to the fact that the economic well-being of Trinidad and Tobago as part of our national priority is the charting of courses which would lead us into the markets of other regions and sub-regions. I would say that is where the future points insofar as the economic stability of Trinidad and Tobago is concerned.

The question of political union was raised again by another Member, but I believe that the presence of the hon. Prime Minister would certainly facilitate any response in that regard. I would not venture at the prime ministerial level, insofar as this particular issue is concerned.

Another question raised, Mr. Speaker, was the promotional activity of the Government with respect to information on the CSME. I want to spend a little time on that. On our agenda, we have been quite meticulous in the spread insofar as involvement of interested parties and groups are concerned. As a matter of fact, the Government has been engaged in a very wide consultation across sectors. If I might just give you an example of the kind of represented organizations that the Government has been consulting with regard to the CSME, the list is rather impressive.

We have been in direct touch with the International Labour Organization, the Petroleum Dealers Association, Contractors Association of Trinidad and Tobago, Trinidad and Tobago Unified Teachers Association, the San Juan Business Association, the Greater Tunapuna Chamber of Industry and Commerce, the University of the West Indies, the Media Association of Trinidad and Tobago, the

*Caribbean Community Bill*  
[MRS. PERSAD-BISSESSAR]

*Friday, December 03, 2004*

Economic Association of Trinidad and Tobago, Trinidad and Tobago Chamber of Industry and Commerce, the Arima Business Association, the Greater Chaguanas Chamber of Industry and Commerce, the Hardware Dealers Association, the Bankers Association of Trinidad and Tobago, the Credit Union League of Trinidad and Tobago, the National Network of NGOs, the Inter-Religious Organization, the Hotel and Tourism Association, the Association of Local Government Bodies, and the list goes on. In fact, the list totals some 38 groups—NGOs, private sector business—with whom the Government has been in touch. To say that the CSME initiative is localized to the Trinidad and Tobago Government alone would not be accurate.

Indeed, insofar as presentations of the CSME initiative are concerned, we have had special presentations, not only to Cabinet, but also to the Couva/Point Lisas Chamber of Commerce of Trinidad and Tobago, the Finance and Planning Division, the Tobago House of Assembly, the business studies class at Roytec, the American Chamber of Commerce of Trinidad and Tobago, Small Enterprise Businesses Association, the Association of Local Governments and, again, the list goes on, including the Media Association of Trinidad and Tobago.

As far as international activity is concerned, the record will show that as far across the seas as Belize, Jamaica and other CARICOM countries, we have been receiving commendations for the activities of publication and PR in which the CSME unit is involved. If the impression conveyed by the Member for Siparia is that we have been remiss in our public relations activities, I would say that that, too, seems to be a misguided impression.

The question of reciprocity *vis-à-vis* discrimination was also raised. What the treaty seeks to do is to impress on all the membership that there are certain obligations attached to the signature to the treaty. Indeed, the question of reciprocity does not arise. As a matter of fact, if one were to put that interpretation on reciprocity, one would be looking for some sort of penalty. If, however, a situation were to arise where measures of discrimination had to be taken to arbitration, then that is where the CCJ would come in. So there is no question of discrimination versus Trinidad and Tobago nationals in the context of the revised treaty.

It would not be correct to say, Mr. Speaker, that the resources of Trinidad and Tobago are being frittered away by this Government. Even the spirit of the revised treaty permits the countries whose economies are better off to share their wealth with the more needy countries and, indeed, the health of the economies of the rest of the CARICOM has an intimate link with the health of the economy of Trinidad and Tobago. Both are intimately intertwined. This is one case of our trying to help these countries to retain their competitiveness in the area.

The Member for Siparia also raised the question of participation in services. It is nothing short of spectacular—the engagement and involvement of Trinidad and Tobago businesses throughout the length and breadth of CARICOM. They are present in Jamaica, the Dominican Republic, all sectors of Barbados, such as financing, banking, business; and we see more of that happening. As a matter of fact, this treaty, when implemented, would be a great facilitator in the greater spreading of the wealth to Trinidad and Tobago and lesser sharing to those countries in need of assistance.

The Member for Siparia is also correct. She asked where the monetary union is. This is envisaged towards the implementation of the single economy in the year 2007. At that time, governments would sit and look at the pros and cons of evolving a common currency or treatment across CARICOM.

On the question of funding of the CSME, I would like to call the attention of this honourable House to certain sections in the revised treaty. The treaty provides for a ministerial council for finance and planning and part of its responsibility would be to promote and facilitate the adoption of measures for fiscal and monetary cooperation among the member states, including the establishment of a mechanism for payments arrangements. It goes on to say that pending the establishment of a monetary union in the community, fiscal arrangements for the free convertibility of currencies of the Member States, on a reciprocal basis, would be a matter of implementation.

Indeed, the framers of the revised treaty did envisage the full operation of the revised treaty in furtherance of the economic well-being of the sub-region. I would say here that perhaps what we need to bear in mind is that the implementation of the treaty serves as the foundation to get to the succeeding stages, which the treaty envisages insofar as the economies of the region are concerned.

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 8 ordered to stand part of the Bill.*

*Schedule ordered to stand part of the Bill.*

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

*House resumed.*

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

**3.30 p.m.**

**CARIBBEAN COMMUNITY (REMOVAL OF RESTRICTIONS) BILL**

*Order for second reading read.*

**The Minister of Foreign Affairs (Sen. The Hon. Knowlson Gift):** Mr. Speaker, I beg to move,

That a Bill to amend certain laws to facilitate the implementation of the Revised Treaty of Chaguaramas establishing the Caribbean Community, including the CARICOM Single Market and Economy, be now read a second time.

Mr. Speaker, the purpose of this Bill is to facilitate the implementation of the Revised Treaty of Chaguaramas, including the Caribbean Single Market and Economy (CSME); removing certain provisions off the legislation of Trinidad and Tobago. These provisions have been determined by the CARICOM Council for Trade and Economic Development (COTED) to be inconsistent with the Revised Treaty. The Bill is divided into several parts.

Part I provides the short title and interpretation.

Part II would speak to the amendment of the Tourism Development Act, by introducing the definition “Member State” and “national”, to allow nationals of other “member state” to benefit from tax exemptions on dividends, and provide services to tourism projects. Part II of the Bill preserves incentives for tourism projects for nationals of the community.

Part III of the Bill would amend the Customs Brokers and Customs Clerks Act to introduce the definitions of “Member State” and “national” and facilitate nationals of other member countries who wish to operate as customs brokers or customs clerks in Trinidad and Tobago.

Part IV of the Bill would, in relation to the Immigration Act, introduce the definitions of “Member State” and “national” and mandate immigration officers to permit eligible nationals of other “member states” to enter Trinidad and Tobago to exercise rights or privileges conferred on them.

Part V of the Bill speaks to the Immigration (Caribbean Community Skilled Nationals) Act, 1996. It would see the introduction of the definition of “national”, and remove the provision that grants entry to Trinidad and Tobago or persons eligible to practise their professions, occupations or vocations, on a reciprocal

basis. This part of the Bill also seeks to amend the Act to extend eligibility under the skilled nationals regime, from citizenship of member states to nationality of such states in accordance with the Revised Treaty.

Part VI of the Bill would address the Foreign Investment Act, 1990. This Part of the Bill would see the introduction of the definitions of “national” and “Member State” and the redefinition of “foreign investor”.

Part VII of the Bill would empower the Minister with responsibility for CARICOM affairs, subject to a negative resolution of Parliament, to make amendments to legislation in order to facilitate further implementation of the Revised Treaty.

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

*Question proposed.*

**Dr. Adesh Nanan** (*Tabaquite*): Mr. Speaker, I join this debate on a Bill to amend certain laws to facilitate the implementation of the Revised Treaty of Chaguaramas establishing the Caribbean Community, including the CARICOM Single Market and Economy.

Mr. Speaker, I was very disappointed with the hon. Minister’s presentation on such an important piece of legislation before this House this afternoon. The Minister’s presentation was the Explanatory Note of the Bill which he read out in this Parliament.

When I was preparing for this particular debate, there was an earthquake that took place at almost midnight last night. [*Interruption*] Mr. Speaker, it shows the powers that are uncontrollable, and how easily life could be taken away. In preparing for this Bill, it took me through the Immigration Act, the Foreign Investment Act of 1990, the Tourism Development Act, No. 9 of 2000 and the Tourism Development (Amdt.) Bill 2004. In this particular piece of legislation it shows that we are making fundamental amendments to various pieces of legislation. The Minister has not told this honourable House what are the implications as stated in the Bill.

Mr. Speaker, in preparing for this particular debate, I went back to the *Hansard* of 2000. I just want to read from the *Hansard* dated Friday, March 10, 2000, when the Member for Diego Martin East made his contribution on the Tourism Development Bill. And I quote:

“Tobago is a small island; Trinidad is a large island, and the problem of this administration is that they do not understand the culture of a small island. They have this obsession, on the part of a government centred in a large

island, to control the development of a small island. Throughout the Caribbean, we see that people are resisting this. This is not the way that modern evolution of states and federations is going. It is not going in that direction. There is a recognition that small islands have their own culture, needs and perspective and have the right to determine their own future. It is large island/small island mentality, that is what they do not understand. There is absolutely no reason for this, except for the framers of this Bill to have complete control over tourism in Tobago.

When one realizes that tourism, if it is not already, will become the major generator of income in Tobago, one sees that through this legislation you have a government in Trinidad which will have control over the lifeblood of Tobago; the future development, environment, culture and history of Tobago.”

Mr. Speaker, the Tourism Development Act, No. 9 of 2000, gave the power to the Minister to direct development in Tobago. I will make reference to that matter by showing the linkage between the Member’s contribution and what is happening now.

We have to ask the question: Has the PNM administration changed its mind with respect to the relationship between Trinidad and Tobago? Did the PNM administration realize that the UNC was right? We are seeing that the Government has brought an amendment to the Tourism Development Act, and that is the linkage. [*Interruption*]

Mr. Speaker, the amendment to the Tourism Development Act opens up an entirely new concept with respect to what is happening here. I do not want to be anticipatory, but there is a Tourism Development (Amdt.) Bill on the Order Paper. This particular treaty was signed in 2001, and we are now in 2004, and the Government has not prepared itself. All the speakers on the Opposition side said that. Once again, I will show how the Government has been tardy with respect to this matter.

The former Attorney General is now in a \$12 million upgrade mansion in London, but what has happened over the last period? Why was the Tourism Development Act not amended properly? In the contribution of the Member for Diego Martin East in 2000, he said that the UNC administration was bringing a piece of legislation to the House that was facilitating only Tobago Plantations. I am sure the hon. Member for Diego Martin Central would remember that statement—the integrated development concept.

With respect to the Tourism Development (Amdt.) Bill that is on the Order Paper, there was no mention of any specific amendments with respect to what has

been done with respect to the Tourism Development Act. [*Interruption*] I am not jumping the gun.

**Mrs. Persad-Bissessar:** Do not let them distract you.

**Dr. A. Nanan:** I have an entire 45 minutes, and probably an extension. I am dealing with the tourism aspect of the Bill. I want the Prime Minister to understand that the Member for Diego Martin East was right. Tourism is the lifeblood of Tobago. What we are seeing is that there has been no amendment to the UNC's Tourism Development Act, No. 9 of 2000, and that is with respect to the relationship between Trinidad and Tobago. The Act says that the Minister has the power to approve projects for tourism development in Tobago, and there has been no change. That is why when I started my contribution I asked the question whether the PNM administration has changed its mind with respect to the relationship between Trinidad and Tobago.

Mr. Speaker, in that particular debate, the Member for Arouca South spoke about Lopinot. The Member said that foreigners were going into Lopinot, and not one US dollar was being spent in Lopinot. I am drawing the reference here with respect to this particular piece of legislation and tourism as a whole. The Bill speaks to tourism and the amendment to the Tourism Development Act, to give incentives to Caribbean nationals. I am saying that the Government is giving incentives to Caribbean nationals, but it is not developing our tourism product. In so doing, although the Government is facilitating the investor from CARICOM in the tourism industry, it is not developing our tourism product. That is what the whole concept of this particular piece of legislation is about.

Mr. Speaker, the Government is facilitating CARICOM nationals who want to invest in Trinidad and Tobago within the tourism industry, but it is not preparing the tourism product. For example, I want to take you to Chaguaramas, and this has to do with the concept of tourism. The Government of Trinidad and Tobago has missed the boat.

Mr. Speaker, the UNC administration built a modern airport. This was a vision with respect to the development of the tourism sector. The modern airport would have facilitated persons who are coming into Trinidad to access a cruise ship. That is why on the master plan Chaguaramas was one of the tourism anchors.

I know the Member for Ortoire/Mayaro is a geologist and he is well versed in terms of shipping. I want to recommend to him and the Prime Minister that there be a new ministry: a ministry of tourism, environment, development and commerce. I am not trying to take away the portfolio from the Member for Diego Martin Central. They are all inextricably linked, and I am going to show how they are linked.

In the tourism sector, there is the situation with respect to passengers. That is why I think that portfolio should be given up to the Minister of Tourism. The Minister of Tourism is beating his chest about Tobago, and saying that right now Tobago is the No. 1 destination. What is happening with respect to the destination? Tobago is the No. 1 destination and people are arriving in Tobago, but I am going to show in my contribution that although the arrivals are going up, there are situations in Tobago that are not being addressed.

Mr. Speaker, people are coming from abroad and building guesthouses in Tobago and saying that they are taking up residence in Tobago, and then they are going back to their home country and using those guesthouses as a rental opportunity in Tobago. That is why the Foreign Investment Act of 1990 needs to be amended. The Member for Diego Martin Central should have brought that piece of legislation before the House but, again, I do not know what is the Member's multi-trading bloc attitude.

Mr. Speaker, I want to show the Prime Minister the relationship that I was making with respect to the cruise ship, the airport and the tourism sector. We have a situation in Tobago where prime real estate—beachfront property—is being given away. When you look at tourism, environment, and development and commerce, you will see that all these areas are inextricably linked.

**Mr. Manning:** I thank the hon. Member for giving way. Tourism also has to do with finance.

**Dr. A Nanan:** I think you made the right choice when you became the Minister of Finance. What is going to happen here is that there is going to be a major thrust. We are not getting into banking here. That aspect with respect to banking, insurance companies and so forth is a separate matter. We are dealing with tourism, environment, development and commerce, and that is why trade is so important. When you have people travelling back and forth between CARICOM countries, there is trading and other linkages taking place. That is why I also said development and commerce.

The Member for Diego Martin Central was tardy with respect to the establishment of free zones and expanding the free zones concept. The Member has never made it quite clear as to whether or not we are going with the free zone policy. Duty free shopping must be a part of a cruise ship enterprise.

We heard about the number of oil dollars coming into the country due to the high price of oil. The Government has a golden opportunity now to develop Trinidad as a cruise ship port. Cuba has gone ahead. There is a cruise ship operation starting

in Cuba. People are now going to leave CARICOM and other areas to go to Cuba. So, Cuba now has an opportunity to establish all the linkages with that cruise ship. We are in a situation of plenty, but we must use the money wisely.

Mr. Speaker, yesterday, I heard on the television that the Member for Ortoire/Mayaro is going to spend US \$24,000 a day to rent a ferry, and that works out to be about \$13 million a month. I do not know if the Minister calculated the figure. We are going to pay \$13 million a month to rent a ferry. All this is because of an impending Tobago House of Assembly election. We are in a time of plenty, but we do not know for how long. That earthquake came at 11.55 p.m. and we do not know what is going to come in the next few days. We do not know if a major earthquake is going to threaten the country.

The first thing that was reported in the Latin American news was that the earthquake did not affect our oil and gas industries. That is why people are looking at us. If the earthquake had affected our oil and gas industries then Venezuela and all those other countries would have taken over the market. So, there is a competition that is going on. When the Prime Minister goes to CARICOM countries and gives money here and there—the Member for Siparia was absolutely right when she said that they would be our friends today and our enemies tomorrow.

When we travel through the CARICOM islands, the kind of response that we get at some of the airports—I remember travelling through Barbados and the immigration officer treated me as though I was not welcomed in that country and I travelled on a diplomatic passport. That is the kind of reception that we get when we travel throughout CARICOM countries. So, there has to be a retraining and cultural change within CARICOM to facilitate this treaty. This is not only about passing legislation here and then saying that CARICOM is now open to everyone to trade freely and then go about his or her business.

**Mr. Khan:** I was taken aback by the Member's figures, but the charter rate is US \$24,000 per day. When that figure is multiplied by 30 that figure works out to about US \$720,000 per month, and that is just over TT \$5 million per month. Please be guided.

**Dr. A. Nanan:** The Minister said US \$13 million per month. Mr. Speaker, I did not include operational costs.

**Mr. Speaker:** Before you continue, perhaps you may want to concentrate your contribution around the benefits from the tax exemptions in the Bill and so forth.

**Dr. A. Nanan:** Mr. Speaker, thank you for the leeway. I went into that particular direction to show the Prime Minister that there is a great opportunity for tourism in our country. The amendment is to the Tourism Development Act, No. 9 of 2000, and I am going to show quite clearly the relevance of what I just said as it relates to the amendment.

Mr. Speaker, I am going to read the schedule for you because it is relevant. In this Act, the “accounting period” means each financial year of the owner or the operator during the tax benefit period when accounts are required to be kept as prescribed, and “additional capital expenditure” means capital expenditure incurred in respect of an approved tourism project by way of any additional project proposed for that tourism project.

Mr. Speaker, what we are seeing here is that all these definitions are related to tourism. We are amending this particular section of the Act, and we are going to put in the relationship between “Member State” and the “Revised Treaty of Chaguaramas”. In so doing, we are going to facilitate incentives for CARICOM nationals. These incentives would include the setting up of a dive-lodge, an eco-lodge, golf course, guesthouses and even the construction of hotels. All of these are linkages with respect to this particular amendment. We are also talking about boatyards; we are talking about marinas. If you go to a campsite then you are dealing with eco-tourism; if you go with articles of equipment for tourism and ancillary facilities, you are speaking about minor equipment in hotels. Mr. Speaker, approved tourism projects would include the Tobago Plantations and integrated resort developments of a certain particular capital expenditure of \$200 million.

I recall with respect to the Tourism Development Act, No. 9 of 2000, we made it quite clear that this piece of legislation was historic for the tourism sector. There are certain parts of this particular piece of legislation that are being amended. I will make reference to these sections.

Section 9 of the Act is repealed. What are they repealing in section 9 of the Act?

“Tourism projects the incentives for which will be reserved solely for nationals of Trinidad and Tobago and other Member States are—

- (a) Accommodation facilities under twenty-one rooms;
- (b) transportation services;
- (c) ground tour operations or destination management companies”.

Mr. Speaker, with respect to “destination management companies” and ground tour operations, do you know that in Tobago, there are certain hotels that

have their own buses? We are reserving “destination management companies” for locals. So they are eliminating the taxi drivers in Tobago from earning a living.

There are persons who go to Tobago and they get friendly with forest rangers. These persons would talk to Tobagonians and so forth and they would take them out to the Main Ridge in Tobago, to see the flora and fauna and, overnight, they become tour guides. That is a fact! Foreigners are going to Tobago and they are becoming tour guides, and taking away the livelihood of Tobagonians.

With respect to “accommodation facilities under twenty-one rooms”, these foreigners are building guesthouses, and this is happening throughout Tobago. I want the Member for Ortoire/Mayaro to know that the road that is being built from L’Anse Fourmi to Charlotteville is not being constructed properly. The road must be constructed properly because it is on a mountain. There is severe erosion taking place on that road, and all the material is going into the sea; and there is the coral base. If the ecology of Tobago is being destroyed then there would be no tourism product.

**Hon. Member:** That is a good point.

**Dr. A. Nanan:** Mr. Speaker, when the Minister comes to this House to talk about the Tourism Development (Amdt.) Bill, he must tell this House how many eco-lodges have been constructed. There is a lot of leeway allowed in this Bill. Mr. Speaker, I do not want to be sidetracked by the Member for Diego Martin Central. I want to deal with the “accommodation facilities under twenty-one rooms”.

Mr. Speaker, “reserved for nationals” was put into the legislation and what is happening in Tobago is that people are constructing these guesthouses that are under 21 rooms, under the disguise of being residents of Tobago, and more people are coming in and doing it. This is also happening with eco-lodges. There are areas that were earmarked for nationals under this Act, and we are now expanding the definition of “national”, which would include CARICOM citizens, and that is the linkage in this particular Bill. So, these foreign investors are going to compete directly with the CARICOM nationals and the local nationals.

Mr. Speaker, the playing field is not levelled. Do you remember the Small Business Development Company? The UNC administration gave more money to the Small Business Development Company so that people could borrow money to develop small businesses. The Member for Diego Martin Central would recall that we also reduced the corporation tax at the same time, to facilitate entrepreneurial development. What is happening now is that people cannot get loans.

All these initiatives that are in this particular Bill cannot be accessed. With respect to this “accommodation facilities under twenty-one rooms”, the local nationals cannot get involved because they cannot get the money to construct the buildings. It is very difficult to acquire loans. The Member for Diego Martin Central does not have that problem because earlier we heard where his income was coming from. [*Laughter*]

**Mr. B. Panday:** That was only one source.

**Dr. A. Nanan:** The Member for Diego Martin Central entered into that debate and he spoke at length. With respect to “transportation services”, there was a provision in the Act to facilitate persons who want to upgrade their vehicles. There was a customs duty exemption, as well as a motor vehicle tax. Again, if one looks at the persons who have accessed this particular facility, one would see that the Income Tax Division of the Ministry of Finance is making it extremely difficult for this Act to be used properly. There are bureaucratic problems taking place and the tourism sector is not benefiting from the initiatives that were being put forward under the UNC administration.

Mr. Speaker, with respect to the situation with these particular areas that were earmarked for locals, in this amendment, they have now included “dive operators”. That was not in the Tourism Development Act, No. 9 of 2000, but it is now being included in the amendment in this particular piece of legislation. They went on to define these particular areas: “destination management company” is now being redefined; they have also redefined “transportation services”, “ground tour operations or destination management companies” and “dive operations”.

I want to deal with “dive operations” because it is important to understand that dive operations are a magnet for the tourism sector. The Member may ask the question, why? Many persons from all over the world go to Tobago for diving purposes. In this context of diving, they are coming to look at the flora and fauna, corals and fishes on the reef.

What is happening in Tobago is that they are having “dive operations” reserved for locals and CARICOM nationals. There would be nothing to dive for because the corals are being destroyed by the massive pollution in Tobago’s water. That is why I showed the link between tourism and the environment. The Member for Arouca North would recall in his contribution that he talked about Rincon and the turtles. On the northeast coast, sewage is going into the waters. The Member made that point in his contribution.

We have a situation where the Environmental Management Authority is not doing its job. Someone has to take responsibility. The Prime Minister is the

chairman of the Tourism Steering Committee. The Prime Minister must make these people account. Tobago should not be destroyed. The Prime Minister must recognize that the environment is of major importance with respect to this whole tourism thrust. If there are no products in Tobago then no one is going to visit Tobago. If the destruction of the coral reefs continues on that road in L'Anse Fourmi to Charlotteville where massive erosion is taking place and destroying the coral base, then there will be no flora and fauna to attract people to the destination.

The Manta Ray Lodge is another attraction for persons who are going to Tobago, but manta rays cannot exist in polluted waters.

**Mr. Speaker:** Hon. Member, you should relate what you are saying as to how this is going to affect CARICOM, because the Bill talks about CARICOM nationals, investments and how they are going to benefit from that.

**Dr. A. Nanan:** Mr. Speaker, that is what I am showing you. There will be no benefits. If you do not have the product then there will be no benefit. That is a fact. I am showing that this piece of legislation is to open the tourism product for CARICOM nationals to invest, and this person could either be a CARICOM national or a foreign investor. [*Desk thumping*] I have no problem with opening the market for people to invest, but if the product that people are going to invest in is destroyed then what are we going to do? [*Desk thumping*]

**Miss. Lucky:** That is a very good point.

**Dr. A. Nanan:** The product is being destroyed. I am trying to save Tobago because Tobago is the No. 1 destination in the world, and that is so without the PNM's help. [*Interruption*] Mr. Speaker, I do not want to be sidetracked by the Prime Minister. I am dealing with a specific area of importance. This is not a definite matter of urgent public importance as yet, but it will be. [*Laughter*] If they continue to destroy the ecology of Tobago then there will be no Tobago.

In the Bahamas, there are family islands and there is a main island. Many tourists are moving away from the large island to the smaller islands. The reason is that the concrete jungle in the Bahamas is no longer an attraction. These tourists prefer the family islands where there is community tourism taking place. That is why community tourism should be the thrust in Tobago. There should be large hotels, but the attraction really is that one-to-one relationship between the guest and the guesthouse manager. So, you have to make the linkage, and that is why this Bill is so important. This Bill deals with accommodation facilities; it deals with guesthouses; it deals with transportation services since tourists have to be transported from the airport to these guesthouses; and it also deals with dive operations.

This dive operation does not include a man just going to Tobago with a spear gun to shoot fishes in Tobago, it also has to deal with chartered boats. A person just cannot go and dive in Tobago. So there would be chartered boats taking people around to various sites. The history of Tobago is also important, and that is why this debate is so wide. Whilst we are dealing with the different products, we are also dealing with the history of Tobago. The PNM administration must understand that the historical antecedent is also a magnet for tourists in Tobago. There are areas in Tobago which could be developed. With the increase in oil prices, we have a great opportunity to take Tobago into the 21st Century, and the Government should not be fighting to win the THA election by doing things quickly.

**Mr. Manning:** Mr. Speaker, I thank the hon. Member for Tabaquite for giving way. I take it that the hon. Member for Tabaquite is aware that tourist arrivals in Tobago went up from 41,000 to 56,000 in the year 2002; to 67,000 in the year 2003; and it is expected to top 100,000 in the year 2004. [*Desk thumping*] I am wondering what he believes is responsible for that.

**Mr. Singh:** They are checking people on the aircraft.

**Dr. A. Nanan:** Mr. Speaker, I am going to reply to the Member for San Fernando East. When I became the Minister of Tourism the arrivals were going up. Why are the arrivals going up? People are using other websites. They are not using the Government's website. There is very little information on the Government's website. People are using private websites and they are using the linkage between people who are in Tobago—the guided tour operators—and not Tidco and so forth.

Mr. Speaker, for the information of the Member for San Fernando East, when you go to these promotional trade fairs throughout the world, why are you carrying 58 members on a delegation?

**Mr. B. Panday:** To increase arrivals. [*Laughter*]

**Dr. A. Nanan:** We have a situation where oil prices are high and we have a lot of money. I want to point out to the Prime Minister that the whole marketing strategy of Tidco has to be repositioned. What is happening now is that arrivals are going up without the Government's input. The Member may not like that statement. Why is that happening? That is happening because there are more aircraft going to Tobago.

Mr. Speaker, there is also a situation where people are arriving in Tobago and they are going to a rented property. Although tourist arrivals are going up, the trickle down effect is not taking place in Tobago. The Prime Minister made the

point that tourist arrivals are going up, but the average Tobagonian is not getting the benefit of the tourist dollar. That is why you have to understand that there are more arrivals coming in, but we are not getting the benefit because all that is happening is a cycle. The tourists would come in and go to a rented property and then they would go back out. We are losing that opportunity. We have an opportunity here to keep Tobago as the No. 1 tourist destination. Do you know how many islands are now competing with Tobago? Do you have any idea?

**4.15 p.m.**

The Cayman Islands would be competing with Tobago; you have Singapore competing with Tobago; Turks and Caicos Islands would be competing. It is a competition. That is why when the Member for Diego Martin Central spoke about multi-bloc trading, it is a competition taking place. It is for the investment dollar, a scarce dollar.

I recall a German investor saying that he would rather come to Trinidad and Tobago than go to Venezuela because of economic and political stability. But how long are we going to be in that position? We have the opportunity now, in terms of economic and political stability, to attract investment. Do you know how much money we have lost because of the bureaucratic bungling that has been taking place when investors are coming into this country?

The Cayman Islands have been a magnet for investment. Why can we not do that in Trinidad and Tobago?

**Mr. Bereaux:** You all will know about Cayman Islands.

**Dr. A. Nanan:** Member for La Brea, is that your contribution? In fact, there is great history in La Brea and that could be a magnet attraction there for tourism in La Brea. We are in a fortunate position where our history would be able to generate our income, but we have to plan it right. If you have to put more people in Town and Country Planning, do so; put the professionals in Town and Country Planning so that they would take the initiative and put Tobago in a position that in the 21<sup>st</sup> century they would remain number one.

I was talking about the competition, the investment and the scarce dollar. I want to go a little further away from the tourism sector. I will come back to that, but I want to go to another area which is the amendment to the Foreign Investment Act of 1990. The Foreign Investment Act, No. 16 of 1990, is a regulatory Act. I am sure everybody agrees with that. It is protectionist, and in today's society, with global competition, we must have a business-friendly atmosphere; we must have an investment climate that is second to none. We are attracting investment.

Do you know that our banking sector will benefit? I will show you how. In this Foreign Investment Act, No. 16 of 1990, there is a particular area that deals with foreign investors and I am sure the Member for Diego Martin Central is aware of the relationship between the foreign investor and CARICOM citizen. I want to show you with respect to that particular piece of legislation, there should be elimination of this requirement. I did not see it in this particular amendment, but it should be, and I will tell you why.

Consideration of land acquired by foreign investors, or even by a citizen of Caricon, should be paid in an international trading currency. That is in the Foreign Investment Act of 1990. I do not know if the Member for Diego Martin Central is aware, but since we are opening up our borders to CARICOM nationals, this is a disincentive. What is happening, you have to take your hard currency and purchase the land or shares in Trinidad and Tobago.

**Mr. Valley:** Will the Member give way? Mr. Speaker, the whole purpose of the legislation before us is to treat a CARICOM national the same way as we treat a national of Trinidad and Tobago, so that no longer would a CARICOM national be required to pay for land in hard currency. Because of the definition of the CARICOM national falling within the definition—that is the whole purpose of the legislation. He would be treated the same way as a national of Trinidad and Tobago.

**Dr. A. Nanan:** Mr. Speaker, if that is so, then this particular piece of legislation should be amended to say so. You are amending the Foreign Investment Act of 1990, but you are not making any particular amendment to say so.

**Mr. Valley:** This is exactly what is happening in this Bill.

**Dr. A. Nanan:** Mr. Speaker, this would be—I said before in terms of banking—this particular situation where the CARICOM investor would be able to use the currency of Trinidad and Tobago rather than the international trading currency—even if the Member for Diego Martin Central is saying that I am wrong—would open up the financial spectrum in Trinidad and Tobago and the banks would benefit. Now, you know how difficult it is with respect to legislation.

I spoke about the Tourism Development Act, 2000. It was proclaimed and every single possible area that can be a hurdle will be used. That is why it is so important when you are putting legislation before the House to be precise. You cannot be vague, because when you come to deal with the lower levels—I do not want to attack the bureaucracy, but at the lower levels—you run into serious difficulties. We have seen that, not only with this Act. Many Acts that we have proclaimed here cannot be implemented. The Equal Opportunities Act was one that had not been implemented.

We continue to see that. So I am saying, if the Member for Diego Martin Central wants to point out that that is not a correct statement, I am saying that if it is so, amend the legislation and say so. It could be wrong; it could be right, but that is how it is.

In my particular preparation for this debate I came across a great poet, and I know the Prime Minister is familiar with this particular quotation which says: “I hope those who came to scoff will remain to pray”.

When I came across that verse, it took me back to the airport in terms of the great airport we have, a model airport for the country. It has given us a fillip and we can use it to go further. That is why I quoted that line.

The Foreign Investment Act of 1990—I know the Member for Diego Martin Central does not like to hear this, but we need to deal with the history. It is a part of the amendment to the Foreign Investment Act and we need to deal with a bit of history of the Foreign Investment Act of 1990. I think it is important for the House to understand that the Foreign Investment Act improved the investment climate, not fully, but what was there before. You will recall the Aliens Landholding Act.

The Member for Diego Martin Central would be aware that there is a foreign investment advisory service of the World Bank that made certain recommendations—a financial consultancy branch of the World Bank. They studied the attractiveness of countries in terms of investment climate. They studied Trinidad and Tobago and they made certain recommendations. One of the recommendations was the reduction of corporation tax which the UNC administration reduced, but they could only reduce to a certain level to maintain the tax base.

The investment dollar is a scarce dollar and the enabling investment climate comes about because there is a clear statement of government policy on openness, foreign direct investment, as well as to introduce the general safeguards—and this is the important part—to foreign investment in those countries which have invested in bilateral investment treaties which Trinidad and Tobago has negotiated.

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

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

*Question put and agreed to.*

**Dr. A. Nanan:** I thank the Member for Diego Martin Central and all Members for extending my time. I give you the assurance I will not use all of it.

In terms of finance, when we are dealing with the Foreign Investment Act of 1990, there are certain areas in that particular Act, as I said before, that are regulatory. I want the Prime Minister to know that Tidco is supposed to be a pre-investment window. What has been happening in terms of the bureaucracy is that a number of important decisions are being tied up at a lower level and are not reaching the higher authorities, and it is this delay that would cause you to lose the investment dollar.

The foreign investor, which is a major part of this particular piece of legislation, needs to have an assurance that if he has a property in Trinidad, and the government acquires his property compulsorily, he would be paid the market price for his property. The Foreign Investment Act of 1990 makes no reference to that. I know the Member for Diego Martin Central is aware of that particular situation. You must give an assurance for this particular foreign investor that if the Government, for some reason wants to pass a road through the property, or some situation like that, and there must be a compulsory acquisition, that the foreign investor would be reimbursed by the market value in his currency.

Another issue is dispute resolution. If there is a CARICOM situation, as there has been with the Barbados fishing agreement and the release of the Barbados fishermen, we are now opening up so that CARICOM nationals would be able to invest in property in Trinidad and Tobago, and land; if this situation is taking place and there is a dispute, whether it be CARICOM or a foreign investor, we must be given the assurance that there is a proper dispute resolution mechanism. That is why Tidco, as I said, was a pre-investment window.

I spoke earlier of the Free Zone Programme. I just want to make a quick link between the free zone, duty free zones and the cruise ships. I want to go to the investor, because remember the CARICOM national could invest in a cruise ship complex and he would be able to reap profits that he could transfer back to his country. He can have shares in a company.

**Mr. Speaker:** Hon. Members, the sitting of the House is suspended for tea and we will resume at 5.00 p.m.

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

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

**Dr. A. Nanan:** Mr. Speaker, in my contribution I had made the link between the CARICOM investor and the degeneration of the tourism product. I made that reference in terms of, if you consider a viable company, you would not have an investor investing in a company that is failing, and if you consider the tourism

industry as a failing industry, then you would not have investment from CARICOM nationals or foreign investors.

It takes me, in this debate, to the situation at Nariva Swamp. We are seeing the destruction of the manatee habitat in the Nariva Swamp. As I said before, their habitat is being eroded by indiscriminate farming. The existence of the manatee in the Nariva Swamp is a tourism product that can be enhanced. All over the world, in Miami and other places, they are doing research with respect to preservation of the manatee, but here in Trinidad and Tobago, we have the habitat of the manatee in the Nariva Swamp being eroded and eventually we would have no manatee.

Again, it points to the fact that the forestry division, whose responsibility it is to stop the indiscriminate farming in the Nariva Swamp, is not doing its duty, and this is an opportunity for the Government to call these people to account. The EMA must be called to account. If we are going to preserve our tourism product, we must ensure that our waters are pollution-free. We must take a decisive stand in this country and say that we want the Institute of Marine Affairs to test the waters to make sure that our waters are pollution-free.

When you go to Cuba, there is one mile of pristine waters and white sand. How are you going to compete? Still, the Englishman's Bay in Tobago was rated as number six in the world. So we have the tourism product, but it is how we manage it, and this Bill gives the CARICOM investor an opportunity to get involved in the tourism industry.

I was reading, in my preparation for this debate, the Immigration Act, Chap. 18:01, and I was shocked. If this is true, some Members of the Government may not qualify. Section 8(1) reads, and I quote:

“Except as provided in subsection (2), entry into Trinidad and Tobago of the person described in this subsection, other than citizens and, subject to section 7(2) residents, is prohibited, namely—

(a) persons who are idiots, imbeciles, feeble-minded persons...”

**Dr. Moonilal:** What is that? Repeat that. I “ain’t” following that. [*Crosstalk*]

**Dr. A. Nanan:** I spoke about vague legislation. What means test would an immigration officer use to determine whether a person is an idiot, an imbecile or feebleminded? There must be a distinction here to be able to identify that particular person. So when I read that, it drew me to the fact that when the Member for Diego Martin Central spoke about, it is already there, how are they going to operate this vague piece of legislation?

The Bill also points to another area for amendment, and we will deal briefly with that area. It is the Immigration Act, Chap. 18:01. Clause 9 of the Bill states:

“Section 2 of the Act is amended by inserting in the appropriate alphabetical order, the following definitions:”

Now this definition has been inserted in almost all the amendments:

“‘Member State’ has the same meaning assigned to it under the Revised Treaty of Chaguaramas Establishing the Caribbean Community (CARICOM), including the CARICOM Single Market and Economy signed at Nassau, The Bahamas, on 5<sup>th</sup> July, 2001.

‘national’ means a person who—

- (a) is a citizen of a Member State; or
- (b) has a connection with a Member State of a kind which entitles the person to be regarded as belonging to or, if it be so expressed, as being a native or resident of such a Member State for the purposes of the laws thereof relating to immigration.”

We heard about the situation in Barbados with respect to immigration officers and how they do not recognize the particular certificate that people are using for entry. We heard the Member for Oropouche in his contribution say that it is a worthless piece of paper as it stands now. Before I forget, there is an observation that I made that I would like to point out to the Minister, because definitely there is an error. Clause 4 of the Bill reads:

“Section 2 of the Act is amended by—

- (b) inserting in the appropriate alphabetical order, the following definitions:
  - ‘Member State’ has the meaning assigned to it in the Revised Treaty of Chaguaramas;
  - ‘national’ means a person who—
    - (a) is a citizen of Trinidad and Tobago or of another Member State;
    - (b) has a connection with—
      - (i) Trinidad and Tobago of a kind which entitles the person to be regarded as a resident of Trinidad and Tobago, within the meaning of the Immigration Act; or
      - (ii) another member state of a kind which entitles the person to be regarded as belonging to it for the purposes of the laws of

that state relating to immigration or if it be so expressed in those laws, as being a native or resident of that member state;

(c) is a company or other legal entity—”

I do not have much legal training, Mr. Speaker, but I think the drafting is wrong. I think that has to be “has”. It should read:

“‘national’ means a person who—

(c) has a company or other legal entity—”

I do not think it means a person who “is a company or other legal entity”. So I put that to the Minister with respect to that particular piece of drafting.

Getting back to the role of the immigration in this Revised Treaty of Chaguaramas, there has to be a training programme. As I said before, there has to be a change in the culture of immigration officers, because these are front line officers, which means they interact with the public. If you are promoting the tourism product, you would not want to have immigration officers who are hostile at your front desk when these visitors arrive—as I speak about arrivals, I want to point out the flow of arrivals in Tobago. People are using Tobago as a port of entry and then come to Trinidad. So you are getting inaccurate arrival figures, because they are being checked in Tobago, and they are also checked in Trinidad, and they have to fill out arrival cards, so you are getting a double-effect.

I was pointing out that immigration officers are front line officers. The person arriving has to interact with the immigration officer. So if you are arriving and the first person you are interacting with is the immigration officer and he puts up a front that he does not recognize you, or has an antagonistic approach, that would have a negative ripple effect on the country. So there must be a training programme. That is why this expansion, the removal of the implications, has so many tangents, so many linkages, because you must have your front line officers trained to be hospitable to persons arriving, so that your country which is competing internationally for tourists—remember it is an international competition taking place with respect to the destination of Tobago, so your immigration officers must be friendly. Of course, they are following the rules; they are not bending the rules, but they are having that kind of interaction and bringing a friendly climate to our visitors so that it would be all part of the tourism product of the country.

The immigration section in terms of the amendment to the Immigration Act, points to the fact that you are now going to recognize CARICOM nationals coming

into your country. But how can you recognize CARICOM nationals coming into your country? Let us say, Trinidad and Tobago has the best immigration officers in terms of the climate in the region, but there is no reciprocity; when you go to Barbados you are getting rejected; when you go to St. Vincent you are getting rejected, what is going to happen? You have this legislation on paper. Are you going to tell the immigration officer: "I am walking in here. This is the Revised Treaty of Chaguaramas, passed in Parliament and this is what it says"? Do you have to walk with this big document and go into the country and say: "This is what I have; this is what was passed here; you have to let me in"? It does not work that way.

So when the Minister comes here with this Bill, it has far-reaching implications. It is not an explanatory note that you read out in two minutes. We heard no policy of the Government on this particular issue. I know the Member for Diego Martin Central might jump up and say, "Well, the whole Revised Treaty of Chaguaramas is the policy of the Government". It goes further than that and it goes down to the man-in-the-street. I have had interaction with many people in the past week and when they recognized that this particular Bill would be coming up, they came to me and said, "You know, when you go to Parliament, I think you should not accept that approach at all, because what is going to happen to the jobs in the country?."

They have not given the assurance—yes, the hon. Minister spoke about a marketing programme and they met with 38 groups, and he gave a whole listing of the interaction, but it is the man-in-the-street who is going to say the hierarchy is dealing here, but I am losing my job on this side.

### **5.15 p.m.**

Mr. Speaker, yes, we have agreed that we will go with the Revised Treaty of Chaguaramas; we will have this CARICOM interaction, but you have to convince the man-in-the-street that he is not going to lose his job.

The Act also speaks to the amendment of the Immigration Caribbean Community Skilled Nationals Act. There are certain qualifications under this particular Act that are outlined. I will read those with your permission, Mr. Speaker. The Immigration (Caribbean Community Skilled Nationals) Act of 1996 says:

- “8. (1) The following qualifications satisfy the qualification requirements of this Act:
- (a) a degree of the University of the West Indies, of the University of Technology, Jamaica, or of the University of Guyana designated as a Bachelor’s, Master’s or Doctor’s Degree; or

- (b) a degree of Doctorandus, Meester, Licentiatu, or Doctor of the University of Suriname; or
- (c) any University degree which is recommended by the University of the West Indies to be at least comparable in academic standing with a qualification in 8(1)(a) to 8(1)(b); or
- (d) a certificate from the Secretary-General of the Caribbean Community attesting that university level qualification possessed by the applicant satisfy the conditions for recognition of Caribbean Community skills qualification, such certification to be issued on the recommendation of the University of the West Indies; or
- (e) a certificate from any authority, designated by the Minister by Order as an accrediting authority for the purposes of this section attesting that university level qualifications, possessed by the applicant satisfy the conditions for recognition of Caribbean Community skills qualification,...

Mr. Speaker, the reason I read that is because this particular set of qualifications does not apply to the man-in-the-street. You have to convince that particular individual that he is not competing for jobs within the region. That is why our promotional programme should have been in the forefront to convince your own population that you are entering into a treaty at a higher level but your citizens will still be given the priority in terms of job requirements. It would be nonsensical to enter into a Revised Treaty of Chaguaramas and your locals threatened and disadvantaged.

We heard the point about reciprocity and it is irrelevant because it has been left out of this particular piece of legislation. The Minister said that in the Revised Treaty of Chaguaramas it is understood but, again, we come to the point of vague legislation. Yes, it might be understood at the higher levels in terms of the Ministers and the heads of government, but when you get down to the lower levels the nitpicking starts. I am sure the Member for Diego Martin East is aware that legislation must be explicit; you cannot be vague because when you get down to the lower levels your officers would come to you and say, "We cannot implement this because this is not here." [Interruption] Mr. Speaker, this is with respect to the CARICOM situation. I have had the experience where permanent secretaries would come and point out that part is not correct and it is not going to be implemented. It is not our fault that is taking place. It is not being implemented; it is just in abeyance and we do not want that. As you have said, we signed the Treaty of

Chaguaramas—[*Interruption*] We cannot be sloppy. This is an important piece of legislation before the House and that is why I took the time to point out the linkage between—[*Interruption*]

Mr. Speaker, this particular Act also speaks for the Customs Brokers and Customs Clerks Act, Chap. 78:03. When we are dealing with Customs Brokers and Customs Clerks—we have a situation in this country now, the Member for Diego Martin Central must be aware that if you are shipping an item from a foreign country to Trinidad and Tobago, for some reason customs do not agree with the invoice. The Customs Department always thinks that your invoice is a fake. So it is an invoice that is not reflective of the product; it is always a reduced invoice. The Customs Department then sets a figure and would charge you duty on that. In fact, when goods arrive in this country it costs more for you. In fact the candle costs more than the funeral, Mr. Speaker.

Mr. Speaker, that is what is happening with the shipping in this country. [*Interruption*] I am speaking from recent experience. I am not here to chastise any customs officer but we have to face facts. If we are encouraging the tourism product and the exchange of goods within the region and people are trying to invest, you cannot have that situation where people are being overcharged for items. That is a disadvantage to the investor. Part of the linkage of this Tourism Bill is that you are supposed to be filtering within the community; you would have a feeder network from the agricultural sector into the tourism product and give incentives for local goods going into the tourism sector.

Mr. Speaker, this might sound as a minor situation but all these little things add up, especially when you are trying to project your destination as No. 1 in the world. You have to ensure that at every level you have an investment climate that is acceptable. You cannot have obstacles in all different areas. If an investor comes here and he has a problem with bureaucracy, he will go elsewhere. Mr. Speaker, that has happened already; we have lost millions of dollars in terms of investment for hotels because of situations that we could have controlled.

Mr. Speaker, as I wind up, in terms of the CARICOM and the foreign investor, we have to be careful that our prime real estate in this country is not taken over by foreign investors. We have to ensure that our beach fronts—Mr. Speaker, before I wind up I want to make a point. Public access to beaches—[*Interruption*] It is relevant because it is part of the tourism product. You have all these large chain hotels coming into your country; building hotels; blocking off the beaches so the locals cannot access them. It is happening now and it will continue until the locals cannot take it anymore and there is a so-called civil war.

Mr. Speaker, we have to be careful when we are planning our tourism industry; planning is very important. I hope that I have shown the linkage across the sectors in my contribution because it is very important and relevant to the debate this afternoon.

I thank you, Mr. Speaker.

**The Minister of Trade and Industry and Minister in the Ministry of Finance (Hon. Kenneth Valley):** Mr. Speaker, I am one of those who have grown to admire the Member for Tabaquite. [*Desk thumping*] I think he has shown real skill this afternoon by taking a bill that is really dealing with giving national treatment to citizens from the CARICOM member states, and using that fact to review four of the five pieces of legislation before us.

Mr. Speaker, on the Order Paper Bill No. 10 is “An Act to amend the Tourism Development Act, 2000”, and even if I have to be out of the country I would have to postpone it because I want to hear what the Member for Tabaquite has to say when we are debating that Bill. I had a copy of that Bill while the Member was speaking and obviously he was speaking on that Bill because when he spoke about amendment to certain clauses, destination on a dive and so on, that is that Bill, not the Bill before us.

The Bill before us simply talks about what is going to be reserved for nationals. In the Tourism (Amdt.) Bill, there are amendments to dive and destination, so that they are two different bills. Mr. Speaker, as I said, what is before us is legislation to facilitate the implementation of the Revised Treaty of Chaguaramas, the Bill we passed earlier today. We would do that by removing certain provisions of our legislation which are deemed to be restrictive. The treaty says that we are moving to one single market and economy, and let me just make the point once more that we are moving to the single market by January 01, 2005 that is the MDCs in CARICOM; the others are supposed to achieve it by the end of 2005, in other words, January 01, 2006 and the single economy concept is postponed to 2008. We are still calling it single market and economy but there are phases. In phase 1, the MDCs are moving to the single market. In phase 2, the rest of CARICOM will be moving to the single market. In phase 3 everybody will be moving to the single economy, hopefully, by 2008. Whether we would achieve that 2008 deadline is yet to be seen.

Mr. Speaker, these items which are found to be restrictive have been determined by the Trade and Economic Development Committee of CARICOM. Mr. Speaker, one could have used six pieces of legislation, in other words, come

with amendments to amend the Tourism Development Act; Customs Brokers and Customs Clerks Act and so on, but we have decided that it would have been more efficient to come with, what we call an omnibus legislation, that would amend the six Acts.

One would see a consistency in the amendments; whether you go to the Tourism Development Act or the Customs Brokers and Customs Clerks Act; the amendments are basically the same; the concept of member state and the concept of who is a national. The whole idea is to bring everybody under that ambit and say we are all, for this purpose of this legislation, nationals. That is all there is to the legislation.

The Member spoke about the Foreign Investment Act and, of course, that has a direct bearing on my ministry. With respect to the amendment to the Foreign Investment Act one would note that “national” means all citizens of Trinidad and Tobago and CARICOM member states, regardless of whether the CARICOM country gave reciprocal treatment to Trinidad and Tobago citizens or not. Under the 1990 legislation, one would see that if there is reciprocity then we are as we will be under this legislation.

**Mr. Persad-Bissessar:** Which section?

**Hon. K. Valley:** Under the definition. Act 16 of 1990, under the definition. ‘CARICOM member country’ means any country—

- “(a) that is a member of the community established under the treaty done at Chaguaramas on 4<sup>th</sup> July, 1973; and
- (b) the laws of which provide investment facilities for citizens of Trinidad and Tobago similar to those provided for citizens of CARICOM member countries under the laws of Trinidad and Tobago.”

Mr. Speaker, to the extent that a CARICOM country provides for investment by Trinidad and Tobago nationals or gives national treatment to a Trinidad and Tobago citizen wishing to invest in that member country then there is reciprocity. As a fact, the MDCs, Barbados as well as Jamaica, have similar legislation. So that with respect to foreign investment, in effect, nothing changes. What happens now, other member countries—for example, if someone from an OECS country like Guyana wants to make an investment in Tobago that person can now do it and get the benefit after this Bill is passed because no longer would reciprocity be required. One would expect that these countries would be CSME ready as quickly as possible.

**Mrs. Persad-Bissessar:** Why do you want to remove reciprocity? What is the benefit to Trinidad and Tobago?

**Hon. K. Valley:** Well, you are moving into a new environment. You are moving into a situation where the end result would be full reciprocity. If everyone were to comply with the Treaty of Chaguaramas then it would not matter whether you are in Antigua or Guyana, you would be considered a national. We would all be nationals of this single market.

Trinidad and Tobago, Jamaica and Barbados are moving ahead but come January 01, 2006, the other countries are supposed to be ready for the single market. We are saying that in this one-year period reciprocity does not matter; you can come and invest if you want because by next January you have to give us reciprocity in any case. Do you understand what I am saying?

**Mrs. Persad-Bissessar:** No, I do not understand. Let me tell you why and you could try to clarify. If the end result is that you are going to get reciprocity, you are saying that at the moment Trinidad and Tobago nationals cannot come and do these things in your country but you can come in mine; that is what you do when you remove reciprocity. Your argument is that at the end of the day when all of them pass legislation like us, there will be full reciprocity. What about in the meantime? If they want to enjoy that benefit from us they would hasten—whilst there is a reciprocity clause it puts a burden on them—to put their act together. If they are enjoying benefits here and we cannot enjoy them there—there is no incentive; there is no speed; there is nothing to encourage them, and out of an abundance of importance there is no harm whatsoever in leaving the reciprocity clause. What damage will that do?

**Hon. K. Valley:** It will be against the treaty. They have said that they need some time to comply with the treaty. The three MDCs have said we believe in this; we want to go forward; we are going to be ready for the single market by January 01, 2005. Consider what we are talking about in the case of investment, we want to attract investment in Trinidad and Tobago. More than that, we have been signing bilateral investment treaties with foreign countries, for example, China, where we give them national treatment. As long as you come here then you are treated as a national. We have signed a bilateral investment treaty with the United States. As long as they make an investment here there must be no discrimination. We have signed with Canada, with the UK, so why can we not give it to Guyana and St. Lucia? We do not have to look for reciprocity for them. The decision must be made when the investment is coming in. As long as we agree to accept the investment then we must treat them as nationals. We must not discriminate that

they must pay a different level of tax than a Trinidad and Tobago national making an investment. Mr. Speaker, that is the point. We have approved the treaty and the treaty says this is the way we ought to go; that we ought to treat everyone as a national, and this is what the legislation is doing.

**Mr. Sharma:** Mr. Speaker, earlier the Member of Parliament for Siparia raised the point that there were Jamaican engineers coming to Trinidad and Tobago. Are you aware that they are being paid more than three times what the local engineers are being paid—more moneys are being paid to them and more resources are being made available to them?

**Hon. K. Valley:** I do not know that. There is a market rate and if one is getting a rate, one has to assume that it is the market rate for the skills brought to the market.

**Mr. Sharma:** But the local engineers are not getting it.

**Hon. K. Valley:** I make the point that there are engineers and engineers. If an engineer is getting more than another engineer, I have to assume that the employer is paying him what he is worth; otherwise the employer is not acting as a rational businessman. A businessman just does not pay people because he likes them.

**Dr. Khan:** Why Community-based Environmental Protection and Enhancement Programme (CEPEP) getting so much money?

**Hon. K. Valley:** You are coming with CEPEP.

Mr. Speaker, let me make a point that, yes, the Foreign Investment Advisory Service (FIAS) people came down—I am addressing the point made by the Member for Tabaquite—and there are amendments to be made to Act No. 16 of 1990. There are issues with respect to the policy. We are aware of the FIAS study and we have looked at it. When we were in Opposition, you would recall that your government brought the Bill to the Senate and there were certain issues that our colleagues in the Senate took on the matter. We are looking at that and we shall be coming to the Parliament shortly with revised legislation with respect to the Foreign Investment Bill.

Mr. Speaker, I must make the point that in order to be CSME ready the Government, as was done in Barbados and Jamaica, established a CSME Unit with the mandate to ensure that we would be CSME-ready. This unit was established, I think it was last year. That was because of the fact that there were several legislative institutional and administrative actions required in order to attain the readiness of CSME. That unit is under the Ministry of Foreign Affairs, which has

the responsibility for CARICOM matters. The CSME Unit is established under Ambassador Jerry Narace and it is charged with the singular mandate of ensuring that Trinidad and Tobago is CSME-compliant within the stipulated deadline.

The unit has lead responsibility for monitoring activities and conducting research on all CSME matters at both the administrative and legislative levels. The focus of the work programme of the unit is the implementation of 10 key elements and the programme for the removal of restrictions. To this end the unit functions as a secretariat and has jurisdiction for developing strategies for the implementing of CSME decisions:

- monitoring the progress of CSME implementation;
- receiving proposals related to CSME from interested agencies and social partners, and arranging for consultation on same;
- forwarding proposals after adequate consultation with recommendations to Cabinet through the Ministry of Foreign Affairs;
- the unit also has the responsibility for the PR effort. They need to communicate the benefits to be derived from the CSME and to also advise the public sector entities about their obligations, for example, they are the ones who are to look at the different legislation to see where there were restrictions and inform the relevant agencies.

I said that, Mr. Speaker, so that Members can get a clear picture of the purposed CSME Unit. I think on Wednesday somebody made the point, attempting to suggest that the unit was staffed by party hacks. Nothing is further from the truth. The unit is staffed by a coordinator, a special research officer, an international economist, a legal officer, an information officer, a senior secretary and junior secretary.

**Mrs. Persad-Bissessar:** Are you speaking on CSME or on this Bill?

**Hon. K. Valley:** I am speaking on this Bill. I am saying that the work on identifying the restrictions is done by the CSME Unit. This is the coordinating unit which is charged with the responsibility of making us CSME-ready. They have to ensure that legislation such as that before the House at present is passed in a timely manner.

Mr. Speaker, I am merely giving a perspective to Members concerning the work of the coordinating unit. The job specifications were developed by the Ministry of Foreign Affairs in collaboration with the Chief Personnel Officer. The qualifications required were developed specifically in light of the functions of the

unit. All professional officers were required to have knowledge and experience with CARICOM matters, as well as specialist training in the individual field.

In accordance with Government procedures the respective positions were advertised in June 2003 in the daily newspapers inviting applications from the general public. Applications were screened on the basis of merit and the short-listed applicants were interviewed during the period June—August, 2003. The interview panels comprised the necessary officials of the various arms of Government; consistent with the established official policies and regulations. The most qualified interviewees were offered the position and the staff of the unit commenced work in January 2004.

In passing, Mr. Speaker, it should be noted that the current staff of the unit comprises public officials and persons recruited from the private sector and from state agencies. The majority of the staff have post-graduate level qualifications in their field and several years of relevant experience.

**5.45 p.m.**

Mr. Speaker, in terms of public education, there is an ongoing programme and a study done sometime ago indicated that about 68 per cent of the respondents knew of the CSME, as positively, so that the message seems to be getting out. I admit that there is work to do. Today, we have passed the revised treaty. We are building on that, we are removing restrictions, we are coming with the CCJ legislation later on and there are other works that must be done including the public education campaign. As a fact, the Member for Tabaquite made the point that it makes no sense if we are being accommodating here—but if we go to Barbados they are still on the old paradigm and the only way we can avoid that, of course, is by public education.

One would have seen earlier this year—and we saw Barbados doing what I consider to be excellent work in its public relations campaign, talking about the CSME and so on. The work is continuing, not only in Trinidad and Tobago; but in Barbados, in Jamaica. There is the commitment in CARICOM to ensure this thing works.

I have again to recall the little tiff we had with Barbados earlier in the year and one would have seen how easily that was resolved because of the commitment. Everyone knows in every household there would be tiffs from time to time. But as my mother used to say, never go to bed with a quarrel. Those of us who have been married for a long time know how nice it is to make up.

When the question was asked if one believes that Trinidadians and Tobagonians stand to benefit employment-wise, under the CSME, 68 per cent said yes, 15 per

cent said no; and 17 per cent said they did not know. This is in the *Guardian* newspaper of Thursday, November 25, 2004.

The task continues. The point the Member also made about the need for education— I can tell you that at the Ministry of Trade and Industry, we have brought on staff a change agent to really work with some of the different organizations, which is a task, we know, because persons have grown up in a paradigm of negative listing, of protection and so forth and now you are telling them they have to open up and all these sort of things and, sometimes it is difficult. So we brought someone on to talk to them so we can remove the blindfold from their eyes so that they can see the new wisdom. We continue to travel. There would be problems but that is our job; to help spread the message and to bring the new Trinidad and Tobago, the new region.

I take the point also that while we do that, while the CSME is important to us, we have to look further afield. On the agenda also is a Bill speaking about the ACS which I think we would be debating next week Friday, as well as the trade agreement between CARICOM and Costa Rica. So that while we are looking at the CSME, we are, in fact, looking further afield.

Mr. Speaker, I trust that with this intervention Members are a bit clearer on what we are attempting to do. Yes, there are issues, there are challenges and that is the reason they have us here, otherwise they would not need us. We go forward hopefully, always remembering my old lecturer saying, “it is better to travel hopefully than to arrive”.

**Mrs. Kamla Persad-Bissessar** (*Siparia*): Mr. Speaker, the hon. Member for Diego Martin Central had been quite frank and admitted that there are several challenges and obstacles, but we will get there.

I ask him to reconsider two areas with respect to this because just like them, we want to see it go forward, we want to see it work. In fact, this treaty as has been pointed out, is a treaty that was signed by the United National Congress government. During its term in office it did what it could to take the process further forward and so apart from these two areas, we really have very little other difficulties with it.

The areas raised by the hon. Member for Tabaquite were areas of concern which we looked at again but, in terms of the process for the CSME, I do not think we have a difficulty with that sort of integration movement in the CARICOM region.

The first thing, hon. Member for Diego Martin Central, through you, Mr. Speaker, however, is that you were incorrect when you indicated that the Member for

Tabaquite was speaking about a different statute and it was not the one that was here. I think you obviously did not read it while the Member for Tabaquite did read it. I would like to point out to you the very Act that you are amending, which is the Tourism Development Act, 2000, not the Bill on the Order Paper. That speaks in the interpretation section 2 about a dive lodge and eco-lodge and about many other matters that the hon. Member raised. No, no, you said the Member does not know what he is talking about.

For the record, he knew what he was talking about here. He was speaking about the Tourism Development Act, 2000. He was well researched and well prepared for this debate. Secondly, the very Bill that is before the Parliament also speaks about dive operations. Hon. Member, you have to admit that you were wrong with respect to that.

**Mr. Valley:** Member for Siparia, the point I am making, while the legislation before the House talks about dive operation, it does not talk about amending the definition of “dive operation”. It is amending a Bill that talks about amending the definition of “dive operation” and “destination management company” to which the Member referred. He had to be speaking about this, and not the amending Bill.

**Mrs. K. Persad-Bissessar:** In local parlance it says you had a waffle. It is in black and white. It is there. He spoke about dive operations, he spoke about dive lodges. It is there. The *Hansard* will show you indicated that there was nothing about dive operations and dive lodges. I think the Member for Tabaquite was well researched and made a good contribution with respect to tourism matters in this House.

The two areas I am concerned with—and I come back again with the whole issue of reciprocity. I am not convinced that there is going to be any damage caused with the establishment of the CSME, that there is going to create any problem in the CARICOM if it is we maintain the reciprocity provisions in our statutes. Show me where in the treaty it tells you, for example, that you cannot have the reciprocity problem with respect to movement under the Immigration (Caribbean Community Skilled Nationals) Act, which you are also attempting to amend. You are amending that by removing section 12 of the Immigration (Caribbean Community Skilled Nationals) Act, and section 12 was the one that gave reciprocity. That is to say, Trinidad and Tobago will allow skilled nationals from CARICOM into Trinidad and Tobago as nationals of CARICOM only with respect to those nation states that allow Trinidad and Tobago nationals the same kind of courtesy in their countries. I am not convinced that if you leave that reciprocity clause you are going to be damaging the establishment of the CSME.

Once that clause is there, when another CARICOM nation brings in theirs, they will benefit down the line until all the nation states benefit.

**Mr. Khan:** Thank you, Member for Siparia for giving way. I think you are misunderstanding the concept of bringing into fruition a free market and certain members of that community saying they are not ready. If you say you are not ready, and you want one more year, if when we enact now, and we enact reciprocity, you are, in fact, telling them even though you say you are not ready you are really saying you can handle free market and so we will do it. It does not matter and when they are ready, it is only then the issue of reciprocity would apply but they would, in fact, have then passed their legislation to be registered. So the reciprocity issue is really a non-issue.

**Mrs. K. Persad-Bissessar:** It is a very serious issue. I am still not convinced. If I am not ready today—if Antigua says it is not ready today, fair enough, whenever it is you are ready you would benefit. Why must you benefit out of Trinidad and Tobago, when Trinidad and Tobago nationals cannot benefit? I cannot understand it.

**Mr. Valley:** Let me try again in a different way. Trinidad and Tobago is at present negotiating as part of CARICOM in the FTAA and our big claim is what we call special and differential treatment. When we negotiate—and it was in your time also—we negotiated trade agreements; CARICOM, the Dominican Republic, Costa Rica, there is a caveat out for the OECS countries because we say that—as a matter of fact in the treaty they are defined as disadvantaged countries, is a symmetry as it were, that the relationship is now equal. If Antigua, St. Kitts, St. Lucia, Guyana say they are not ready we understand that because it is a special and differential treatment for these countries.

**Mrs. K. Persad-Bissessar:** You are moving the goal post. Each time we come up with a reason why we will not support this reciprocity and we are not convinced, you are giving me a different reason. When I first asked you the question, you told me the reason: well, what is wrong with that? We have signed bilateral arrangements with X, Y, Z, P and Q and we are doing it on a bilateral arrangement. But what you forgot to say, if you are doing it bilaterally, then you are going to vote ad idem on it. You are voting consensus. This is totally different, where you are saying you are not ready, you do not have reciprocal arrangements and, therefore, I will wait until you are ready, anytime you are ready. We are big brother here. Trinidad is free, come. Everybody come and take. That is the attitude. Take it—and if it is they are not ready this year, well fine, whenever they are ready, they will benefit.

There must be reciprocity and even if you tell me it is foreign investment that you want, maybe I might have bought your argument. But when we are talking about the skilled nationals and that is the one where you are actually deleting section 12, take out section 12, you are telling me that any national from any part of the CARICOM could come to Trinidad and Tobago and work and when he or she comes to work that person could bring grandma, grandpa, “nenen”, “tantie”, uncle, anybody, you name it. Because that is what you did when you amended the Bill. When you amended our Immigration (Caribbean Community Skilled Nationals) Act—you amended it sometime in 2003—you said they could bring anybody with them, Tom, Dick, mother, sister, everybody, family, grandma, grandpa, so everybody will have four grandparents, four aunts and uncles, and how many children, they can bring into Trinidad and Tobago. Understand what that is doing, and they have that right to come here, all of these people, work here and while they are working, to enjoy the benefits of Trinidad and Tobago, which is to say, our education system, our health system, our roads, our infrastructure, everything in this country and you just say come but it is quite okay, you do not have to let a Trinidad and Tobago citizen in. How can that be right? What benefit is that to Trinidad and Tobago? How does that benefit us?

If you tell me, it is investment, then I might be able to buy your story. They are bringing money and are investing. But when we come to CARICOM skilled nationals, and you are saying all of you come, they may be taking jobs out of our people. Hon. Member, do you remember what you did? We had it for skilled nationals in the professional class, and you amended that law in 2003 to read, you can now have dancers, singers, artistes and musicians and you will recall when that debate was taking place, the question was asked: how did you determine who was a dancer and singer? I mean, I could dance really well so I could be classified as a dancer. I do not sing so well but I could still be a singer? So how could you define dancer, singer? So these people from all over the CARICOM—let us be serious. We do not understand. We think we are so powerful with the oil and gas dollars but today, with all this boom going on, and the last boom we had, little Barbados, with no natural resources except sun and sand, their per capita to GDP is higher than Trinidad and Tobago. We are 9,600, they are more. I will bring the statistics at the next sitting. Their economy might still be in shambles but they still have a higher per capita than we have and we have the oil dollars, but we are so sorry for everybody; godfather, grandmother, we want to take everybody.

Why is it—I will not accept and I will continue to object to this inside and outside this House that you are telling these people they can come here and work, they can bring grandma, grandpa, wife, children, grandchildren, everybody else,

“toot bagai”, bring all of them here, take my resources that I work hard for, that all of us work hard for; schools, hospitals, roads—more traffic jams, you are going into the health sector and you cannot buy a hospital bed—cockroach in the hospital, all of this, coming to fill up our system. If I go to Barbados I cannot get that. If I go to any of the other 11 nations, you are saying that a Trinidad and Tobago national cannot benefit. I am not convinced. I can understand the investment part but when it comes to the movement of people I will not accept removal of that section 12. I am saying, the very people you want to help, they will put their act together, they will bring their legislation and they will benefit in a reciprocal way with the people of Trinidad and Tobago. Why are you always putting Trinidad and Tobago people second class? Why are we giving away the resources of this country?

I am trying to convince you to reconsider. [*Interruption*] It is a very dangerous piece of amendment. But please reconsider it. There is the committee stage. Here you have the majority. You can railroad it and pass it. In the Senate, perhaps, they would take it up. Please reconsider that section 12 with reciprocity. The others where you are taking out the reciprocity, is money coming in, but not this one with the CARICOM skilled nationals.

Let me tell you why you would not be in breach of the treaty. That is your argument. Your argument is you have to do this; you have to take out the restriction because it is ultra vires the CARICOM treaty. If we look at that treaty, if I could find it, I will show you why that one could come out and you will not be breaching it. If we look at the clause that deals with movement of skilled nationals which is Article 46, it speaks of the movement of university graduates, media workers, sport persons and musicians which tend to have free movement and subclause (3) of Article 46 says: nothing in this Treaty—you all do not listen. The point is that you will not be in breach of the treaty. Your rationale is you have to comply with the treaty so you have to take out this reciprocal provision. I am saying clause 46(3) shows you the way in which you will not be in breach. That is all I am trying to get you to understand. Nothing in this treaty shall be—you are planning to take it out then, I do not need to go further. Are you going to remove it?

**Mr. Valley:** You asked me to consider it. I give you my word I will consider it in time for the Senate. We have to talk with the Attorney General and ask him to look at it. You have made your case. I am saying do not spend the rest of your 75 minutes on one point. Make your next point and let us go home.

**Mrs. K. Persad-Bissessar:** My next point is you will not be in breach of the treaty. I really want to put that on the record. When you leave here and it goes to

*CARICOM (Removal of Restrictions) Bill*  
[MRS. PERSAD-BISSESSAR]

*Friday, December 03, 2004*

the Senate and, you are not here again, somebody else will be here. Your Attorney General should have known that section will not breach the treaty in the first place.

So when you send it back to him he still will not know. It will still be that he thinks he is breaching the treaty. It does not breach the treaty.

“Nothing in this treaty shall be construed as inhibiting member states from according community nationals unrestrictive access to movement within their jurisdictions, subject to such conditions as the public interest may require.”

Very famous words! What is the public interest? Ask the Director of Public Prosecutions what it is. As far as the public interest is concerned, I am saying, is such that Trinidad and Tobago nationals must not be made to feel that they are second to nationals of other CARICOM countries. [*Desk thumping*] They must never be made to feel that this Government only cares about the rest of the CARICOM and not about Trinidad and Tobago. You would not be in breach of the treaty if you take out that amendment that seeks to deal with section 12.

The other point—you will be very happy to hear this one because I know you want to go home. I will take the rest of my time with this second point. It has to do with the last clause in your amending Bill—clause 31. I do not understand how anybody could draft a piece of law—and I am not dealing with your staff in the CPC. I want to know how the Attorney General could allow a legislation to come like this, with a clause which says:

“The Minister may, by Order, amend any written law to facilitate the implementation of the Revised Treaty of Chaguaramas, including the CARICOM Single Market and Economy.”

The Minister may, by order, amend any written law. Do you know what that means? It means the Minister who is responsible for CARICOM affairs could sit in his office and make an order about any piece of written legislation in this country. It is madness! It is total madness. In the first place, an order is subsidiary legislation. Why is it you are bringing all these here by Acts? Why are you coming to amend the Foreign Investment Act, the Tourism Act, Immigration and Custom Acts, name them, five, ten pieces. Why are you bringing them by Bills that will become Acts, but you want a Minister, with *carte blanche* power to say that by order the Minister could amend any written law in this country? That is madness!

Mr. Speaker, when I spoke earlier in the debate before I made the point—when we talked about political integration and I said we knew there is no way you could form any political union with anybody unless it came to the Parliament for ratification, for approval by the people’s representatives and, therefore, by the

people, but I was fearful that they would use other ways in which to slip pieces of legislation through, this is something of what I had in mind. I talked about the Summary Courts and the sleight of hand that took place and slipped in the provisions under the PNM administration. How could any one of them sit there and feel comfortable with this? You cannot allow this to happen. Remember tomorrow you are not the minister. And the next thing you may have is a Tapia—and the next thing an NAR, a PNM—and it does not matter which government is in power, no minister should have this authority.

**Mr. Valley:** The constraint is to give effect to the Revised Treaty of Chaguaramas. That is a limitation. You are well aware, there is that limitation. It is not *carte blanche*, as it were. He can only do so if it is keeping with the treaty which you have just approved.

**Mrs. K. Persad-Bissessar:** I have never seen a clause like this in any piece of legislation. What it would normally do, the Minister, may by order, make regulations, the minister by order, X, Y, or Z and P to give effect to specific Act, but I have never seen in our law—and if you could find one, show me, where the minister may by order have the authority to amend any written law in Trinidad and Tobago. That is just too wide.

**Mr. Valley:** May I ask you, for my own edification, your formulation. Does it mean the same thing as what is there? If I say the Minister, may by order, make regulations to give effect to the Revised Treaty of Chaguaramas, because that is what you want to do. This Act is removing barriers to give effect to the Revised Treaty of Chaguaramas.

**Mrs. K. Persad-Bissessar:** I understand the point you are trying to make. No, it cannot work. Where a statute gives a minister jurisdiction to make an order, it is to make regulations. You cannot give a minister, through subsidiary legislation, the power to change substantive legislation. It cannot work. The minister cannot amend the law by subsidiary legislation. This is wrong in law. Not only is it madness, but it is wrong in law. Subsidiary legislation cannot amend the parent statute and that is what you are doing here. I have never seen something like this in my life. You really have to look at this. [*Crosstalk*] It came through the Attorney General and that is why it is here, and if we did not pick it up and you did not want me to talk for the 75 minutes, what would have happened? This would have gone through.

I want you to think about it as a rational human being, as Members of Parliament. The other Members are rational human beings. This is too wide.

*CARICOM (Removal of Restrictions) Bill*  
[MRS. PERSAD-BISSESSAR]

*Friday, December 03, 2004*

When are you going to deal with this? Please think about it. What you can do when you go out there and you feel it is right, put it back in—we cannot pass it. You can pass it with the majority.

**Mr. Valley:** We will leave it to the committee stage and go home.

**Mrs. K. Persad-Bissessar:** Thank you very much. Now I can shut up on that undertaking.

**The Minister of Science, Technology and Tertiary Education (Hon. Colm Imbert):** Mr. Speaker, I will be extremely brief. The Member for Siparia raised some points earlier with respect to the status of implementation of legislation to give effect to the CSME.

**Mrs. K. Persad-Bissessar:** That was in the last debate on the CSME Bill. We are on a totally different Bill now.

**Hon. C. Imbert:** The point is that we need to educate ourselves on this treaty. We need to educate ourselves on this treaty. We need to educate ourselves on the status of implementation of all aspects of the revised Bill.

Mr. Speaker, the hon. Member must not believe that we on this side are completely oblivious to the points made on the other side. That is a dangerous assumption.

The reason for my brief intervention, because the Member raised the question of reciprocity and all of the institutions, mechanisms that are necessary to give effect to date.

I would say to Members, if they go to the CARICOM website and I think they need to do this instead of coming and talking stupidity. Go to the CARICOM website and you will see that a document has been posted there and updated as of October 30, 2004, just a month ago.

**6.15 p.m.**

Instead of talking foolishness, do your research. If you go on that website, there is a document with detailed information, which tells you exactly what is going on in every country with respect to every single aspect of the Revised Treaty of Chaguaramas, including the removal of restrictions as they relate to skilled nationals, as they relate to the amendment of tourism legislation, as they relate to the movement of capital, as they relate to the right of establishment; all of which is part of this Bill, not the past one.

If one goes there, one will see, for example, with respect to the free movement of skills, the elements are the implementation of skills legislation for the free

movement of university graduates. There is legislation from 11 member countries. I will not bother to read them because they are on the website. The action required is for Antigua and Barbuda to still do legislation and Suriname to amend legislation to cater for the indefinite stay of CARICOM nationals. Eleven member states have already enacted the necessary legislation for the movement of skills within CARICOM.

I heard a comment earlier from someone on that side—I had better not call name. The point made was that some agency in Trinidad and Tobago is allowing Jamaican engineers to come into Trinidad and Tobago and paying them three times the rate of Trinidad and Tobago engineers.

The last study we did, Mr. Speaker, demonstrated that there was a shortage of engineers in Trinidad and Tobago somewhere in the region of 500—there are about 500 engineers required in Trinidad and Tobago—and the shortage would increase on an annual basis. The reason that government agencies have to bring in Jamaican engineers is that we do not have any Trinidadian and Tobagonian engineers. There is no reason for an agency such as the National Housing Authority or the Ministry of Works and Transport to bring in a Jamaican engineer, unless we cannot get a Trinidadian.

If any government agency advertises in the newspaper—the Ministry of Health, my Ministry, the Ministry of Housing—for skilled professionals in the construction industry in particular, they are not getting responses to the advertisements. This is so in the private sector and in all the construction firms in the country. Whether they are contractors, consultants, quantity surveyors, architects, you put out hundreds of advertisements and there will not be one response. This is why we have established the University of Trinidad and Tobago. I really wish people would do their work before they come in this Parliament and talk stupidity.

We have estimated that the annual requirement for the next 10 years is for 1,000 professionals per year in engineering and technology. We have a shortage of 10,000 engineers and technologists in this country, so if two Jamaican engineers come here from Montego Bay, we should be glad. That is one of the benefits of the CSME and the removal of restrictions regarding the movement of skills. We can now avail ourselves of the pool of skilled professionals in the region. The construction industry is overheating in this country. Development plans are being stymied because we simply do not have the trained professionals and the human resources.

That is why we are building the University of Trinidad and Tobago. Eventually, we will develop our own capacity. We will graduate 200, 300 or 400 engineers and technologists per year and eventually the point will be reached where there is absolutely no need to bring in a Bajan or Jamaican engineer, as the case may be.

It is [*word expunged*] to complain—

**Mr. Speaker:** Please! Please strike that word off the record and rephrase!

**Hon. C. Imbert:** Certainly! It is foolish to make the assertion that we do not want Jamaican engineers in Trinidad and Tobago. We will never get our work done. The private sector will never build anything. No project will ever get anywhere unless we import the skills we need at this time. We have a shortage of 10,000 engineers and technologists. I guess they do not want the projects to go ahead—whether in the public or private sector, they do not want the projects to go ahead. One can only assume that this is the reason for these absurd propositions.

The same thing is on the CARICOM website, for those on the other side who have any interest, because I heard a lot of noise about the Revised Treaty of Chaguaramas. They can go to CARICOM.org, and once they have Adobe Reader—anybody who has a semblance of computer literacy will have Adobe on their computer now—and download the whole treaty. Anybody can go on the website and download all 270 pages of the Revised Treaty of Chaguaramas. It is there. I downloaded it myself this morning. There is a page where they give an update on the CSME-readiness of every country in the region.

I think I need to educate Members on the other side. It is like casting pearls before swine, but I will do it anyway. I am reminded that you cannot turn a person into a sow's ear. [*Interruption*] Whatever it is. You cannot change an inanimate object into an animate object. However, I will try.

Mr. Speaker, on the regulatory and administrative arrangements for free movement of graduates, action to facilitate free movement of graduates has been completed by 11 member states—Barbados, Belize, Dominica, Grenada, Guyana, Jamaica, St. Kitts, St. Lucia, St. Vincent, Suriname and Trinidad and Tobago. So what is this irrational paranoia about Jamaican professionals coming into Trinidad and Tobago? We legislated that years ago in the implementation of legislation for the free movement of artistes, media workers, musicians and sportspersons. Ten member states—Barbados, Belize, Dominica, Grenada, Jamaica, St. Lucia, et cetera—have explicit legal provision for the free movement of artistes, media workers, musicians and sportspersons. It has been already done.

On the matter of regulatory and administrative arrangements for the free movement of artistes—again the only country states are Suriname, Antigua and Barbuda and St. Kitts/Nevis.

On the question of legislative and administrative arrangements for free movement of self-employed service providers, entrepreneurs, technical/managerial and supervisory staff, removal of restrictions under Chapter 3 of the Treaty expanded the categories of persons eligible to move freely to include these categories in accordance with timetables of December 2003/2004/2005. Jamaica has already taken action and St. Vincent and the Grenadines has already indicated its commitment to deal with this issue.

It goes on to the facilitation of travel—CARICOM passport and CARICOM ID form. I am sure hon. Members would be surprised to learn that Guyana has already amended its legislation to provide for the acceptance of photo IDs. We are still dealing with passports. They have moved ahead. OECS members accept photo IDs from other OECS nationals. A lot of progress is being made within CARICOM to deal with all the issues that would give life to the principles in the Revised Treaty of Chaguaramas.

Lines identified for CARICOM and non-CARICOM nationals at ports of entry. All 12 member states have implemented two sets of lines at ports of entry—common lines for CARICOM nationals and lines for non-CARICOM nationals. If you go to any airport, you see it. It is all flowing from the Revised Treaty of Chaguaramas.

Mechanism for equivalency in accreditation. There is a fully functioning national body in Trinidad and Tobago. We are among the first to deal with that issue. There is an institution established in St. Kitts. They are moving towards a Caribbean accreditation authority. That is all on the agenda of the sub-units of CARICOM.

There is the transference of social security benefits, an agreement entered into force on April 01, 1997. Eleven states have signed and ratified the agreement. Suriname still has some work to do with regard to the social security benefits.

Eleven states have enacted social security legislation to give effect to the agreement on social security benefits. Barbados, Dominica, Guyana, St. Kitts and Trinidad and Tobago are already processing claims under the agreement with respect to social security benefits.

With respect to the free movement of capital, a list of restrictions was already notified in 2000. At the Thirteenth Intercessional in February 2002, they approved the schedule for removal of restrictions to member states, which took effect from March 01, 2002.

It goes on to the Intra-Regional Double Taxation Agreement, the Right of Establishment and the Notification of Restrictions. All member states were notified in 2000 with regard to restrictions which are directly concerned with the legislation we are talking about—the removal of restrictions. At the Thirteenth Intercessional in February 2002, the schedule was approved. Jamaica has already taken action towards meeting its commitment for the immediate removal of restrictions. We are dealing with it today.

The harmonization of laws—everything is there and we have come to this House to hear this stupidity about there being no information and nobody knowing what is going on. If they would only bother to spend two minutes and do some research, they would know what is going on in the region and they would see how fast all member states are moving to harmonize legislation to allow truly free movement of capital, enterprise and persons.

I close by making the point that there is a lot of work still to be done. If one bothers to read the legislation with respect to the removal of legislation, one would see timetables. One would see that it refers to movement of factors. A piece of legislation not yet referred to by the CARICOM legislative drafting facility is still being done. One would see that the provision of services would depend upon the approval of the economic sectors, which has to be done by the Heads of Government. This is really framework legislation, which is paving the way for further bits of legislation that will flesh-out which sectors you provide services in, how you bring in the “tanti” and the “nenen”; and all the things about which the Member for Siparia spoke. It is all there, subject to the movement of factors legislation.

This will come to this House in due course. It will not be some secret thing behind some closed door. If people would only read and use an ounce of their intellectual capacity, they would understand what we are trying to do in this House. There is, therefore, nothing wrong with the legislation before the House. Nothing will take effect until the economic sectors have been properly identified and agreed to. Nothing will take effect until the whole question of movement of factors and the establishment of enterprises have been properly codified, properly identified, agreed to by CARICOM and brought to national Parliaments for enactment.

So, Mr. Speaker, this is all much ado about nothing. I support the legislation before the House this afternoon.

**Dr. Roodal Moonilal** (*Oropouche*): Mr. Speaker, I will be equally brief as the last Speaker—he declared he was going to be brief—but not equally vacuous and irrelevant. I will not be equally insulting either; it is not my style.

I would like to make a couple points in about 10 minutes or so. Like the Member for Siparia, I was also taken aback when I read this Bill, particularly clause 31(1)—I want to read it again for the benefit of all:

“The Minister may, by Order, amend any written law to facilitate the implementation of the Revised Treaty of Chaguaramas, including the CARICOM Single Market and Economy.”

When I read that, I also raised my eyebrow. I wisely left it to the attorneys to look at it. Sometimes a clause can look “funny” to a layman, but in legal language and so on it is correct.

Today, I just want to endorse what the Member for Siparia was saying. Clearly, something is wrong with the clause. For example, I told the Minister of Labour that we should fit in another written law and it should read.

The Minister may, by Order, amend the Industrial Relations Act to facilitate the implementation of the Revised Treaty of Chaguaramas, including the Caribbean Single Market and Economy.

Something is wrong with that. The Industrial Relations Act is written law. Clearly, the Minister cannot amend, “by Order”, the Industrial Relations Act because it is written law. What I think this means is that the Minister may, by Order, amend regulations, or maybe even create regulations in pursuance of this Bill. I do not even think other regulations as well; for example, in the health sector, there are regulations for which the Minister of Health is responsible. I do not think that it is intended that the Minister with responsibility for CARICOM CSME affairs could amend, by Order, regulations pertaining to another piece of law—certainly not amend, by Order.

This is what it should mean, but this is not what it says and what could happen here easily is that because this type of legislation comes to all the Caribbean territories and is drafted and being circulated, in some other language “Order” may mean something else, but here it just does not make sense. Apart from sounding bad, as the Member for Siparia said, it is really incorrect in law and cannot stand on its own. We hope that, if we get one benefit today, it is that the Government take note of this and seek to correct it before the measure is adopted.

Now for the other point I want to make. At no time did we doubt whether the Member for Diego Martin East could read or think, so there was no need to read off the website the work that was being done in other countries. Many of us have spent hours at the website. In fact, on an earlier occasion, I had cause to lament

that the Trinidad and Tobago Ministry of Foreign Affairs does not have a website with information on the CSME. If the Member for Diego Martin East were in charge of the Ministry of Foreign Affairs, they would have had a website because he spends a lot of time on the Internet. Maybe the Ministry of Foreign Affairs could use the assistance of the Minister responsible for tertiary education to get that website going after three years, for they have nothing. There is an animation of a CEPEP worker clearing grass or something like that.

The CSME is an important and profound change and it should be on the domestic website of the Ministry. [*Interruption*] Correct, but I think it is also important that the Ministry of Foreign Affairs have a website as well; not just for CSME, but for other matters as well; also to get the Minister's profile after three years.

I do not think the speakers on this side made the issue whether or not other countries were implementing legislation with the issue of education. Let us assume that the Member for Diego Martin East is correct on this singular issue—not that he is correct. How many persons have a computer and regularly spend time on the Internet? What percentage? 20? It would be 14 to 20 per cent of the population. So 14 out of 100 persons would be on this Internet we like to explore and talk about. Public education is not telling people to go on the Internet and look for information. He comes here and insults Members by telling us that we do not spend time on the Internet and that the information is there. When we talk about education, we talk about public education. Members of the public do not have access to the Internet like this. They need other methods to communicate with members of the public on the CSME.

Just to correct the Member for Diego Martin East, had he been in charge of this foreign affairs initiative, I am sure he would have had a dynamic and creative public campaign to educate the population about the CSME. Regrettably, he has nothing to do with it.

The CARICOM website is fine for the technocrats, the business people and the professionals who use the Internet, but for John and Jane Public, that will not help with public education. I did not hear any Member on this side make any argument about the Act being passed in Guyana, Barbados and Jamaica.

The last issue I would like to raise is an immediate response to the Member for Diego Martin East. We have been hearing, for some time, justification for the University of Trinidad and Tobago—justification which promotes indigenous, locally-driven, technical training, particularly in engineering and related fields, to cash in on the job opportunities that would come with this oil boom within the next 10 to 15 years. We heard this story again today.

The Member went further and said that when they advertise for technical jobs, they do not get an adequate response. Maybe the persons who are applying are not fully qualified, so there is need to go outside the CARICOM in the short term. We have been hearing that and I am taking a note for another reason. First, there is very little transparency and openness with much of this interviewing process. Jobs available are applied for. There is a panel to receive applications, a panel to interview who gets the job and on what basis and so on. We do not have much transparency and openness on that. Many of us on this side meet, on a weekly basis, young people with engineering degrees who come to us unemployed stating that they have applied to government agencies and responded to ads.

**Dr. Rowley:** I thank the Member for giving way. I am very happy to hear what he has just said. I wonder if the Member would assist the national programme by directing any and all such persons who are unemployed and who are qualified in civil engineering to the Ministry of Housing or to the NHA.

**Dr. R. Moonilal:** Certainly. Mr. Speaker, I run an unemployment bureau in my constituency. I gather information on those who are unemployed, I have their CVs and resumes, and I will happily put a package together and send it to NHA or wherever else.

The deeper point I am making is that many people claim that they are applying for jobs and that they are not getting any. Some people also withdraw in that they feel sometimes that they have applied again and again and they do not get anything, so they would not apply anymore. They would come out of the system. Engineering graduates tell me they want to teach because they cannot get a job in an engineering field. It is very instructive to hear this evening from the Minister, supported by colleagues, that in reality, they are not getting sufficient adequately trained engineers in the specific field in Trinidad and Tobago.

I also want to underline the point that these processes must be transparent and open. It may well be that in some field—and I am not accusing the Member for Diego Martin East or the Member for Diego Martin West, but it may well be that in some Ministries applications are received and for one reason or another not treated fairly and then the claim is made that nobody applied properly. *[Interruption]* They are now claiming that it is also a private sector problem. I have not spoken to the private sector leaders to ascertain that, so I take their word. Again, I want to underline the issue of transparency.

There is also another issue that I want to raise that Members may comment on today or at any other time. There seems to have been a paradox here. A few decades

ago, the St. Augustine campus of the University of the West Indies was chosen to house the engineering field. As you know, Mona dealt with medicine, Cave Hill, Barbados, dealt with law and St. Augustine, Trinidad, specialized in engineering. The reason Trinidad was selected was specifically because of the importance here of the energy/oil industry and the natural resource that gave rise to the demand for engineers. Are we saying that in the year 2004 the Faculty of Engineering has also failed; that the institute that the Member for Diego Martin East and his relatives have worked so hard at, has not produced the goods over the years to supply the domestic demand? Should we also suggest that more resources and infrastructure be given to the St. Augustine campus of the University of the West Indies, specifically the Faculty of Engineering, to expand its programme for engineers?

That to me is a solution because it seems a paradox that they created a faculty of engineering for this specific reason and two or three decades after they say there are not enough engineers. Why did we go into engineering in the first place? Instead of focusing on the University of Trinidad and Tobago at this instant, give the resources to the University of the West Indies, Faculty of Engineering, to expand the number of civil engineers they enter into a programme and graduate.

**Mr. Imbert:** I thank the Member for being so generous as to give way. I am in constant communication with the Dean at the Faculty of Engineering at the University of the West Indies and we are giving them the resources they require to expand their capacity. It is just that the capacity to expand is inadequate. That is why we have UTT as well. We are supporting UWI.

**Dr. R. Moonilal:** The Member will realize that graciousness lies on one side of this House and on one side alone. Generally they will not give way when they are on their feet. That is their way and different parties would have different cultures.

Mr. Speaker, I am happy to learn they are still looking at the University of the West Indies and seeking to endorse engineering with their quest to expand their intake and graduates in the field of engineering, specifically civil engineering.

On this matter as well, earlier in the afternoon the Member for Tabaquite spoke, and as the Member for Diego Martin Central readily admits, was very creative and dynamic in bringing to bear several related issues within the purview of the Bill dealing with tourism. It is not at this moment for us to enter a long debate into the impact of this piece of legislation on the labour market in the Caribbean. The opportunity for that will come later. The Minister is here and we are really pleased to have him as a guest in this House.

I would like to ask him if he would be kind enough at some point—we have other CARICOM-related matters on the agenda—to indicate to the House the current position as it relates to the expansion of the number of specific job categories that the CSME is looking at, at the moment. We began, I believe, with five, including artistes and musicians and UWI graduates, but there is now a clear thinking on the part of the region, driven in no small measure by the Caribbean Labour Movement, that we should increase the number of categories; that it should be expanded to include much more.

I am informed that the Prime Minister of Dominica has lead responsibility to present a coordinated effort to ensure that member states expand the number of categories available to workers of the Caribbean to move in and out of the Caribbean for the purpose of obtaining jobs. I would like to seek the Minister's assistance with respect to an update and the timetable for doing that. Is it January 2005 or July 2005? What is the realistic expectation?

The Member for Diego Martin Central, in a nice tug-of-war with the Member for Siparia, stumbled accidentally on the important issue of allowing a grace period for member states, which may well be 10 or 11 member states outside of Trinidad and Tobago, Barbados and Jamaica—member states that operate in the context of having benefits to be derived in Trinidad and Tobago, Jamaica and Barbados, but not giving benefits to nationals of Trinidad and Tobago, Jamaica and Barbados in that grace period.

#### **6.45 p.m.**

Mr. Speaker, the Member for Diego Martin Central told us that by January 01, 2006, it is expected that all member states would pass their respective legislation and so forth. What is going to happen if they do not pass the necessary legislation? I do not want to get into a discussion with respect to the history of Caribbean integration and the common market and so forth.

There are two things that are certain to happen here: they are not going to implement any legislation and they are not going to pay any money. You really have to fly in the face of history to pass legislation and believe that all these countries will pass laws and get on board on time, and eventually contribute money towards this common market cause. That is why the Member for Siparia raised a very valid issue with respect to generating funds through their own resources. To what extent would we be bankrolling another institution? The Minister should give us some clarification with respect to the expansion of these categories and the timetable for them. The Minister should also confirm whether

or not the Prime Minister of Dominica is taking the lead in that matter. What do we expect in the short to medium term to be doing on that score?

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

**Mr. Chandresh Sharma** (*Fyzabad*): Mr. Speaker, thank you very much. There is always a degree of concern when a Member of Parliament is put under pressure for one reason or another. Members are also saddened sometimes by what they read in the newspapers, or when negative things are said about them in the print and electronic media. I am making reference here to a matter that comes to mind when a Government Minister, who spoke earlier in this House, was accused by writers for acting like a clown. The writer went on further to describe this Minister as a “liar”, because the Minister spoke at a public enquiry. A few minutes ago, this Minister took the trouble of confirming what was said about him. What are the provisions in the Standing Orders for a Minister who comes to this House and tells lies? Are there any provisions in the Standing Orders for this? If the answer is no, the Minister would get the full support of this House by ensuring that these corrective measures take place.

When the Leader of Government Business, the Member for Diego Martin Central, was speaking on the Bill, I raised the matter with respect to engineers who came from Jamaica. These engineers are employed with the National Housing Authority (NHA). With respect to the response given by the Member for Diego Martin West, he told the Member for Oropouche that if he has engineers he should take them to the NHA. They are continuing to fool the people by practising the highest level of discrimination. There was no public advertisement, and now that the matter was raised in the House, the Member is saying to send the engineers to the NHA.

How does the Government recruit persons? I also made the point, and the Member for Diego Martin Central responded in an intelligent way by saying that he was not aware of that matter. The point I made was that we were employing Jamaican engineers and paying them more money than what our local engineers are currently getting. There are vacancies for engineers in the country. The local engineers who are doing similar work and even more work must be paid at the same level as those engineers.

The Government brought doctors from the United Nations and they are being paid at the same level as our doctors. Did these engineers come through the back door? No one knew about that matter. The Government is not perfect, but it has to be careful that it does not open a can of worms. The Government has a history of

doing many wrong things. The country is in this state because of the wrong things that the Government is doing.

The Government boasted about endless employment in the country, but that is not something that is new to us. Under the Panday administration, endless employment opportunities were available, and the country was growing faster than the world economy. The Member for Diego Martin Central is aware of that matter. What obtains now under the Manning administration is that Ministers are now being accused of being thieves, and there may be some evidence pointing in that direction.

Mr. Speaker, we have moved from the Panday administration where there were less resources and employment was created. The largest number of investments came into this country under Mr. Panday's administration. Under Mr. Panday's administration there was less crime and the least number of murders. What now obtains under Mr. Manning's administration is the highest number of murders and the highest number of migrations. When we have two Ministers telling lies in this Parliament then we are in a dangerous situation.

**Mr. Speaker:** Hon. Member, you are accusing two Ministers of lying in the Parliament, and you cannot do that unless you could substantiate what you are saying.

**Mr. C. Sharma:** I am doing just that. When two Ministers of this Government could tell lies and say that there is a shortage of engineers in the country and they cannot find engineers—the Member for Oropouche said it and I am also endorsing what the Member said and that is that there are engineers who are applying for teaching jobs. The Member for Ortoire/Mayaro is aware of that matter.

**Mr. Khan:** Mr. Sharma, I am not aware of that matter.

**Mr. C. Sharma:** The Member made his point. The Member is not aware of many things, and that is a dangerous matter. There is a colleague in this House who is not aware about the truth in the country. The Member is not aware that there are engineers who are seeking employment. Is the Member aware that there is a shortage of nurses? Does the Member run a constituency office? Do people go to the Member's office and ask for employment? Who are these persons? Are they vagrants? Is that what the Member is telling the national community?

**Mr. Khan:** I thank my Member of Parliament, the Member for Fyzabad, for giving way. Mr. Speaker, as the Minister of Works and Transport, we are the engineering arm of the State. I want to assure the Member for Oropouche that their conclusions are baffling to me. I just want to reiterate what my colleague

from Diego Martin West said and that is if an engineer who goes to the Member's office is unemployed, the Member could forward that engineer's curriculum vitae to me. He could send one copy of the curriculum vitae to the Member for Diego Martin West and one copy for me. I want to assure him that the person would be placed.

**Mr. C. Sharma:** Mr. Speaker, Government Ministers opposite cause double-page advertisements to be printed every week on the newspapers, and those pages cost up to \$20,000, especially when they are in colour with the Member's photograph and so forth. They have spent millions of dollars of taxpayers' money on advertisements, and the Minister of Works and Transport did not put any advertisement in the newspaper to recruit engineers who are seeking employment. Who is the Government trying to fool? They are not fooling anyone. They are spending millions of dollars on advertisements, and when farmers are affected by floodwaters they only get \$46 or \$51. What a shame!

**Mr. Narine:** Mr. Speaker, on a point of order.

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

**Mr. Narine:** Standing Order 36(5). The Member is saying that we did not put any advertisements in the newspaper and that is not true.

**Mr. C. Sharma:** Mr. Speaker, I would like to refer to another matter. Three Ministers who spoke today made reference to websites and that is a good thing. There are no provisions for Members on this side to obtain websites. The time has come for the Government to be responsible to the Parliament—

**Mr. Speaker:** You are asking me, in my capacity as Speaker, to intervene. There is a committee called the House Committee and there are Opposition Members on that committee. Perhaps you may direct your concerns to your Members who are on that committee.

**Mr. C. Sharma:** Mr. Speaker, I only did that because you are the chairman of all the chairmen. I am sure that if your influence is peddled in the right way it will go a long way.

Earlier in the Parliament, we had a very distinguished guest, the General Secretary of the Commonwealth Parliamentary Association. I am very glad that the Member for Diego Martin East was not speaking when the guest was present in the Chamber, because the Member would have embarrassed all of us. Government Ministers do not have a licence to come here and say anything that they want to say. They cannot score points by trying to insult anyone. We all took the same oath of office, and that is to serve without fear or favour. The Government

cannot frighten this Opposition with the use of police officers; and they cannot frighten us by beating us. That will not happen. We are going to serve.

Mr. Speaker, there are a few matters that I want to raise with respect to this Bill. I want to start off by making the point that this legislation must not open a can of worms. With respect to clause 31(1):

“The Minister may, by Order, amend any written law to facilitate the implementation of the Revised Treaty of Chaguaramas, including the CARICOM Single Market and Economy.”

The PNM has a history and they feel that being in Government allows them to do anything. They feel that Ministers can change any law that they want to change. When one looks at the PNM administration practices, for example, going into a police station and causing a prisoner to be released, or going into a police station and enquiring about someone who was held by the police, then this Government does not know what is its role.

Part II of the Bill talks about allowing nationals of other states to benefit from tax exemptions. That is okay. This part of the Bill also provides services for tourism projects. What does that really mean? What is the scope of that? When the Government is bringing legislation to this House it must not come in a vacuum, but it must be looked at in a holistic way to see what obtains in the area that needs to be serviced.

One of the challenges that is presently facing CARICOM is the question of AIDS. In fact, my colleague, the Member for Caroni Central, recently returned from a conference in a Caribbean island. Mr. Speaker, no Member from the Government side attended this conference. Research has shown that tourists who are coming and going are affected with the virus. With respect to a study done by the University of the West Indies, we were told that by the year 2020, 25 per cent of our working population would be gone. The highest age group of persons being affected is between the ages 14 to 39. Does this legislation take into consideration this major concern in the Caribbean region?

Part III of the Bill talks about facilitating nationals of other member states who wish to operate as customs brokers or customs clerks in Trinidad and Tobago. The law does not provide for that. Again, putting it in writing here does not correct it. A customs clerk or a customs broker who is practising in a CARICOM country uses laws that are obtained in his or her country. For example, a doctor, who is a university graduate, could be considered because graduates from the university are treated the same way in other Caribbean countries. In the case

of a customs broker, he or she would have to treat with the particular law of his or her country—the financial regulations and the Customs Act and so forth.

There is also a concern in Trinidad and Tobago with respect to the number of illegal weapons that are available in the country. For example, we do not know how a particular Caribbean country is going to treat with a gun. We also do not know how they would treat with illegal and other substances that may be used in the making of bombs. I know the hon. Minister is very concerned about terrorists, because he had to fly all the way to another place. I was told that it was a private place, where people are concerned about those matters, so one has to be very careful. We may be allowed one day to do certain things, like bring in certain chemicals under certain brand names, et cetera. The Minister is really opening a can of worms. I know that the Minister does not want to do that. The intention of Parliament is not to rush legislation.

Mr. Speaker, with respect to Part IV of the Bill, it relates to the Immigration Act—

“introduce the definitions of ‘Member State’ and ‘national’ and mandate immigration officers to permit eligible nationals of other Member States to enter Trinidad and Tobago to exercise the rights or privileges conferred on them...the entry of persons seeking to exercise in Trinidad and Tobago, the right of establishment or the right to provide a service.”

What kind of service is this? Who is going to be allowed to come here? One thing may be legal in Trinidad, but it may not be legal in another country.

Mr. Speaker, do you know how to do a wedding under “maaro”? Let us say that a wedding was going to take place on one of the islands and, an uncle, who is a Trinidadian, was going to his niece’s wedding; when he goes to the immigration desk they would ask him: “Why are you here?” The uncle would then reply: “My niece is getting married and I am here to make the ‘maaro’”. The immigration officer then looks at him and says: “You are going to make the ‘maaro’? Are you a doctor? Do you mean bone-marrow?” This man was 61 years of age and he could not explain what the “maaro” is but, luckily, he had some photographs with him from another wedding, so he was able to show the immigration officer what the “maaro” was all about. Could you imagine if I have to go to Antigua to do a “poojaa”? When the immigration officer asks me what I am doing here, I would have to tell him that I am going to do a “poojaa”, or I would have to call Minister Ken Valley because he is well-known in Antigua. [*Interruption*]

Mr. Speaker, before we had the chiropractor, a person who cracks bones and so forth—do you know that doctors are recommending chiropractors? In fact, the

first Minister of Works and Transport in Trinidad and Tobago was Ajodhasingh, and he was a famous chiropractor. He had clients from the United States of America, Canada and other parts of the world. That was 40 years ago. He was a doctor of strains and sprains. How are you going to facilitate that person? How are you going to facilitate a Baptist minister who does touch-healing or a Hindu person who does “jhaare”?

Mr. Speaker, when Bills have to come to the House, there should be some kind of dialogue; there must be some spirit of understanding with respect to the sharing of information. The PNM will not be in Government for its entire life. They have to go at some time.

Part V of the Bill refers to the Immigration (Caribbean Community Skilled Nationals) Act. To date, the Government has not established who would be skilled nationals. Is there any qualification for a skilled national? A person who works as a carpenter for 10 years, is that person a skilled national? A person who puts up blocks, is that person a skilled national? The legislation is not clear.

The next point that I want to raise has to do with an amendment that was circulated a few minutes ago. I think the Member for Siparia made some points with respect to clause 15. Clause 15 talks about a national of a member state who is seeking to exercise in Trinidad and Tobago any of the rights or privileges conferred on him by the Immigration Act.

What is a skilled national allowed to do? Again, the response was not intelligent. A skilled national could bring his spouse and immediate members of his family, and what is going to happen now is that a person coming from any CARICOM country for six or seven months—whether by boat or plane—could bring his spouse and also children. Where will these children be going to school? What are the provisions for them? Are you saying that by law a person is allowed to do that? Where are these children going to stay? The Government will be doing a disservice to this man and his family. That is the reason the Prime Minister of Grenada said not to rush and offer school places, because you would be disrupting family life. Do you see the disservice that you are doing?

Mr. Speaker, it goes further than that. Persons who are coming here as skilled nationals, how are these persons going to be taken care of when health concerns are raised? If a person chooses to come under the provision of a skilled national—let us say that person is coming here really to seek medical aid—how are you going to provide for that person? You are going to override the system, and the system is already failing. What is going to prevent that person from going to a

public hospital and obtaining a prescription to obtain medication every so often? Do not misunderstand me. I am not saying that we should not care for our CARICOM neighbours, but we do care about them. When the Minister was under pressure he ran and put an advertisement in the newspapers that 72 million tablets were distributed. What does that do?

Mr. Speaker, there is a large concern within CARICOM with respect to deportees. How are we going to identify those persons? Will these persons be allowed to enter the country? How is the Government going to monitor these persons? Again, the legislation is really opening a can of worms. Who is the Government really trying to satisfy?

There is a concern in Trinidad and Tobago that has been expressed in many quarters, and that is the Government is really trying to build its vote bank. Assuming that is correct, look at the price that the Government would have to pay for that. There is a great concern by qualified minds that the Government is really rushing all this legislation and running off to give money to CARICOM countries like Grenada and others—large sums of money—to increase its vote bank. The PNM has done this in the past. The first Prime Minister of this country, Dr. Eric Williams, brought in many persons from those small islands, and these persons were issued with identification cards, and they were allowed to vote. The only intention then was to get them to vote in the election. This Government is no different; this Government is under tremendous fear.

Mr. Speaker, the Government is failing; the Government is collapsing; and the Government cannot escape that. This Government is one of the most corrupted governments and, more than that, it is a very dangerous Government. Mr. Speaker, I have said on numerous occasions that the most number of passport forms that I have signed, as a Member of Parliament for the last 12 years, was under this PNM administration.

I was listening to a radio programme, and the Member for Pointe-a-Pierre read an e-mail that was sent to her by a person living in Canada. The person said that he cannot listen to the programme in Trinidad, but he listened to the programme on the website. That person is in Canada, and he cannot take what is happening in Trinidad and Tobago. Many persons are migrating so the Government wants to fill that gap. So, with respect to the list of engineers, that is a lot of foolishness. I hope the media would talk about that matter.

There was not a single advertisement in the newspaper for engineers, but the Government is employing people in secret meetings. The Government has the most number of contract workers. There are no tables and chairs in offices, but

there are contract officers. There are officers who are taking time off to become public officers. There are also retirees all over the place—in CEPEP and in URP. Just name any programme and they are there.

Mr. Speaker, this country is on the brink. As a Member of Parliament, one of my concerns is that I do something about this matter, and I also want Members opposite to do the same thing. We are all Members of this Parliament. The blood of our children must not be shed on our streets, but we are getting there. Can you imagine that the Government is tapping Members' telephones? *[Interruption]* The Member can laugh, grunt or do whatever he wants, but that is what is happening. Police officers are also following Members of Parliament.

**Mr. Valley:** They are trying to protect you.

**Mr. C. Sharma:** Mr. Speaker, when they are caught, they would come to us with the most “dotish” answers. They are trying to protect me from what! Last week Wednesday, the Member for Diego Martin Central said that Members opposite have filled their pockets. Do you know why the Member said that? You must always listen to what they are saying. They are in Government and they are involved in all kinds of activities. They have moved from paupers to millionaires.

**Mr. Speaker:** I think you need to get back to the Bill.

**Mr. C. Sharma:** That is the point that I am making. When the Government brings these nationals from other CARICOM islands to work here, they would get kickbacks. Today you will see a Minister driving a Cortina car, and tomorrow morning that same Minister will be driving a BMW.

**Mr. Speaker:** I am sure that the hon. Member knows that the motorcar called a Cortina probably went out of existence when the Member was in primary school. *[Laughter]* They do not make Cortina motor cars anymore.

**Mr. C. Sharma:** Mr. Speaker, I have to disappoint you. During the period 1991 to 1995, I had a green Cortina motor car. I bought that vehicle for \$2,500. One day, I came to Parliament with my Cortina and I parked it outside the Parliament, but I forgot to put the MP sticker on the windscreen. When I went downstairs, I did not see the vehicle and I said: “Nah boy, they will not thief a Cortina.” But knowing how the PNM operates, they would cause any car to be stolen. I told the Clerk of the House about the matter. She then told me not to worry, just call the police station and see if they took the vehicle. I called the police and the car was down at Beetham. I had to pay \$100 to take out the vehicle, but I did not have to pay the fee of \$100. When I went down there, the inspector who was in charge of the station brought out all his officers and lined them up. I

got frightened; I thought there was going to be an identification parade. The inspector then told his officers that here we have a Member of Parliament, and this Member goes to Parliament with his Cortina. He also told the officers that they did not think that a Member of Parliament would have been driving a Cortina, and that is why they wrecked the vehicle from the Parliament. Mr. Speaker, when you are in Opposition, you must be humble and simple. *[Laughter]* They cannot fool anyone with those BMWs, Mercedes Benzes, Audis and so forth.

Mr. Speaker, this Government is really causing a division. With respect to bringing in engineers from Jamaica and so forth, the first ball that they played was the race ball. The Government cannot fool people anymore with that. They asked us if we wanted them to bring in engineers from Guyana and Suriname. I do not care where the Government brings them from; it does not matter. They cannot play this race card anymore. When we talk about engineers coming into the country and being paid more money than engineers from Trinidad and Tobago, they would then bring in race; when we talk about the houses that are being built, the Member brings in race, and then he pelts me. I am going to stand up another day.

**Mr. Speaker:** Hon. Member, as you know, that matter is before a committee. Do not make reference to it here.

**Mr. C. Sharma:** Mr. Speaker, why do you think that I am making reference to that matter? The point is that this legislation that is before us is talking about nationals from other CARICOM countries coming to Trinidad and Tobago. Many of the CARICOM countries do not have provisions for our nationals. We are not only talking here about nationals, who would be coming here to work, but we are also talking about their spouses and children, and we do not have the necessary back-up systems. There is no proper public transportation system available; there are no accommodation facilities in place for nationals and their families who would be working in these Caribbean islands. In many instances, our schools are overcrowded; there is a shortage of teachers; and there is a shortage of health workers.

**Mr. Speaker:** Hon. Member, you made that point before, so please move on to another point.

**Mr. C. Sharma:** Mr. Speaker, do you mean that I cannot emphasize my point?

**Mr. Speaker:** You made that point and another Member on the Opposition Bench also made that point. You do not need to belabour that point. I am sure that you are going to find something else in the Bill to talk about.

**Mr. C. Sharma:** Mr. Speaker, I am not only required to respect your rulings, but I do it out of principle, and I do respect your rulings at all times. I have

noticed that your rulings are always for this side, and they are rare on the other side. The Member for Diego Martin East got up and said any and everything, and he did not get a single word of caution or warning from you.

**Mr. Speaker:** Hon. Member, I made a ruling that you were repeating yourself. You made that exact point before, and another Member on the Opposition Bench made the same point. All I am telling you to do is to move on.

**Mr. C. Sharma:** Mr. Speaker, thank you very much.

**The Minister of Foreign Affairs (Sen. The Hon. Knowlson Gift):** Mr. Speaker, having heard the discussions for the last 45 minutes or so, I am convinced that both sides are virtually at one. Having thought of the possibility of some amendments, I believe that we could move the discussions along to the next sitting.

Mr. Speaker, thank you. [*Desk thumping*]

#### ADJOURNMENT

**The Minister of Trade and Industry and Minister in the Ministry of Finance (Hon. Kenneth Valley):** Mr. Speaker, I beg to move that this House do now adjourn to Friday, December 10, 2004 at 1.30 p.m. at which we will continue the debate on this Bill; we will then proceed to do Bill No. 4 on the Order Paper, which is a Bill to provide for the implementation by the Government of Trinidad and Tobago of certain of the provisions of the Agreement between the Government of the Republic of Trinidad and Tobago and the Association of Caribbean States on the Headquarters of the Association of Caribbean States and its privileges and immunities; and Bill No. 19 on the Order Paper, which is a Bill to give effect to the Free Trade Agreement between the Caribbean Community and the Government of Costa Rica.

**Mr. Speaker:** Hon. Members, before I put the question, I would like to make a comment arising out of a statement made by the hon. Member for Siparia. Earlier in the Member's contribution, she referred to the fact that the schedule to the first Bill that was done this afternoon only reached Members opposite yesterday and, as such, they would have been at a particular disadvantage.

May I urge the Government in future to try to have delivered to all Members—especially Members opposite—Bills, schedules and other materials in a more timely fashion.

*Question put and agreed to.*

*House adjourned accordingly.*

*Adjourned at 7.20 p.m.*