

Leave of Absence

Wednesday, September 06, 2006

HOUSE OF REPRESENTATIVES

Wednesday, September 06, 2006

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 Couva South (Mr. Kelvin Ramnath) requesting leave of absence from today's sitting.

The leave which the Member seeks is granted.

LAW REVISION (AMDT.) BILL

Bill to amend the Law Revision Act, Chap. 3:03, brought from the Senate [*The Minister of Legal Affairs*]; read the first time.

PETITION

Residents of Papourie Road, Barrackpore

Dr. Hamza Rafeeq (*Caroni Central*): Mr. Speaker, I have the honour to present a petition on behalf of the residents of Papourie Road, Barrackpore.

I now ask that the Clerk be permitted to read the petition and that the promoters be allowed to proceed.

Petition read.

PAPERS LAID

1. Annual audited financial statements of the Trinidad and Tobago Solid Waste Management Company Limited for the year ended September 30, 2003. [*The Minister of Works and Transport (Hon. Colm Imbert)*]
2. Annual audited financial statements of the Trinidad and Tobago Solid Waste Management Company Limited for the year ended September 30, 2004. [*Hon. C. Imbert*]

Papers 1 and 2 to be referred to the Public Accounts (Enterprises) Committee.

3. The Judicial and Legal Service Commission annual report, 2005. [*Hon. C. Imbert*]

ORAL ANSWERS TO QUESTIONS

The Minister of Works and Transport (Hon. Colm Imbert): Mr. Speaker, the Government will be answering question No. 46 today.

The following questions stood on the Order Paper:

**Enterprise Cunupia Community Centres
(Construction of)**

42. Could the hon. Minister of Community Development and Gender Affairs advise whether there are plans to construct community centres in:

- (i) Enterprise; and
- (ii) Jerningham Junction, Cunupia. [*Mr. M. Ramsaran*]

**Malcolm Jones Boulevard
(Apex Fyzabad)**

47. With regard to the Malcolm Jones Boulevard situated at Apex Fyzabad could the hon. Minister of Local Government provide this House with:

- (i) the cost to date of construction/upkeep of the Boulevard;
- (ii) the name/names of the contractors and persons in charge of this project; and
- (iii) the names of the various parks within the Malcolm Jones Boulevard?
[*Mr. M. Ramsaran*]

Questions, by leave, deferred.

**Agricultural Access Roads, Chaguanas
(Rehabilitation Works of)**

47. Mr. Manohar Ramsaran (*Chaguanas*) asked the hon. Minister of Agriculture, Land and Marine Resources:

Could the Minister inform this House why no rehabilitation works were carried out on the following agricultural access roads in the constituency of Chaguanas over the last five years:

- (i) Ramsaran Trace Extension
- (ii) Ramatally Trace
- (iii) Lime Trace Warren

- (iv) Ramlal Trace North
- (v) Chatee Trace off Warren Road
- (vi) Ramsaran Trace, Bejucal
- (vii) Baboonia Trace Extension
- (viii) Sumaria Trace & Extension
- (ix) Tahadille Road, Pierre Road
- (x) Ackbar Trace, off Tahadille Road

The Minister of Agriculture, Land and Marine Resources (Hon. Jarrette Narine): Mr. Speaker, the Ministry of Agriculture, Land and Marine Resources has begun implementation of its Access Roads Programme for the current fiscal year.

Phase 1 of the programme has been completed and the ministry is currently engaged in Phase 2. Ramatally Trace, Chatee Trace, Lime Road and Ramsaran Trace are scheduled for rehabilitation maintenance as part of the 2006 Phase 2 Access Roads.

The relevant tender, Central Tenders Board contracts for these roads were awarded on August 08, 2006 and is currently in progress. However, it should be noted that substantial funding has been allocated to the Ministry of Agriculture, Land and Marine Resources for infrastructural works, access roads, and drainage. It should be also noted that it is impossible to carry out rehabilitation works on all the roads requiring maintenance in this fiscal year. It is anticipated that the remaining roads in the constituency of Chaguanas will be attended to in upcoming fiscal years.

I wish to point out that the ministry performed routine maintenance works on Baboonia Trace Extension and Sumaria Trace in 2004.

Thank you, Mr. Speaker.

**DEFINITE URGENT MATTER
(LEAVE)**

**Central Broadcasting Services Limited
(Privy Council's Appeal)**

Mr. Ganga Singh (Caroni East): Mr. Speaker, in accordance with Standing Order 12 of the House of Representatives, I hereby seek your leave to move the adjournment of the House for the purpose of discussing the following matter of

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urgent public importance, namely, the failure of the Government to enforce the Privy Council's decision in the matter of Central Broadcasting Services Limited, the Sanatan Dharma Maha Sabha and the Attorney General of Trinidad and Tobago, Privy Council Appeal No. 49 of 2005.

The matter is definite because on July 04, 2006, the Privy Council decided inter alia that the only appropriate order is a mandatory order, in this case ordering the Attorney General to do all that is necessary to procure and issue forthwith to the appellant, Central Broadcasting Systems Limited, an FM radio broadcasting licence.

The matter is urgent because over two and a half months have elapsed since the mandatory order of the Privy Council to issue the broadcasting licence and the appellants have not been provided with it.

The matter is of public importance because it deals with the fundamental principles of governance in our democracy including the administration of justice and adherence to the rule of law.

Mr. Speaker: Hon. Members, this matter does not qualify under Standing Order No. 12 and would have qualified under Standing Order No. 11.

FINANCE COMMITTEE

The Minister of Works and Transport (Hon. Colm Imbert): Mr. Speaker, I beg to move,

That this House now resolve itself into Finance Committee to consider the Supplementation of the Appropriation for fiscal year 2006.

Question put and agreed to.

Mr. Speaker: The House will now go into Finance Committee and in this regard, I ask all strangers to clear the Chamber until the termination of the Finance Committee. The live broadcasting of the Parliament will also cease.

1.45 p.m.: *House resolved itself into Finance Committee.*

2.15 p.m.: *House resumed after Finance Committee.*

STATE LANDS (AMDT.) BILL

[Second Day]

Order read for resuming adjourned debate on question [September 01, 2006]

That the Bill be now read a second time.

Question again proposed.

Miss Gillian Lucky (*Pointe-a-Pierre*): Mr. Speaker, let me give all colleagues in the House the assurance that I do not intend to be very lengthy in my contribution. I think, in terms of length that has already been covered by the contributions made by the Member for Couva South and the Member for Port of Spain South.

What concerns me, Mr. Speaker, is that I feel that when legislation is brought to this honourable House we have to ensure, especially when its objective and purpose is succinctly stated, that we ensure that we do all to achieve the particular objective.

The particular Bill deals with increasing the penalties for digging or removing materials on or from state lands without a licence. What the Bill really does is nothing very dramatic but certainly very specific in terms of looking at the present penalties contained in the State Lands Act, Chap. 57:01, and looking at the sections, seeking to increase those penalties.

Let me state from the outset, Mr. Speaker, that I do support this Bill in its entirety. In fact, there were amendments circulated to Members on Friday. One of the specific amendments circulated dealt with an issue that concerned me, that is, the Bill did not address section 31 of the State Lands Act. That is now being dealt with in the amendment.

However, Mr. Speaker, there are still two sections that concern me, that is section 29 and 31. When one looks at the particular sections, looking first at section 29 which deals with “no digging of asphalt pending appeal”, what that section basically seeks to do, is to indicate that if a magistrate has made a particular order or if there has been a conviction in the Magistrates' Court, while there is a pending appeal there is to be no digging of asphalt by the person who is so affected or by his agents, or by those who will be operating under him.

Section 29—I think that is because of the time that this piece of legislation was passed—deals only with the digging of asphalt or matters related to asphalt. I am therefore respectfully asking, Mr. Speaker, that the Member for Arouca North, who piloted the legislation, look at section 29. The amendment that I am respectfully suggesting is that we replace the word “asphalt” and instead use the generic word which is already contained in the Act, “material”.

In other words, if we had listened to the contributions from the Members for Port of Spain South and Couva South, much of the substance of their contributions dealt not with the digging, winning or the removal of asphalt from state lands, but

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really—what is the problem right now—sand and gravel. The State Lands Act does define material. It says:

“Material’ includes asphalt, earth, sand, gravel, stone, shingle, soil, or shells;”.

What happened in section 25 of the Act is that a distinction was made and, clearly, the golden thread was, if you were doing things such as digging or removing asphalt from state lands that was considered worse than if you were removing other materials and that is why there were different penalties. The penalty for the removal of asphalt is more than the penalty for the removal of other materials.

When one gets to section 29, however, and I am saying clearly that was in the forefront of the minds of those who were drafting this legislation and even when the Act was passed, they focused on asphalt, but that is not the situation now in 2006. Our problem is not just with removing asphalt illegally, it is removing other materials. Therefore, it is a simple amendment that I am asking the Member for Arouca North to consider. I have been so presumptuous to draft, what would be very simple. I know that there is a certain Member, who goes red in the face very easily, to always point out my apparent clumsiness when it comes to redrafting. I am sure he would have no problem, on this occasion, taking what he would consider an apparent clumsiness and seeing how best he could change it. I would make copies available and I will have them circulated because I think there is another colleague who will be speaking.

Mr. Narine: Thank you, Member for Pointe-a-Pierre. Mr. Speaker, I want to say that the amendment that the Member for Point-a-Pierre has articulated will be taken into consideration at the committee stage. If the Member circulates the amendment we will take care of that.

Miss G. Lucky: Mr. Speaker, I thank very much, Member for Arouca North.

I will now go to the second suggestion that I seek to make which deals with section 31. Mr. Speaker, I am well aware that I am dealing with the parent Act, but I always feel it is important if we are looking at amendments to a parent Act, even though the specific sections may not be the subject of the amendment, it stills calls for us to look at the sections. This is a related section and it actually comes within the realm of the same issue being determined by the Act and that is the removal of the material from state lands.

Section 31 in the parent Act reads:

“No person arrested pursuant to the power of arrest contained in section shall...”

Clearly, that was an oversight. The section that I am suggesting that section 31 should have been referring to was section 26. I see the Member for Arouca South has already addressed her mind to that. I am asking that that second consideration be given, just so that we show and that Hansard records us as a responsible Parliament trying to get it right with our collective minds.

Mr. Speaker, that section 31 deals only with the recognizance and bail conditions, again dealing only with asphalt. I am asking, therefore, the Member for Arouca North, in the same generous style that he has displayed this afternoon of accepting the suggestion to section 29, that it would follow, logically, that he would also accept the suggestion being made to section 31, to include section 26, if it is that I am correct that 26 is the number missing, and, also, twice when it appears in section 31, that we are dealing only with asphalt that again we replace the word "asphalt" with the word "material".

Mr. Speaker, I think that if that is done it will send the very clear signal, that to me is the objective of this Bill, that is, there will be zero tolerance for persons who feel that they could just go on state lands and without following correct procedure, take and remove things that belong to the State. I think we have to understand from the outset that we are here to protect the state resources. State resources belong to all of us, not just a select few. That is why many times when we speak from the Opposition Benches, we also want to signify and send that message to the Government, that state resources belong to all of us and, therefore, it is something that we need to ensure that we protect.

I end where I began, Mr. Speaker, by saying that I think this is definitely a step in the right direction. The hon. Minister, the Member for Arouca North, was correct when he said that within recent times there were persons who were charged, pleaded guilty and came out of the courts smiling. That also reminded me very much of a picture I saw recently in the newspaper, and I am not going to be irrelevant, over and above saying, that it seems that some of the wrongdoers in this country feel that they are hailed as heroes and they get the front page in the newspapers for admitting that they do wrong things. We have to stop that nonsense in the country now. The Act has always put a responsibility on those who even rent their vehicles, or by way of licences, give their vehicles to those to go on to lands and those vehicles are used to remove materials, let them stand the responsibility as owners to monitor. They cannot just use the excuse: Well, I did not know what my tractor was being used for; I did not know what my truck was being used for, we have to make sure that we accept the responsibility placed on us.

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With that, Mr. Speaker, believe it or not, I promised that I would be very short. I have been very short and at least the national population would recognize that there is always integrity in some of the politicians in this House. [*Desk thumping*]

Thank, you, Mr. Speaker.

Mr. Chandresh Sharma (Fyzabad): Mr. Speaker, as I enter this debate that talks about lands in Trinidad and Tobago and, in particular, state lands, one cannot help but attempt to answer the question: What is happening in this land of ours, this beautiful Trinidad and Tobago? When you look around the land of Trinidad and Tobago one is frightened by the number of murders in this land; one is frightened by the number of illegal activities, which has led to some extent to the coming of this Bill. When you look at what obtains on this land of ours, there is so much crime and activities that are not in the interest of our national community.

Part of this Bill talks about removing materials from the state lands and in this very House one Member has been accused of removing materials from a state project to his private land development and up to this time nothing is happening. So really, the land is in crisis and as a responsible Parliament, as the legal partners to the Government in governance, it is our responsibility to treat with it.

Further to this, this particular amendment obtains its origin from the State Lands Act, Chap. 57:01, so we will have to look at it in the larger context to make sure that we do justice to what obtains here today.

Mr. Speaker, how is the State responding to land development in this country? What has led to wanting to increase the penalties for removing or digging materials? What is the Government's role? Has the Government partnered with some persons who have been digging state lands and removing materials? The answer is, yes.

In fact, in the High Court of Trinidad and Tobago there is an affidavit of some 70 pages that has not yet been contested—perhaps they might be—that clearly demonstrates the Government having entered into partnership with a particular outfit that led to its victory in the last general election. This is very frightening to us in this land of ours.

Mr. Speaker, in that affidavit a number of things have been spoken about, but its origin is in digging and removing materials. Here we see the Government closing its eyes and giving authorization and permission for persons to remove

materials from state lands. When the national community made noise they came with this Bill, after millions of dollars. More than that, it was not just the removal of materials, but the loss that this country suffered, and in addition to that, the fallouts we have had from it: flooding in certain areas and loss of equipment.

My colleague from Pointe-a-Pierre made the point that on one occasion when a few people were charged, because of public pressures, they came out the courts laughing. On one occasion, if I recall properly, I think the charge was \$200 or \$2,000. [*Interruption*] How much? Two hundred? So here the Government gives, to illegal activities, the removal of millions of dollars worth of materials and a few persons were charged \$200 by the courts. It is comical, Mr. Speaker. This is how this Government operates.

What are the larger concerns? Even if we look at a most current article which I had a chance to glimpse at in today's *Express* newspaper, written by Miss Kim Boodram. Mr. Speaker, it is very interesting. It says:

“Over 19,000 local farmers are concerned that they are being edged out of existence to make way for heavy industrialisation.”

Let me quickly connect this because I intend to treat with this article in my contribution. Mr. Speaker, 19,000 local farmers, let us look at this in a larger context. Here you had the Government, which closed Caroni (1975) Limited with 10,000 workers, directly affecting close to 100,000 persons who were feeding and supporting this country; who were causing millions of dollars in foreign exchange to come into this country; who on every day of their lives from 3 or 4 o'clock in the mornings were adding value in our agriculture sector, in our recreation sector; in our state lands; who were not removing or digging any materials for selfish gain; who were not selling illegally, and the Government shut it down for political mileage and is prepared to invest larger sums of moneys in losing BWIA, an outfit that benefits many Government Ministers, both in their private and other lives when they are in opposition.

How is this Government treating with this issue? One of my pet questions is: How does this add value to the lives of people? The answer is universal now. Nothing that this Government has brought to this Parliament has added value to anybody's life; nothing, not a single piece of legislation. Really, the Government lacks intelligence, it lacks commitment; it knows power.

Earlier today, Mr. Speaker, in this very land of ours citizens who contribute to development in every aspect, engaged themselves in a legal protest. How did this Government respond? Within minutes of that protest, members of the armed

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services, the Trinidad and Tobago Regiment and the police were there with bulldozers and in the process, hurting citizens, physically. On another occasion when they did it in Point Fortin, we saw the Government respond with materials, some, perhaps, from these quarries that they are now trying to protect, to treat with the community in Point Fortin. Across this country there is one rule for the PNM, one kind of assistance for those who live in PNM constituencies and the opposite obtains for the UNC. What is the difference with the people of Barrackpore? What is the difference with the people from Point Fortin? We, on this side, are saying that the Government has a collective responsibility to treat with all its citizens, whether they remove the materials from state lands or otherwise, the Government must make sure the resources go.

I now return to the article by Kim Boodram. *[Interruption]* You will have an opportunity to speak, Member for Diego Martin West. Do not disturb! You may leave the House. *[Interruption]* The President of the National Food Crop Farmers Association—*[Interruption]* You cannot disturb me when I am speaking; you cannot!

Dr. Rowley: I am ignoring you!

Mr. C. Sharma: Yes, but do it silently. *[Interruption]*

Mr. Speaker: Order, please! Would you address me? That is what you are supposed to do.

Mr. C. Sharma: Mr. Speaker, all of us have 75 minutes to address our concerns and to treat with the Bill. The Member for Diego Martin West cannot bully any one of us here. Not because he has been accused of removing materials from a state project means that he will harass me.

Mr. Speaker: No. I am begging you to address me and to forget the Member for Diego Martin West.

Mr. C. Sharma: Yes, Mr. Speaker, I will do that immediately.

The President of the National Food Crop Association, a Mr. Norris Deonarine has accused the Government of frustrating farmers out of business. Why is this a concern? How does it relate? One of the global concerns is the question of food security, and it obtains in Trinidad and Tobago. In fact, the Government's statistics will show that more than 25 per cent of this population is unable to feed themselves in a time of plenty. A short while ago we treated with a particular matter that showed that there is an abundance of money in this country but it is not reaching the small man. Protests have to take place in every sector: in the

prison service, MTS, Petrotrin, BWIA; schools were unable to open this week, school children were unable to receive their breakfast and lunches or whatever else is provided.

“Deonarine has suggested that small food-crop farmers be given immediate and intensive support since eventually they will be the backbone of the local food supply.”

This is a very good observation by Norris because you would remember, Mr. Speaker, I think it was the Member for Oropouche on a previous occasion, who raised with the Government, how it is that the Government is talking about food security—and I would refer to the pronouncement made by the Prime Minister on a previous occasion when the Minister of Agriculture, Land and Marine Resources, the mover and presenter of this Bill went to Debe and offered to pay farmers \$46. Can you imagine that in this day and age? He went there with three or four vehicles, with five or six police officers and with 10 members of staff. The cost of going there was a few thousand dollars and \$46 for the farmer.

“‘Agriculture is still a noble profession’, he said. We have to stop treating our farmers like squatters and give them incentives and stable tenureship. They are going to be the backbone of our food supply...”

That is very important. We are trying to develop a community. We are trying to develop citizens so that we will not have to come back to this House to charge people; to increase penalties for digging and removing materials. If we treat with citizens fair and square then you would not have to come with these punishments. The nature of legislation all over the world and, we follow the British Westminster system, is really to find out how we could legislate to add value. How we could legislate to make living conditions better for all of us. How we could legislate to reduce discrimination and poverty. Mr. Speaker, you see the context in which Norris' argument is very important. The article continues:

“...mostly middle-aged traditional farmers have stayed in the industry and they are turned off by a complete lack of support and a negative attitude towards their trade.”

When you look at the incentives the Government provides, they are almost zero. I represent a constituency in the deep south; one that is heavily involved in agriculture, and when you look at access roads, as far as this Government is concerned, it does not exist.

Mr. Speaker: Hon. Member, I am not sure if we are on the same Bill. The Bill before us is “An Act to Amend the State Lands Act”. I think you are talking

about farming and you are referring to an article. Could you try and relate it to the Bill? If not, could you just concentrate on the Bill, please?

Mr. C. Sharma: Mr. Speaker, I was making the point that the Bill here is to increase the penalties for digging and removing materials on or from state lands without a licence. I am saying that if you treat with farmers then you will not have this. The illegal activity of removing the materials by whichever way it is engaged means that those who are there are not given the opportunity. This Bill is in the Parliament because the Government has found, and rightfully so, a number of persons who have been digging and removing materials without permission and they want to increase the penalties. I am suggesting that the way to reduce that is to encourage agriculture. We are also talking about state lands, and I have made the point about Caroni (1975) Limited, which is now 77,000 acres of state land, has to be put to use so as to reduce this.

Mr. Speaker, if on every occasion a bill that has to be debated here—you have to look at it in the context of Trinidad and Tobago, at least, that is my understanding of it. When I look at the research; when I look at the contributions of Members of both sides in the previous Parliaments, because that is where we get the information and guidance from, certainly to be further guided by you, these are the arguments that they have advanced. In fact, when this Bill was moved by the UNC administration, for hours and days it went on, with Members talking everything about agriculture.

The article continues, and I was on the point where Norris was saying that in terms of agriculture very little is happening. I want to expand on that because I make representations and up to this day we have no oil and water board in this country so farmers who are affected—again and we have raised the question of compensation and it is a good time to ask the Minister of Agriculture, Land and Marine Resources in his reply to advise this House whether we are still sticking to the old Schedule that does not represent the updated prices of goods and services as it relates to agriculture and compensation.

With respect to the question of compensation, Mr. Speaker—

Mr. Imbert: On a point of order, Mr. Speaker, irrelevance.

Mr. Speaker: Hon. Member for Fyzabad, I did indicate to you earlier that I was having great difficulty in understanding your contribution in terms of its relevance to the Bill before us. I am appealing to you again, because there is a Standing Order that says that once having drawn the attention of the House to a Member who is being irrelevant; another Member could move that that Member

who is being irrelevant be no longer heard. I am just telling you that in my view, I am having great difficulty in seeing the relevance of your contribution thus far.

Dr. Nanan: Mr. Speaker, I think the Member is supposed to give us the Standing Order.

Mr. C. Sharma: Mr. Speaker, it is only by observation that when a Member of the Government rises on a point of order, he does not have to quote the point of order from the Standing Order and then you treat with it.

Secondly, on the question of relevance, I will be guided. If you rule me out I will take my seat at any given time. If I cannot make the submissions—because you see in the future I will have to write to the Speaker and say: Guide me on the contributions. On every occasion that we bring the information to the Parliament—
[*Interruption*]

Mr. Speaker: Order!

Mr. C. Sharma: Mr. Speaker, I want to go back to what the Prime Minister said in the 2005/2006 Budget presentation and I quote the hon. Prime Minister. The Prime Minister and Minister of Finance, Patrick Manning, claimed to have recognized the critical importance of food security and outlined a medium term strategy to achieve certain goals in a drive for food security.

I want to develop the Prime Minister's argument in the context of the Bill. The Prime Minister is saying that there is the importance of food security and the need for it, and side by side with it, today we are debating this Bill to increase the penalties for digging and removing materials. Why is this in the House? Had we gone with the Prime Minister's recommendation, which I will present in a few minutes, then this Bill would not have come. I am saying that if we do not do that then we will have to come ever so often with a similar bill. There must be a context. I continue that these included the pursuit of sustainable rural development, youth involvement in agriculture and increased competitiveness in export and domestic markets. To achieve these goals the main drivers of success will be improved access roads; which I attempted to raise a few minutes ago.

When you look at the Government's expenditure on access roads, it demands attention. If you do not do it, then every week we will come with a bill on how to punish citizens of Trinidad and Tobago. This must not be a Government of punishment. This Government must not come to obtain the help of the Opposition to pass Bills to punish people. We are saying, let us reduce it. The Prime Minister wants to reduce poverty, he wants to have food security and we are very supportive of that and our recommendations are as follows.

With respect to drainage, Mr. Speaker, every week—the point of drainage on the last occasion, coming of the digging and removing of materials; they leave areas unattended and it floods the entire country—

Mr. Speaker: Hon. Member, this is the last occasion I am going to appeal to you to be relevant. There is a Standing Order 43(2) which can put you in jeopardy and I am asking you; I am begging you to get back to the Bill before us.

Mr. C. Sharma: Mr. Speaker, the question of the Bill—Are you now saying that the Bill must not be in any other context; that I cannot use information from anything to support my arguments? Can I ask that question of you?

Mr. Speaker: Hon. Member, you have been a parliamentarian in this House, I think, for 16 years and you ought to know better.

2.45 p.m.

Mr. Speaker, I was making the point that the concern of drainage, irrigation and water management systems are related directly to the digging and removing of materials. We have seen floods in recent times which caused the loss of agricultural produce and running into millions of dollars across the country. On examination, what has contributed to it on many occasions resulted from the illegal removal of this material that obtains from this Bill. In addition to that, the destruction of prime agriculture lands resulting from this and we also continue to see this on a daily basis as it relates to the use of state lands. The Government has not presented to this Parliament, and one would have thought the Minister, in presenting the Bill, would have given us a larger picture of state lands, where are these, how is it going to be treated, what preventative measures are going to be engaged, what avenues are going to be encouraged to those who are engaging themselves in this illegal activity that is causing so much loss to this country; what would be the alternative to them? On a previous occasion, the Opposition raised the cost of materials in this country and one of the reasons associated with the high cost of materials is the question of illegal removal. The Minister in moving the Bill indicated nothing of its kind.

As it relates to state lands, and the question of legal ownership, up to the present time, it is extremely difficult for the average citizen to go into any Government information office or website to find out where and how the Government treats with state lands; where are these quarries and how can licences be obtained; what is the cost, how should materials be treated with. For instance, we see in the State Lands (Amdt.) Bill, clause 2:

“The State Lands Act is amended in section 25—

- (a) in paragraph (a), by deleting—
 - (i) the words, ‘four hundred dollars’ and substituting the words ‘one hundred and twenty thousand dollars and imprisonment for a term of one year’”.

What is that intended to achieve? The country has a shortage of material but there is no management of that material by the State. Is the Government going to deny homeowners from building their home? Does the Government want to control the housing development—and I had raised it on a previous occasion, not a single housing project has come within budget in this country. Not the preparation of the land, not the infrastructure on the land, not a single unit built has come within budget. So it brings into question legal ownership or the requirements to use the land in a specified or prescribed way. How would any citizen in this country know, whichever parcel of land he may own or a parcel of land he may have interest in obtaining? There is no policy by this Government that says the lands in this particular area are designed for agriculture and as a result agricultural activities should take place. Nothing of the sort obtains or, in another place this is for industrial or light industrial or heavy industrial, none of it obtains. I also want to raise the question of state lands with defined-use or non-use such as national parks and nature reserves.

Mr. Speaker, there is nowhere in this country over the last 20 or 30 years that the Government—and there have been three administrations over the last 30 years—have contributed to any major development in this country. There is nothing which says, okay, there are trees and plants of 1,000 species that one can develop. Nothing of its kind! What we see happening is every time there is a challenge the Government comes with a Bill to punish citizens. We are suggesting that, maybe, is one of the approaches that would have to be employed at some time, but side by side to that, there must be encouragement to the national community.

State land with squatters. The country has squatters, we cannot help that, but what assistance is available to squatters in this country? How do such persons who find themselves in situations, and we saw in today’s newspaper and yesterday’s newspapers in Laventille/Morvant 18 persons, citizens of Trinidad and Tobago who were living in a home have been thrown onto the streets, according to the newspaper articles. The point is, with state lands, the right to own a defined area of land after new occupants have been earning their living on part of the land during a number of years—I made this point simply because we have a responsibility to make sure, and under the UNC administration, one of the policies it took was to

make sure that persons who are landless would be considered and would be treated. In fact, of all the Governments that have served this country, the PNM, NAR and UNC and again, the UNC is the only administration that encouraged low-cost lands for people across this country and there are many thousands—in fact, in South, and it is a good comparison to make. When you look at the Cross Crossing area, Harmony Hall, the UNC administration was able to provide those lands for \$18,000 a lot, fully serviced—roads, electricity, water, sewerage—and those families were able to build.

Mr. Manning: Mr. Speaker, I wonder if the hon. Member for Fyzabad is aware that the sod for that particular project was turned by the Prime Minister of Trinidad and Tobago in 1983. In other words, that project was entirely the creation of the PNM.

Mr. C. Sharma: And we are always guided, if you are doing something good we would continue it, and that is the beauty of Government, there must be continuation of good projects. The point is, whether the sod was turned by the Prime Minister—in fact, I remember the Prime Minister and I turned the sod for the Bien Venue Development and those lands were sold for \$14,000 a lot, fully serviced lots, but here the current Minister of Housing cannot deliver one lot of land in this country for any citizen for less than \$30,000/\$40,000 at this time, not a single lot. When you look at—five minutes from this Harmony Hall project, is the Tarouba project, and those same lands, five minutes away, the persons cannot afford to buy it today, not a single person from Tarouba got a single unit there.

Mr. Manning: Mr. Speaker, with respect, the hon. Member for Fyzabad was going reasonably well and he was speaking the truth but all of a sudden, he is taking a course of action that is entirely incorrect, that as part of the Government's policy for delivery of the 419 houses in Tarouba, residents of Tarouba who have indicated that they needed some lands for the expansion of the village have had access to some of those houses.

Mr. C. Sharma: Mr. Speaker, I am always guided by the hon. Prime Minister, and that is the point. I was in Tarouba two or three weeks ago—

Mr. Speaker: Again, if you engage in something that is not quite relevant to the Bill, you will have somebody on the Government Benches engage you in something that is equally not relevant to the Bill. So that I am asking you for the last time, we are not dealing with housing at the moment. We are dealing with state lands and the increased fines.

Mr. C. Sharma: Thank you, Mr. Speaker. I can assure you that you would not have to rise again, except to extend my time. Mr. Speaker, I was making the point that the Government is asking the Opposition to lend support to move the cost from \$400 to \$120,000 per person found to be removing these materials. We want to go the way of avoiding punishment. Let us approach this thing that could bring fairness and justice to all of us. We must not find ways to punish citizens. We must tell them there are enough laws of the land. Why is this happening?

One of the first—and the argument that stands in this country today is that this Government engaged the services of a particular group and gave them the authorization to go on the land. They did it. We did not. We raised it with them on hundreds of occasions, private citizens raised it with them, church groups raised it with them, and citizens abroad raised it with them and said that what they were doing would bring destruction to this country. The Government ignored. What we ended up with today is millions of dollars worth of material has gone, equipment stolen, removed and because there was a fallout with the group there comes this punishment. And who is paying for this now? It is the small home builder. Today, he cannot afford the material. Today a Community-based Environmental Protection and Enhancement Programme (CEPEP) worker, assuming but not admitting that he is earning \$2,000 per month, cannot qualify for one of the houses of the PNM Government. It is not within his range. He cannot qualify for a mortgage. The cheapest house is \$175,000. If a CEPEP worker is making \$2,000 and he has \$1,000 disposable income, he cannot qualify for the mortgage so he has to now rely on building his home through his family and, friends but he cannot afford the materials, and the reason he cannot afford the materials is the Government has encouraged this illegal activity.

There was a time when all persons in this country would have been able to construct some house of some kind wherever they lived. And there are more poor people than rich people; they are the majority. In fact, when one looks at state land distribution you are not seeing—the Government had promised—in fact, the Prime Minister in the previous budget in 2004/2005 demonstrated that there would be larger emphasis on land distribution and we are saying we encouraged and supported that because we felt and we still feel, that if that took place, then more persons would get into agriculture, more people would get into sustainable development, into employment and creating jobs and as a result they would not have to go into this illegal activity and further to that, they would be able to purchase the materials to construct their homes.

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Mr. Speaker, the second part talks about the words “two thousand dollars” and substituting the words “two hundred and fifty thousand dollars and imprisonment for a term of two years”.

How can this Opposition be asked to support the imprisonment for a further two years of any citizen of this country when the prisons are over-crowded? The prison officers are under tremendous pressure—short-staffed. Prisoners are not getting food on time. They are not obtaining medication; they cannot reach their court cases on time. How are we going to encourage this? Is this Bill saying listen, we must punish persons? It cannot be. There are prisoners who are waiting for their cases to be called for months and again, no assistance from the State. We are now being told, do you know how we are going to treat with it? We would ask the Opposition support to send more persons to the prison. Is this what this Bill is intended for? Do you see how they hid the information? When I go to Fyzabad tonight to talk to a few hundred people and they ask what did I do in the Parliament today, I would say, “I passed a Bill to send you to jail, not for one year but for two years.” “That is what you did, Mr. Sharma?” I cannot do that. I have caused you to move from a fine of \$2,000 to \$250,000 because the Government is incapable; it has no interest in people’s development.

Mr. Speaker, I cannot believe in us moving to 2020 vision and this is how we are going to see it. We may not have the very materials to build the prison. Do you realize what is happening? We may not have the materials that the Government is trying to protect now to build the prisons because when it is not the Minister moving the material to his private development, the State is encouraging illegal activities.

“(b) in paragraph (b), by deleting—

- (1) the words ‘two hundred dollars’ and substituting the words ‘sixty thousand dollars and imprisonment for a term of six months’;”

This is a Government of jailing people. It tried to jail the Chief Justice, it tried to jail the Opposition Leader. I do not know who is next. It could mean any one of us. It could very well be the Member for Diego Martin West. The Member may not know what could come his way, but if the law holds it might very well be him. I suspect that is why he is very close to the Member for Laventille East/Morvant, who is in charge of the prisons.

“the words ‘four hundred dollars’ and substituting the words ‘one hundred and twenty thousand dollars and imprisonment for a term of one year’;”.

Let us look at what the Bill says:

“An Act to amend the State Lands Act, Chap. 57:01 to increase the penalties for digging or removing materials on or from state lands without a licence”

We did not tell the citizens of Trinidad and Tobago this is what is going to take place in this Parliament today. Can one think of wives hearing this? This is on Channel 11 so wherever there are televisions—and those who can afford, this is what they will see we are doing here today. All we are talking about is increasing fines. We are not talking about food security; we are not talking about reducing the prison population; we are not talking about how we are going to add value; we are not telling them if this material comes under proper management—and the UNC administration had proper management. We gave more lands to the poor in this country and they were able to construct their homes, at US \$9 per barrel for oil which is about TT \$50. Today, the PNM government is obtaining \$500 per barrel and they cannot deliver a single house within budget, and even when they construct the homes our national community cannot benefit from it. For whom are these homes being constructed?

Mr. Speaker, since this Bill talks about state lands, it is important that we treat with all our citizens who need to have access to lands for whatever purpose, and I want to go further. Lands must not only be seen for housing. For instance, we talk about food security. Not a single school in this country has lands on which it can develop some agricultural teaching. When we were kids and we went to schools in the community there was some piece of land that we could develop for agriculture. Of course, it was on loans to the schools.

Lands for nature parks. Illegal activities, all the research shows it comes from a frustrated citizen, those persons who are frustrated engage themselves in illegal activities, and we must bring legislation that helps to develop that. State lands with formal concessions to persons or NGOs, CBOs or church groups can add value. In so doing it would help train those young minds. YAPA is a good programme, but again, it is not accessible. It has value.

Mr. Speaker, except for the newly developed PNM website, a lot of this information does not obtain.

Mr. Manning: Mr. Speaker, I thank the hon. Member for giving way. The Government published a document called a *Guide to Programmes in the Social Sector* in which is recorded every programme of the State, and it tells you how to access each programme. That document was circulated to all Members of Parliament.

Mr. C. Sharma: Mr. Speaker, I thank the hon. Prime Minister for his correct intervention. [*Interruption*] That is the point I am making. Sometimes I think the Prime Minister alone should be in the Cabinet and should get rid of half of his Ministers. They simply do not do their work. The Prime Minister is saying that information is available in a booklet. Yes, it is available in a booklet. How is it distributed? What is the access? Saying something obtains in a particular place? We have argued on this side that every office of every Member of Parliament in this country, on both sides, every local government practitioner in the first instance, those information booklets should be in their offices.

The office of the Member for Fyzabad is an office of the State—although it is poorly funded, but that is a different story—so those information booklets can be made available. Where do those poor people go? They go to the office of the Member of Parliament for help. They go to local government practitioners. Under the UNC administration it proposed—and I can go to a particular body—that all local government office holders would have an office so all these programmes can be reached. It is useless to say the information obtains somewhere but it is not accessible. Every Member of Parliament office should have passport forms. Right now applications for birth certificates from the office of the Member of Parliament for Fyzabad—1,000 applications have gone—so we are giving service. When you encourage that level of service you are bringing people closer to you, they are beginning to feel they are cared for and loved—Mr. Speaker, you know the power of love; all of us—and we would reduce illegal activities. We would not have to fight.

Mr. Speaker, with all respect to lawyers, legal practitioners, when somebody is fined from \$2,000 to \$250,000, do you know where they are going to get the money? They are going to kidnap your child or my child. Do you see the foolishness? They do not think through things.

The Member for Arouca North is saying they would not mind, but they are charged and have to pay \$250,000. That is where the kidnapping and murders keep going. It is always related to something. In fact, the Member for Laventille East/Morvant will tell you many prisoners commit crime to obtain money to pay for different kinds of things. So you need to make sure that does not happen. The Member asked the question, through you, Mr. Speaker, How do you do it? By embracing people, by bringing them into the system and making sure that the office we represent provides real services.

Mr. Speaker, state lands that help develop the rich culture of this country must be considered—and I want to make that plug today—that are involved in different

kinds of culture, groups that are developed and whatever it might be. It might be traditional medicine, it might be alternative medicine where they can grow those plants, it might be yoga, it might be training for the priesthood, the planting of flowers and things that can be used in non-traditional medicine must be developed.

The Government just took away 77,000 acres of land and there is no document in this country, there is no pointed place that we can go and ask how is this 77,000 acres of land that was taken away from the Caroni (1975) Limited workers, because they were the ones who were cultivating the lands. How is it going to be treated with? How is it going to help the national community? And we are arguing that the time has come where there must be very clear, accessible, meaningful policy on land distribution of state lands. More than that, the recommendation for those lands must engage the widest consultation in any community. It must not be because one is affiliated to whichever party is in government one can easily access that land.

Mr. Speaker, I have been asked by many, many people to raise with the Government, through you, the question of compensation for land. It is a very frightening thing here. When the Government acquires land under whichever method it engages for compulsory acquisition or for a project, two or three things happen. Firstly, the Government decides it is going to use its Commissioner of State Lands to determine cost but for a selected few they choose a price. If you were to acquire a piece of land in Fyzabad from resident A to build a community centre, the Government would say the cost of that would be determined by the Commissioner of State Lands who oftentimes is guided, similar to the Ministry of Agriculture, Land and Marine Resources, with an outdated schedule and you are still paying six cents for a tomato plant or whatever the case might be, and you want to pay for land in the same way.

When the Government acquires from its friends, from itself on many occasions in Port of Spain, it is millions of dollars. We must treat our citizens across the board. There must be public policy so persons who have land and may wish to make it available to the State can be guided and could say, I have a 100 acre piece of land in Delhi Road, Fyzabad and I want to make it available and this is what I am looking at and he can go on a website, for instance, and identify how this can be done.

Secondly, the long time it takes to compensate persons from whom they have obtained lands—and all governments are guilty of it in terms of time—but the length of time it takes, and very often no interest is paid on the amount.

There was a case in Dominica recently where the court ruled that the government had to pay market value, plus the period it took, whether it was one year, or two years. You had to pay 20 per cent of the final cost for the period you took. If you took 10 years it would be 20 x 10. And the importance of that as it relates to this Bill, is to make sure people are not denied their property.

Mr. Speaker, the acquisition of land must be a policy and there must be fairness in terms of compensation, in terms of period of payment. When one looks at what obtained within the last three to four years one would have seen the Government acquired lands from certain persons. Oftentimes, for one reason or the other, it is a very high level of payment in one area and a very low level of payment in another area.

The Government should also indicate to the citizens of Trinidad and Tobago that lands that may have property on it, and that can benefit the national community must be treated in a particular way.

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

Motion made, That the speaking time of the hon. Member be extended by 30 minutes. [*Dr. H. Rafeeq*]

Question put and agreed to.

Mr. C. Sharma: Mr. Speaker, let me thank Members on both sides. I would be very proud of myself if you do not have to get up for the next 30 minutes. I will make every effort to make sure that you do not.

I hope one day that you will give an award for Members on both sides of the House who come very prepared for the debate, and I hope I am one of the recipients of such an award.

Mr. Speaker: You are making me laugh and you should not do anything to make the Speaker laugh. Continue. [*Laughter*]

Mr. C. Sharma: Mr. Speaker, I was on the point that all rights must be taken into account in a legal manner during the execution of any matters that relate that land acquisition to property rights, and it has to be state lands because it cannot be on private lands. Earlier today in Barrackpore, a shelter was destroyed by members of the armed services of Trinidad and Tobago and in the process they hurt people, citizens of Trinidad and Tobago.

We saw in Laventille, and I was very shocked to see the Member for Laventille East/Morvant, not raising a finger in defence of the people in his own

constituency and relying on the Opposition. We have seen squatters across this country complaining, losing their personal belongings and most times they are the poorest in the community. Mattresses, school books, medication go.

Again, the call from the Opposition is to make sure that every human consideration is considered and demonstrated during such a period. The time has come when the Government must bring to this House an inventory of all the persons on state lands in this country and, further, they must demonstrate how they are going to assist, and as the Prime Minister rightfully said on a previous occasion at a sod turning ceremony, the then Opposition now in Government continued it. In the same way, once that information comes to us, the national community, the Government of the future would know it needs to treat with 10,000 squatters, wherever they are, they are citizens of this country and how do we provide for them?

It is very inhumane to see ever so often in the newspapers, both in the print and electronic media, and today that is accessible all over the world, that persons' homes are being broken down, that families are broken up because mother has to go and live one way, husband has to go another place, kids have to go another place. There must be fairness in such a policy.

3.15 p.m.

These policies obtain the world over; it is not just in Trinidad and Tobago, so we are not arguing for something that is far-fetched. There is a global concern that we must treat with people across the board.

In making a comprehensive assessment of the tenure, we can use the offices of Members of Parliament. The time has come when, perhaps, there can be an electronic link, so that when people come to our offices for whatever services, we can obtain that information and it can be sent to a government site.

What will that do again? I want to link that with the provision of services and the treatment of people on state lands will prevent us from having to fine these people who, oftentimes, cannot pay the fines. The charge, as I indicated, is to move from \$200 in one instance to \$60,000 and from \$400 to \$120,000. Often it is a poor worker who gets employment. He does not know who is employing him and whether the guy is committing something within the law or outside of the law. People are looking for employment, so a forklift driver or a tractor operator gets a job, he is sent on a site to do illegal quarrying; he does not know the difference. The police come, executing their duty, and charge him. He is working. Sometimes he is working through a third or fourth party, not knowing who his

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real employer is and he finds himself digging material or removing material from state lands. He now has to pay \$250,000. This gentleman is working for \$20 an hour or \$160 on a work day, if he is operating a heavy piece of equipment. It would be very unfair to him. In fact, it would be illegal to him.

If he gets caught, he is in police custody now. He has to pay a lawyer, for whom he has no money. He has to raise bail, for which he has no money. There is nobody to take his bail. He finds himself in prison; his wife and three or four children are somewhere in Barrackpore in Fyzabad and now suffering—no income—simply because we did not think things through. That is the difficulty of this Government. It does not think things through. I keep asking the question: How will this add any value to our national community?

Mr. Speaker, the time has also come, if we are to treat with this Bill in an effective way, to look at cooperation in all the communities, not just where these quarries are. We have seen, coming out of the illegal activity at some of the quarries, flooding, and with the flooding, the loss of life, property and so on and these persons are never compensated. I know of many cases where applications have been made for consideration and to date nothing has come because Government says it is not responsible. The cost of obtaining judicial review is expensive, so they cannot treat with it.

One of the approaches is to make sure that there is collective consultation and agreement in the communities so that all of us would know. For instance, if they are going to remove material from point A to point B, the information could be published in the daily newspaper and the Government could say, for example: We have granted a licence to company X. They will be mining for materials in the quarry at such a place. The days of operation will be so-and-so. There will be a meeting in the community to say we will be working between the hours of 4.00 a.m. to 4.00 p.m. and these are some of the challenges we are going to face. Often people raise the question of their health—asthma attacks, et cetera—those things can be dealt with.

In addition to that, they can say that they are mining the quarry at a cost of \$X and that materials would be made available. In the first instance, some concession has to be given to the nearest affected to make sure that the roads are maintained. One of the challenges in quarrying is the contamination of groundwater. It is felt that if there is a third war, it would be over drinking water. We have to make sure that we reduce that.

How can you reduce it if there is no consultation; if there is no process for the average citizen to know what is happening? On the question of the safety of water, it is public information that by the year 2020, close to one million persons will die because of water-borne diseases. Today, as we speak, the statistic in the world is that one baby dies every minute because of diarrhoea and unhygienic conditions and a lack of clean water is always identified. These are some of the conditions that we must deal with.

Mr. Speaker, as it relates to rural communities—oftentimes these quarries are not in the cities—those persons are always at a disadvantage. I argue that there must be consideration, not just on a commercial basis. You are removing the resources. One of the complaints people have in many areas, for instance in the oil sector—Fyzabad is a good example—oil is removed but you do not see any returns. The time has come, if you are removing material from certain areas, that the community be treated in a certain way. It would only be fair to them.

I talked about the rural communities. Ownership: there must be some vested interest by the community and they must be seen as partners in the removal of the material so that they themselves would police the community. One of the challenges we have—the Government has argued loudly that it is not aware; they discovered this very late in their period.

The other matter I want to raise is: How does this removal of materials contribute to national development, if it does. I go back to the argument that we have found that in many areas the infrastructure is damaged. Persons in agriculture, for instance—and I come back to the argument on agriculture—often complain that they do not have access roads. It is a correct argument because when we look at the performance of the Ministry of Agriculture, Land and Marine Resources, a lot is to be desired.

In rural communities where the quarries are situated, we see heavy equipment moving in and out so that access roads are damaged. In addition to that, the environmental concern is of tremendous concern to all of us. What we have seen lately is that, in many areas, people are developing new sicknesses, oftentimes related to what is sent out in the environment. The Minister must indicate to this House how the community will be protected.

When you look at mining in Australia and elsewhere, you will see that the entire community is in partnership with the state or the private sector. There is an obligation in law that they must treat with them. Lately, more and more international

agencies—the World Health Organization, the United Nations—are concerned that these matters are not treated with by governments and I want to look at what obtains right here in Trinidad and Tobago.

In looking at some of the quarries in the east and elsewhere, we have found that there is no support for that community, absolutely none. Oftentimes, in over 90 per cent of the cases, they were left alone. There was no one to answer their questions and there was no one to treat with their concerns and it still obtains today. We are calling on the Government to make sure that, in whichever community they go, there is consultation. What is the intention of the consultation? There must be commitment to treat with citizens as it relates to their health.

I can best make an example of this concern in that Barbados purchases from us thousands of pounds of fresh vegetables and fruit and lately we have been unable to supply that market. It was doing two things for us. It was earning revenue and it was creating employment and encouraging those in agricultural produce so to do. Now they are unable to do it simply because the infrastructure is missing and where little of it exists it has been damaged by illegal activities. The Government is not adding any value to any of the existing facilities in our country.

We go south to the Claxton Bay area where they remove red sand. We know, of course, that part of those quarries is on Caroni lands. At the side of it there is a lot of agricultural land and most of it has now been abandoned. The farmers have raised it with the Government. During the period of Caroni (1975) Limited, they maintained the facilities. They maintained the drains. They maintained the access roads to the quarries and the farmers were able to do agricultural production in those areas. Today that has gone.

When they talk about illegal removal of material, they have to ask if they correct that, how will the community benefit. What sector of the community will benefit in the first instance? The residents in that community are talking and they have been engaged in farming, in some instances for 50 or 60 years. At one time, this country produced the best cocoa in the world. Of course, we never added value and all of it was exported. Today, what do we find? The production has gone almost to zero.

Mr. Narine: It went in your time; it is now returning.

Mr. C. Sharma: And the Minister of Agriculture, Land and Marine Resources is confirming that it has gone to zero. This is what I find very difficult. The Minister is very proud to say that the production of cocoa has gone to zero and then ask how it relates.

It relates because they encourage this activity through their association with groups and do nothing to correct the situation and years later they come to the Parliament to say: Listen, we are going to solve the problem now. We have found a way.

This Government, having been in government for so many years, leading us to 2020 vision, say that they have found the solution. They are going to move \$400 and charge people \$120,000 and imprison them for one year. This is how they are developing the human stock of this country. They are saying that they are going to remove \$200 and charge \$60,000 and imprison you for six months. This is how they are going to develop it. It cannot be.

Before I conclude, I want to make a few recommendations as they relate to state lands. There must be a comprehensive policy of Government to treat with state lands as they affect all the different sectors in the community. There must be stakeholders' interest. There must be the interest of those smaller groups. We cannot develop the country without looking at it in a holistic way and state lands have a very important part to play.

If we are to reduce illegal activity on state lands; if we are to put a stop to the removal of materials, then we have to start with ourselves. Members of Parliament on both sides of the House must demonstrate clearly what happens.

When you look at the cost overruns on state projects; the State owns many of the quarries in the country. There is not a single project that this PNM Government, in its previous and current manifestations, has done within budget. The Hall of Justice is a classic example. The Government is unable to build an airport; a financial complex. The hospital in Tobago is a living example. Look at how the cost is going up, not because of mismanagement, materials from that are doing a housing development in a particular place. Who is going to benefit from that? No citizen. You and I cannot buy a lot of land there. It is \$1 million plus. I am not sure if it is TT dollars or US. This is what we find ourselves in and we must come in this Parliament and pretend those things do not exist. This Opposition will do no such thing.

Mr. Speaker, it is difficult to add to the value of lands in terms of agriculture. This Government is taking the best agricultural lands and putting industry on it—housing. And it is not for a purpose. It is the PNM's way of practising their politics. Let me expand on that point. They take the best agricultural lands, put industry and put homes to deny the community that is involved in agriculture the opportunity to practise. They have no concern about food security. They think

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they have money and they can import everything, so the quality of life keeps dropping—the health of our kids; the health of our citizens. You can look at the amount of money we are spending on health care and many people still cannot access it simply because we are not treating with proper land use.

When they created the Sugar Manufacturing Company Limited to take care of the 77 acres of state land from Caroni (1975) Limited and all these things, the worst performance of that company was when the prices were the highest on the international market, they could not deliver the tonnage of sugar required. This Government is about spite, imprisonment and of fining people. I hope they will revisit what they are doing.

Thank you very much.

The Minister of State in the Ministry of Community Development, Culture and Gender Affairs (Hon. Edward Hart): Thank you very much, Mr. Speaker. I wish to add my support to the State Lands (Amdt.) Bill. This Bill could not have been brought before this honourable House at a more appropriate time.

Mr. Speaker, I am sure that you would agree that the last 75 minutes were tough as I listened to my friend on the other side. Despite your generosity and pleadings, he went on with his ramblings. He started early o'clock about murder, housing projects, low cost lands, CEPEP workers, prisoners, et cetera. He mentioned the fact, which is true, that he has been in the House for 16 years, so he is a veteran now. *[Interruption]* He came in, in 1991, I think. We came in together. *[Interruption]* Well, he cannot count, so it is 15 years he has been here.

He asked what he would tell his constituents tonight about what he did in Parliament today. All I can say is that he is guilty of irrelevance. Try to do better for your constituents.

Mr. Speaker, my understanding of this Bill is that it seeks to increase the penalties for illegal quarrying above those that are currently prescribed in the State Lands Act, Chap. 57:01. The people of the Tunapuna/Piarco municipality and of the constituency of Tunapuna, in particular, have suffered for a very long time from the impact of the destructive practice of illegal quarrying. Illegal quarrying has been the cause of severe environmental problems in many locations throughout the Tunapuna/Piarco region. It has also often resulted in severe social dislocation and discomfort and has caused tremendous economic losses to many households, business establishments and to the municipality.

In the Tunapuna/Piarco region, we have noticed two types of illegal quarrying, namely, river quarrying and mountain quarrying. Both types are major sources of environmental, social and economic problems. It must be understood that quarrying activities, whether legal or illegal, are essentially destructive developmental activities. For this reason, all quarrying operations must be authorized, regulated and supervised.

The aggregates that we seek through quarrying operations are usually underground and are protected by the forest and topsoil. Quarrying operations, therefore, must necessarily involve deforestation, habitat destruction, biodiversity, erosion and destruction of geological records, which contain information about past biodiversity.

Mountain quarrying operations are practised by some illegal operators in Maracas and Wallerfield and involve the removal of vegetation and topsoil, which results in the destruction of the aesthetic value of the quarried area. In many instances, these operators have extended their illegal quarrying activities into environmentally-sensitive areas and have caused severe damage to the country's natural capital stock. In other situations, they have over-exploited a given location and caused irreversible destruction to the environment.

Mr. Speaker, significant levels of illegal river quarrying were observed in the Maracas area. This type of activity often causes uneven deepening of river beds and the destruction of river banks. The impacts of all these processes are soil erosion, pollution, siltation and flooding. Erosion and siltation have resulted in devastating effects on the environment and on people's livelihood in several locations.

The experience in the region is that these processes have resulted in the silting of rivers and irrigation channels resulting in severe flooding in downstream areas. Communities that are downstream from illegal quarrying operations have felt the full impact of these operations over the last 10 years. The people of lower Tunapuna, Curepe, Aranguez, Mount Lambert, San Juan and surrounding areas could give testimony of the problems they have had and the loss they incurred through the impact of illegal quarrying.

Mr. Speaker, it was reported that where illegal river mining was prevalent, river banks were prone to collapse and structures such as bridges were destabilized, whereas embankments became vulnerable and easily succumbed to landslides. The physical infrastructure in these areas is seriously compromised because of illegal quarrying. Because of the heavy siltation, sedimentation and flooding resulting from illegal quarrying, the reports indicate that the integrity of

potable water supply in the area is also compromised. It is a known fact that the most pristine water in this country comes from the Tacarigua savannah via underground aquifers. Residents of Maracas and those communities that are proximate to illegal quarrying operations are all too familiar with the clouds of dust along the routes where the illegal quarry materials are transported.

The excesses of these huge vehicles on the roadways also pose significant danger to the residents of these communities. Many farmers have complained about the impact of quarry dust on their crops and livestock. Very often the roadways in the various communities have been rapidly degraded by the constant passage of overloaded vehicles. In these instances, severe social dislocation resulted and the communities were severely inconvenienced. Many households` have experienced the constant noise pollution emanating from the quarry sites.

We cannot afford to give up mining for aggregates, which are the basic raw materials necessary for the development of our infrastructure. However, we need to establish a framework within which we can enforce scientific quarrying operations, accompanied by ecological restoration and generation and judicious use of our geological resources. This cannot be achieved in conditions of illegal quarrying operations. In fact, there is no room for illegal quarrying in this agenda.

The negative impact of this practice on the environment, the communities and the economy are too severe to be tolerated. These illegal quarry operators are able to earn significant income, many becoming instant millionaires. What is very significant also is that these are not poor people operations. Poor people cannot afford the level of investment required. These operations are therefore fuelled by greed and irresponsibility.

The practice of illegal quarrying was intensified under the watch of the previous government, but they will not admit to this. They will not admit to anything. They will not admit to the Caribbean Court of Justice. They will not admit to the smelter plant. They may not even admit to the use and abuse of the MP for St. Augustine.

They were the ones who authorized unlicensed and unregistered individuals, their friends and colleagues who assisted the party during the elections and got their payback in the form of illegal quarrying of sand and gravel in particular. Millions of dollars went into the pockets of private citizens operating illegally while significant losses of revenue accrued to the State.

Mr. Speaker, he is not here to defend himself today, but Dhanraj, the sheriff, was the main architect in this regard, assigning large tracts of land to their friends

for quarrying. Many of the people who were eventually held and prosecuted when this Government moved against them were only fronting for elements of a certain religious group. That is a known fact, which, of course, they will try to deny, as they always do. As an aside, it will eventually come to light how much land, in places like Las Lomas, has been given to some of the same elements, supposedly for agriculture, but no serious agriculture is being done since the lands are really being held for private enrichment through future speculation and for illegal quarrying and logging.

The point is that there is a distinct difference in the philosophical approach of us on this side and those over yonder. [*Desk thumping*] There is a deep chasm that separates us. While they can countenance lawlessness and function as if things are normal, we certainly cannot. They would have allowed the illicit quarrying to continue on the pretext that some national good was being served. We on this side, led by our most honest Prime Minister, say that lawlessness is lawlessness and we must put an end to it promptly. It must stop.

Since we on this side have taken action to stamp out the illicit quarrying, we understand that it takes some 12 hours at times to get a truck full of gravel out of certain areas. Some truckers are forced to overnight to obtain a load. However, we shall deal with such constraints as law-abiding people usually do. We shall increase the number of legal operators and get the big players in the business to increase their productivity through better technology and management techniques and, at the end of the day, do all that is necessary to restore the environment.

We know that operators like Coosals are well on their way in this regard. What we will never be caught doing is throwing our hands in the air like our friends opposite and conceding to lawlessness. We in Tunapuna know their lawlessness best. Tunapuna is the most fiercely contested seat in the country when it comes to an election. It is always do or die in Tunapuna. In Tunapuna only the strong survive.

The Member is not here, but he entered into the debate saying we stole the election. I have been hearing this from time immemorial, like a chorus. I want to deal with that today. From the deceased Mr. Hector Mc Clean—thank God he saw the light long before his passing—to Mervyn Assam and Carlos John, we were victims of their lawlessness. No one dared to heckle their meetings or even poke fun at their supporters without feeling the wrath of elements of a certain religious group. Those very elements openly escorted would-be voter padders in and out of

State Lands (Amdt.) Bill
[HON. E. HART]

Wednesday, September 06, 2006

Tunapuna and taunted us about it. Green band maxis were the order of the day in and out from Cunupia and other points. At one point we could not put up a poster or banner without it being torn down instantly.

Dr. Nanan: Mr. Speaker, on a point of order. Irrelevant!

Mr. Speaker: Until the last three minutes, your contribution has been admirable. I think you need to avoid this voter-padding area.

Hon. E. Hart: Mr. Speaker, I am guided by you, but this is in response to the Member for Couva South, who has been constantly saying that we stole the election. I was just saying what happened in my constituency where the election is concerned, to put the record right.

Through those on the other side, it is no wonder that every single worthy tradition, every single convention of this country has been tarnished by their lawlessness.

3.45 p.m.

Today, starting with the quarrying situation, it is our intention to put a stop, once and for all, to this pervasive lawlessness. We, of the Tunapuna/Piarco municipality and the beautiful constituency of Tunapuna, stand to lose too much as a direct result of illegal quarrying. Therefore, I humbly submit that this Bill, No. 17 of 2006, an amendment to the State Lands Act, Chap 57:01, to increase the penalty substantially for illegal quarrying and to establish an effective deterrent against illegal quarrying, be made law, henceforth.

I urge the Members on both sides of the House to support the Bill and I thank you for your attention.

Mrs. Kamla Persad-Bissessar (*Siparia*): Thank you very much, Mr. Speaker. [*Interruption*] Certainly, I did not expect to, myself. I listened to the Hon. Member for Tunapuna in his most impassioned contribution in this House and it is unfortunate that he chose to make the theme of his contribution the issue of lawlessness, when history records and the nation recorded that he was in fact found guilty of lawlessness in the last election.

Dr. Rowley: Lawlessness?

Mrs. K. Persad-Bissessar: He was found guilty of breaking the law when he physically assaulted the then Mayor of Chaguanas, Mr. Orlando Naggessar. The court found him guilty, but they allowed him to be discharged. They reprimanded and discharged him. We are dealing with the issue of lawlessness that was raised

by the hon. Member. He talked about the stealing of elections. We are on the issue of state lands. What is the purpose of this Bill? Let us remind ourselves of the purpose of the Bill. All this Bill seeks to do is to increase penalties, with respect to the removing of materials on or from state lands without a licence. The genesis of this Bill goes way back when serious allegations were being made in this country that the Jamaat Al Muslimeem was engaged in illegal quarrying in the Valencia area. That is where this Bill comes from. There was a PR campaign when the country became upset and angry of the fact that allegations were made of illegal mining by Jamaat and the Government decided to politic and carry about their PR campaign and they went and swooped down and picked up 11 or 12 persons. When they picked up those persons they realized that the penalty was very, very small.

During the years 2002, 2003, 2004, 2005 and up to the present time, the question has arisen as to how many persons were ever charged with the offence of illegal quarrying? The answer is absolutely none. There were only 12 in 2005, with the PR gimmick. Prior to that PR gimmick, no one had been charged. The records are very clear that in those years—[*Interruption*] We are dealing with the issue of illegal quarrying, increasing the penalties and the Government's charging people in order to inflict these penalties upon them. It was in 2002 when the whole issue of illegal quarrying really reached the peak.

I want to quote from an article by Carmini Marajh of the *Express* of Sunday, July 10, 2005:

“The continued failure by the Manning administration to stamp out rampant and uncontrolled quarrying on State-owned lands by Jamaat al Muslimeen strongmen and other rogue operators has cost this country over \$190 million in lost revenue to date.

Industry analysts estimate that this country lost over \$45 million in illegally mined sand and gravel in 2002 when the first big wave of illegal quarrying washed over lucrative State-owned fields in Valencia, in what was reputed to be a government payback for Muslimeen help in securing votes in critical swing seats in the December 2001 general election.”

This wave of illegal quarrying began within the framework and time when the PNM came into office. The article continues:

“The Muslimeen arrangement which unleashed random, rampant mining in State-owned fields and spilled over to extortion racketeering and, more recently, murder rang up illegal profits in 2003 of over \$55 million in stolen State reserves...”

State Lands (Amdt.) Bill
[MRS. PERSAD-BISSESSAR]

Wednesday, September 06, 2006

Here we are today in 2006. When this problem surfaced in 2002, nothing was done and no one was charged. No legislation was brought to increase penalties. When it happened in 2003, \$55 million, it is estimated, was lost in illegal quarrying and nothing was done. In 2004, as contained in April 26, 2005 Green Paper, this country lost a whopping \$60.7 million. We are adding those and we are looking at \$190 million within the years 2002—2005. Here we are, four years later, and what are we doing to stop illegal quarrying? We are increasing penalties for persons who are charged. If it is that you want to deal with illegal quarry operators, this legislative change is not going to deal with the problem, because the problem is illegal quarrying. That is what the Bill attempts to address.

It is not sufficient for the Minister to tell us that we are going to increase the penalties and, therefore, we are going to deal with illegal quarrying. That cannot happen. We have to talk about sustainable land use and integrated planning. The Minister must come and tell us what are the other areas that are being addressed to stem the illegal quarrying, because simply to increase penalties would do nothing except further clog your courthouse. I have repeated, time over time, and the latest report coming out of the Judiciary will show that the numbers are even greater, but from the last report, there are 432,000 cases in the Magistrates' Courts. When you come to charge people for illegal quarrying, what are you going to do? You must oil the wheels of the system of justice if you want justice to be delivered. Justice delayed is justice denied. When you increase the penalties and charge a few people, 10 years down the road the "fellas" might be dead or gone abroad and there is no justice. To simply bring a legislative measure to deal with this issue; which is a very serious issue, which is a drain on the resources, which is part of the nation's patrimony, it is not sufficient to tell us: "I have come simply to increase penalties."

Tell me what else have you done with respect to dealing with illegal quarrying? What is one of the root causes of illegal quarrying, apart from people giving their friends and family and paybacks to deal with the state lands to mine? I will return to that issue. What is one of the root causes of illegal quarrying? It has to do with the fact that this Government has consistently failed to put in place the framework necessary for licensing operators. That issue arose years ago as well, hon. Prime Minister. Years ago, there has always been the issue of having to deal with the giving out of licences.

The then Minister of Energy and Energy Industries, the Member for Port of Spain South, had gone public and said that he will be giving licences to 37 operators.

Mr. Williams: Would the Member give way?

Mrs. K. Persad-Bissessar: Sure.

Mr. Williams: The Ministry of Energy and Energy Industries, as I understand it, had recently awarded several licences to quarry operators in the Valencia area. That is part of the ongoing work that is taking place that is getting us to this place. As I pointed out in my contribution on Friday, the Green Paper on quarrying, which was presented and laid in this House and in the other place, spelt out what we were doing. The public consultation that followed from that also developed on it and today we are seeing the culmination of a lot of this work.

I also pointed out that the legal morass we faced between the Minerals Act of 2000, the EMA Act and the State Lands Act and we finally had legal advice that the State Lands Act took precedence. This is one step along the way to developing a comprehensive quarrying policy, which is very well advanced.

Mrs. K. Persad-Bissessar: I thank the Minister for attempting to clarify but I am still in the dark, because that is exactly what was said in 2002 and 2003. How many years has this Government been in office? You will soon be entering your final year in office. The Minister is saying: “We are planning”. I remember the words very clearly. They are the “coulda, woulda, shoulda” Government. That is what you have become. Everything is in process or in-train. He said that the Minerals Act is a legal morass. When did you find that out? This is 2006. You knew this since then. Since 2002 you have been saying that about the Minerals Act and the other pieces of legislation.

You have an EMA that is totally crippled because you ride roughshod over them. Those are the pieces of legislation and the agencies to deal with issues in the environment and illegal quarrying.

I am simply not convinced by what you have said as being the reason we are where we are today, in terms of having increased penalties and there are other administrative things existing. All I am hearing is that we will do this or we are trying that. It is simply not good enough.

The Member for Tunapuna allowed the debate to be opened up in some regard, because he talked about stealing the election and who stole or did not steal the election. Here Camini Marajh, in an investigative article, talks clearly about the Muslimeen arrangement. She stated:

“Industry analysts estimate that this country lost over \$45 million in illegally mined sand and gravel in 2002 when the first big wave of illegal quarrying

washed over lucrative State-owned fields in Valencia, in what was reputed to be a government payback for Muslimeen help in securing votes in critical swing seats in the December 2001 general election.

The Muslimeen arrangement which unleashed random, rampant mining in State-owned fields and spilled over to extortion racketeering and, more recently, murder rang up illegal profits in 2003 of over \$55 million...”

I repeated that about the Muslimeem arrangement.

We have on oath, in the Supreme Court of Trinidad and Tobago, the leader of the Jamaat al Muslimeen deposing to the arrangement and the relationship. This is a public document, High Court Action No. 2292 of 1994, between the Attorney General of Trinidad and Tobago and the Jamaat al Muslimeen. The imam deposes as follows—I would take some of the extracts because the Member for Tunapuna raised the point about stealing the election and marginal seats. Here the man goes on oath very clearly and talks about that arrangement. Why is it important in this debate? It is simply not because it was mentioned by the Member for Tunapuna, but also because of the investigative work done by Camini Marajh when she spoke about the payback arrangement that the Muslimeen engaged in; the illegal quarrying, as part of that payback arrangement.

Secondly, it deals with the arrangement that is disclosed in here with respect to state lands. We are dealing with an amendment to the State Lands Act and here, again, he deposes to an arrangement with Members of the Government, with respect to the state lands at Mucurapo. He says:

“I, Imam Yasin Abu Bakr, contractor of 10 Queen's Park West, Port of Spain...make oath and say as follows:

- “8) Following the election of 2001, which I recall as the election of the 18-18 tie when Mr. Manning was appointed Prime Minister I was again met by Mr. Abdul Hamid who informed me that he was going to see Mr. Manning once again. Upon his return Mr. Hamid informed me that Mr. Manning said that he would contact me ‘when the time was right’. Again, nothing further was heard or said on the issue and I did not solicit any further contact with the Prime Minister, his Government or political party.
- 9) Sometime thereafter in mid 2002 or thereabouts I was visited at my office at the Jamaat al Muslimeen headquarters at Mucurapo by Mr. Mervyn Collins. I knew Mr. Collins before this date by seeing him regularly in the company of the Prime Minister at the time, Mr. Patrick Manning...

- 10) At the meeting with Mr. Collins he informed me that Mr. John Donaldson wanted to get in touch with me and whether I would have any problem speaking to him. I replied that I had no problem speaking to Mr. Donaldson and I gave Mr. Collins my phone number at the Jamaat. The following day I received a phone call from someone who identified himself as John Donaldson. Mr. Donaldson informed me that ‘my good friend’ Ms. Joan Yulle Williams wanted to speak to me.”

You want to know whose friend? He says Mrs. Joan Yuille-Williams is his good friend.

“I knew Ms. Joan Yulle Williams for many years through our mutual involvement in sport in San Fernando in the late 1960's: I was a footballer in San Fernando while Ms. Yulle Williams played netball. Therefore, I did not hesitate to accept the invitation to meet. Mr. Donaldson arranged a meeting with myself and Ms. Williams at Balisier House for the following Wednesday.

- 11) The following Wednesday I went to Balisier House accompanied by Mr. Sadiq Al Razi where I met with Ms. Williams. There she began discussing the then current 18-18 deadlock and she explained that an election had to be called soon so as to give the party a majority in parliament. She informed me that the Government had certain areas of concern which needed to be addressed before any election and that the Prime Minister wanted to speak with me on these issues...On certain occasions I was informed by staff at Balisier House that the Prime Minister was still in his weekly meeting and that I should wait. I was never searched, checked or asked to explain the purpose of my visit to Balisier House. Further, I never signed a book or log of my visit. The persons who accompanied me to these meetings were also subjected to the same treatment.
- 12) The following Wednesday I again attended Balisier House at approximately 3 p.m. in the company of Sadiq Al Razi and Muhammad Bilal where I met with Ms. Yulle Williams. Mr. Collins was also present. Ms. Yulle Williams told me that the Prime Minister wanted this meeting to be a ‘one on one’ and I was led into Mr. Manning's office where he was present. Ms. Yulle Williams was also in the office. We began to speak with the Prime Minister doing most of the talking. The discussion focused on the upcoming elections, the date of which had not yet been announced. Specifically, the Prime Minister voiced his concern about the level of

crime in certain areas...and the mobilization of voters, especially the young voters of African descent who according to the Prime Minister were viewed as less likely to vote in an election. Mr. Manning also indicated to me that his Government wanted to focus on these matters before any election was called and that as he was of the view that the Jamaat exercised influence in certain areas and over certain sectors of the population, namely the young, poor persons of African descent and 'his' Government wanted the Jamaat to work with the existing Government on these areas of concern. I recall the Prime Minister saying, 'the young people listen to you and I, as Prime Minister, want your help.'

- 14) The Prime Minister informed me that he understood my position and that he knew of my previous dealings with the UNC administration and my work with the UNC. He further informed me that he knew that the Jamaat had fallen out with the previous UNC led Government and that I could be assured that his Government was committed with working with the Jamaat before and after the elections. The Prime Minister also informed me that I should not worry because he was speaking as Prime Minister with the authority of the entire Government. A further meeting was scheduled"—[*Interruption*]

Mr. Imbert: Mr. Speaker, under Standing Order 43(2), the Member is being absolutely irrelevant.

Mr. Speaker: No, I do not think so, but because we do not want to hear what somebody would have deposed to in a court of law. That person is not a Member of this House. What we would like to hear is your own contribution and not of a member of the public who has deposed some affidavit in a court proceedings.

Mrs. K. Persad-Bissessar: I am guided, Mr. Speaker, but it is my respectful view that there are parts of this said on oath by someone—[*Interruption*]

Hon. Member: What part?

Mrs. K. Persad-Bissessar: The parts I am going to quote. I am not going to quote all of it.

Hon. Member: You are reading the whole thing.

Mrs. K. Persad-Bissessar: I am not reading the whole thing because the Speaker would put me in irrelevance. I have given the foundation on which I have built the reason for disclosing these aspects of the affidavit and I have repeated them for those who may not recall.

I have said that the whole issue before this House is the issue of illegal quarrying. This issue has its genesis in the illegal quarrying that was carried out by the Jamaat, starting in 2002. That illegal quarrying was based on the allegation of a payback by the PNM to the Jamaat for their work in the election.

I said further that we are dealing with the issue of state lands. It is illegal quarrying and, therefore, it is the illegal use of any state lands. It also had to do with the arrangements for the state lands at Mucurapo.

Finally, the Member for Tunapuna raised the issue of the stealing of the election in Tunapuna and the marginal seats. With respect to the Member for Tunapuna—*[Interruption]*

Mr. Speaker: Please, I did not rule you as being irrelevant so you do not need to repeat it. Please get on.

Mrs. K. Persad-Bissessar: For those Members who jumped up to rule under Standing Order 43 or whatever—

“16) At the next meeting the Prime Minister and Ms. Joan Yulle Williams were again present...the Prime Minister informed me that the remaining portion of the lands at Mucurapo would be given to the Jamaat before the coming election;”

I am off the quote now. You would recall that prior to the 2002 general election when, indeed, there was an announcement that lands would be given to the Jamaat we saw all the Ministers gathered sheepishly at the Prime Minister's residence looking really sad to withdraw that. The Member for Diego Martin West and Members of the Cabinet were there.

“Specifically, the Prime Minister informed me that the remaining portion of the lands at Mucurapo would be given to the Jamaat before the coming election; that the Jamaat school would be included within the Concordat with the other denominational schools and provided funding from Government. In this respect he informed me that I should see the Minister of Education, Mrs. Manning who would see to that and make the necessary arrangements. With regards to the Judgment for damages owed by the Jamaat and the other Defendants herein the Prime Minister stated he regarded that judgment as a ‘paper judgment’ that would never be enforced and he referred to it as a ‘dead issue’...

19) The talks moved to the issue of the marginal seats. The Prime Minister informed me that the marginal seats would win or lose the election for

the Government. He indicated to me that he wanted me to be one of his advisors as to how to run the election campaign in the marginals.

Further my role was to develop a strategy to go into the marginal constituencies and sway people from supporting the UNC and come over to the side of the PNM.”

Mr. Imbert: Mr. Speaker, under Standing Order 43(2), the Member is being totally irrelevant.

Mr. Speaker: I did hint to the hon. Member that she should really—*[Interruption]*

Dr. Khan: Tunapuna was—*[Interruption]*

Mr. Speaker: No, the Member for Tunapuna was ruled out of order.

Dr. Khan: No, he was not.

Mr. Speaker: He spent a minute on that. I have allowed the Member for Siparia, the Leader of the Opposition, to go to the affidavit and I did indicate to her that we would not like to hear from the person of the public who deposed the affidavit. I think you can paraphrase a lot of what you are saying. You do not need to read the whole affidavit.

Mr. Manning: Mr. Speaker, I was just waiting for an appropriate opportunity just to, first of all, make the point that that is an affidavit that was laid in a court and the matter is sub judice.

Secondly, I wish to categorically deny the allegations in it. It is just blatantly false.

Mrs. K. Persad-Bissessar: Mr. Speaker, with due respect to the hon. Prime Minister, the matter is sub judice; I know that. The documents are not sub judice in the sense that you cannot speak of them. As a good lawyer, I am sure that you appreciate that in this House we have quoted from public documents that were filed in a courthouse. They are not sub judice. When I comment on them—that is with the greatest of respect to you—it is not for me to comment on the allegations made in the affidavit. I can read it. You have asked me to give my own opinion. What I can do with this document is quote from it, but I cannot give my opinion, then it is sub judice.

Mr. Speaker: I agree with you. All I am telling you is that what is on that affidavit is that of the person who deposed the affidavit. *[Interruption]* One minute, please. I have ruled before in this House that extensive use of quotations from documents like newspapers, even this affidavit—I think you can come to an end with this now.

Mrs. K. Persad-Bissessar: Certainly, Mr. Speaker, I am guided. There are allegations within this affidavit that are related to the debate. I have quoted the ones I wanted to place into the record. Those are in the record.

When we come back to Camini's article with respect to the said illegal quarrying, we find more on the issue dealing with the Jamaat. I quote from the article of June 26:

“The State’s response to a September 2004 *Sunday Express* series on the Muslimeen's role in fostering a burgeoning black market in the quarry sector, when it was finally made public, was long on rhetoric and short on action. The Government's response saw armed troops moving into the Valencia and Toco areas and there was an announcement that interim one-year licences would be issued to 37 operators, among them Muslimeen leader Yasin Abu Bakr...”

Thereafter, the then Minister of Energy and Energy Industries indicated that he would not be giving any licences to Imam Yasin Abu Bakr. He indicated that he would have his consultations and thereafter they would deal with the regulations that were necessary in order to grant licences. Up till now that has not been done. Nothing has been brought to this House to put those regulations into place. I made that point earlier that we are still in the position where we were in 2002. The only weapon that is being used by the Government is a stiffer penalty at the legislative arena which, in itself, cannot and will not deal with the issue of illegal quarrying.

Why is it during the period 2002—2005 no persons were charged, even though there was rampant, illegal quarrying taking place? Perhaps, the hon. Minister, in his winding up, would be kind enough to tell us. My information is that no one was charged. He asked how many did I lock up or charge. The answer is so simple; because the illegal quarrying, from all the records, began in 2002. The wave of illegal quarrying began with the advent of the PNM in governance. You are in government and you are to account. Do not come and tell me what I did and did not do. I do not have to do it now, you are responsible.

While we were in government, we brought the Minerals Act; an Act that would have assisted with respect to illegal quarrying. They have been there for five years and they have done absolutely nothing with the Minerals Act. You should not come here to lay any blame. You are in Government. You said you were given the mandate of the people; carry out that mandate in the best interest of the people. Do not blame somebody else for your failure and delay in dealing with legislation and administration.

Tell us, please, Mr. Minister, how many persons were charged in 2002, 2003 and 2004. We know for a fact that in 2005, 12 persons were charged. My information is that none was charged in this period of time. [*Interruption*] I will not repeat myself to you. The wave of illegal quarrying began under the PNM in 2002.

Dr. Rowley: That is your story.

Mrs. K. Persad-Bissessar: From the investigations and from the *Green Paper*, that is also carried in there. It is not my words only. They have come out of the investigative reporting and the 2005 *Green Paper*.

The Minister is saying that one of the reasons is that the penalty is too small and we cannot deal with that because it did not make sense to arrest people. Why did he rely upon the State Lands Act? There are other mechanisms that could have been used and other areas of the law that he could have employed in order to deal with people who were ripping off the State to the value of millions of dollars.

This Government had set up something called a “money laundering unit” whose job is to review potential cases and take relevant action. While these people were robbing the quarries of the millions, why did they not consider using some other area of the law, until such time they can come and amend the Bill to increase the penalties? In the United States, when Al Capone was the great drug runner and all the illegal activities were going on with him making zillions of dollars in illegal activities, the United States laws were such that they could find a specific law on which they could catch him and they could not get the evidence. Do you know what they did then? They charged him under tax evasion laws. There are records. The banking sector now has requirements so when moneys are passing through that sector, they have to send to the Central Bank statements requiring source of funds when the moneys are being deposited beyond the threshold of \$59,000 per day. Where it is \$59,000 and you come in with \$60,000 you would have to fill out a piece of paper. You are not working anywhere, where is this money coming from? How many persons have been charged with respect to the money laundering laws in this country?

Money laundering does not simply mean money gained from illicit trafficking in drugs. Money laundering has to do with moneys you have gained from any illegal source. If you are illegally quarrying and the Government felt that a \$200 penalty was too small and, therefore, it did not make sense to charge those people, why did you not use some other area of the law in order to bring these persons to justice?

The banks have regulations in place, which are designed to help them pick up suspicious actions pointing to money laundering. The Government also has an investigative arm, which is designed to similarly examine suspicious transactions hinting at money laundering, but no one has been charged to date, as far as I am aware—and, perhaps, the Government can tell us—with money laundering.

I am advised that up to last Thursday, Ministry personnel went to one of the sites in Valencia to confirm that illegal operations were still taking place. Perhaps the Minister can tell us if that is so or not; whether there are illegal operators there up to this point in time. There are people who are doing the crime. You know they have to launder the money because this is illegally-obtained money. The research will turn up to show where they are laundering the money and in which financial institution. Why was this not done through the Attorney General and the money laundering prevention team? There is a whole unit for that purpose. Why has this not been done? These illegal quarry operators are able to launder substantial sums of money and nothing is being done about that. [*Continuous interruption and crosstalk*]

Mr. Speaker: Just a minute, please, hon. Member. Hon. Member for Fyzabad, I wish you would come back to your seat. When you engage in crosstalk so close to the Hansard reporter, the reporter has great difficulty in hearing your leader, the Member for Siparia. Please, continue.

Mrs. K. Persad-Bissessar: Thank you, Mr. Speaker. From the reports that have come from industrial experts carried in that investigative piece written by Camini Marajh, we have seen it. We are talking about \$190 million. Therefore, this piece of legislation to increase penalties to \$120,000, I believe in one instance, is really but a drop in the bucket. Those fines are going to be very easy to pay for these operators, because illegal quarrying is raking in millions of dollars. The sum of \$120,000 would be a drop in the bucket for them. Therefore, the Government may well want to consider the other areas of the law that can be utilized, where there will be stiffer penalties and deal with the source of the ill-gotten gains; the money. Go after the money laundering offences and take back the money. You can confiscate the money. A small penalty of \$120,000 would be paid off and they would go again. Go after them with respect to other areas of the law, where they will feel it. They would feel it most in their pockets, because you would be able, using the money laundering machinery, to confiscate and forfeit the moneys that you would have found; the ill-gotten gains that they would have acquired and accumulated.

To charge these illegal operators, because the fines are too small—you have left it on the statute books for years. It has been nine months since these “fellas” were charged and you discovered that the fine was too small. It is too simplistic.

I would expect the hon. Minister, in his winding up, I am not sure he is the Minister with the responsibility for quarrying, as such, I thought it was the Minister of Energy and Energy Industries. We have not heard from the present Minister of Energy and Energy Industries. Perhaps, he might have passed the brief to the Member for Arouca North. I would expect that the Member for Arouca North would be kind enough to inform this House as to what else they are doing to stem the tide of illegal quarrying, apart from bringing legislation to increase the fines. That is one issue which I do not think we have had sufficient information on.

We come to the issue of land use as a whole. I think it is very important—we are dealing with state lands—for us to hear from the Member on the other side because he is the Minister with responsibility for state lands. As the Minister of Agriculture, Land and Marine Resources, I believe he is the Minister. He is piloting the amendment and we need to look at the whole issue of the use of state lands. We have seen what has been happening in Caroni. I think my colleague from Fyzabad mentioned it. We have seen houses going down on state lands without any kind of approvals. Just how we are dealing with illegal quarrying, that is also illegal building and constructing. It is going down on agricultural land without approvals. When the Member for Tunapuna wants to speak about—
[*Interruption*]

Dr. Rowley: Would the Member give way?

Mrs. K. Persad-Bissessar: One moment. I will give way in one moment. When the Member for Tunapuna speaks about lawlessness, the Government is the number one on lawlessness, crime, law-breaker; breaking laws that are designed for regulatory frameworks to regulate land use and a whole host of other things. The Government is the number one breaker of those laws. Yes, Minister.

Dr. Rowley: Could the Member assist me by indicating where these housing programmes are going down on Government land without proper approvals?

Mrs. K. Persad-Bissessar: I think you asked me that on the last occasion I spoke.

Dr. Rowley: Go on the record.

Mrs. K. Persad-Bissessar: My information is that all the plots are so. If it is different the person with that knowledge, clearly, must be the hon. Minister. I am asking you that. That is my information.

Dr. Rowley: You are not asking me, you made a statement.

Mrs. K. Persad-Bissessar: My information is that all these housing things that are going down do not have the requisite approvals. They must get approvals from the Town and Country Planning, the EMA— *[Interruption]*

Mrs. Robinson-Regis: Would the Member give way?

Mrs. K. Persad-Bissessar: In a moment, I would give way.

Mrs. Robinson-Regis: Town and Country Planning approvals have been given.

Mrs. K. Persad-Bissessar: I would give way in a moment please. We cannot both stand at the same time. I would give way. Of course, you would have 75 minutes after I am done. They must have Town and Country Planning approvals, EMA approvals, and they must also have the Local Government Authority approvals as well. As far as I am aware, that is the information I have, certainly in those areas where there are councillors who liaise with us, we know for a fact that they do not have the requisite Local Government Authority approvals to begin with. If the Member wants to—

Mrs. Robinson-Regis: Thank you very much. Let me indicate that it is only in some areas that you do need EMA approval. In those areas, the EMA has done their work and they have got those approvals. The Town and Country Planning Division has done their work and there is Town and Country Planning approval.

Additionally, the local government areas have done their work, which feeds into those of the Town and Country Planning Division and those approvals have been given, so your information is incorrect.

Mrs. K. Persad-Bissessar: I thank the Member for contributing and seeking to clarify that, but with the greatest of respect for her, I know for a fact that that is not true. I know for a fact that the San Fernando City Corporation moved because the approvals had not been given. I know down in the Princes Town region—indeed, I was approached as a legal advisor to give legal advice and I declined the brief—they were seeking legal advice on the issue as to how to proceed where the housing construction was not taking place.

Dr. Rowley: How to obstruct.

Mrs. K. Persad-Bissessar: Let us shift the goalpost. The Member said that they were given all the approvals, and I am saying that I know for a fact, and I have given the two facts I know of from my own knowledge. As to the others, I have been informed, and that is why I said that my information is, that they were not given the requisite approvals. What is the point? We are talking about dealing with illegal activities in quarrying, when the Government sets the example from the top to break the law with respect to everything pertaining to the environment and the regulatory frameworks that have been put in place. It is a matter of public record that the Tarouba/"Tsunami" Stadium's requisite approvals were not given when the works began. [*Interruption and crosstalk*]

I am moving to a second issue, Sir, you want me to stay on your houses all day? I am going to a further issue. I agree with the housing and I have dealt with that. I am now going to other Government projects. Again, I am saying that the Government is the number one lawbreaker.

Here is another with respect to the Tarouba Stadium where, again, it is a matter of public record, that the requisite approvals were not given when works began there. Up to today, I do not know if they have completed those, but work is proceeding apace. You would have seen the traffic jams. If you go south anymore, you will see that on the southbound highway, just in front of the development taking place, we have been diverted off the southbound onto the northbound and back again. [*Interruption*] I believe that it is for developmental works; I am sure it would be. Do you want to tell us?

Mr. Manning: A culvert has collapsed.

Mrs. K. Persad-Bissessar: It is for developmental infrastructure works. I was not wrong. Do you know what I would like, through you, Mr. Speaker? I would like the hon. Minister of Works and Transport to tell us. When we are dealing with issues of breaking the law, we must also deal with issues of working within the law. Yesterday and today, I visited the Barrackpore area. That is what I would like him to tell us about, since he is so eager to speak.

The Constitution guarantees—[*Interruption*] No, I would get there. You have to give me one second to introduce the relevance. From the time I mention Barrackpore, is it irrelevant? I am not done. We are talking about enforcement of the law and preventing illegal activity. Whilst we are doing that, we must not use the arms of the law to brutalize our citizens who are peacefully protesting within their rights, under the Constitution. Through you, I would ask the Minister of Works and Transport and the hon. Prime Minister to tell us why it is that today,

when citizens were standing up for their rights, lawfully, a regiment truck with fully-armed “fellas” with machine guns were amongst the people in Barrackpore. They went there and ran into a bus shelter with 20 persons, broke a man's foot and damaged another in his back. Why are we using the armed forces for brute force against the citizens of this country, when they stand up for their rights? Why are they being victimized? I would really like the Minister to answer. Why are you discriminating against the people in Barrackpore and you would not fix their roads? If you want to, you can jump up and I would be very grateful if you would tell us when. He is not anxious to answer matters within his portfolio. *[Interruption]* Very well, I look forward to listening to you. Okay, you do not have to convince me that you will do it.

On the issue of illegal quarrying, what is the issue with the Minerals Act? Why can we not get that in place? This is also most relevant and most related to the issue of illegal quarrying, which is what we are attempting to deal with.

Camini Marajh again—*[Interruption]*

Mr. Williams: Would the Member give way? With respect to the Minerals Act, you asked a question.

Mrs. K. Persad-Bissessar: The Minister would respond. You are no longer the Minister of Energy and Energy Industries.

Mr. Williams: Granted, but I did give the presentation on Friday.

Mr. Speaker: Please, the Member is not giving way, hon. Member for Port of Spain South.

Mrs. K. Persad-Bissessar: You have a Minister of Energy and Energy Industries, let him speak on his matters and you have a Minister substituting, let him speak on his matters—*[Interruption]* I would be delighted because then we would get every single project that we want in Siparia. I welcome you to Siparia any day. Sorry to say it, with due respect to you, the last time you came to the people of Siparia you promised them drainage. We were flooded out in a rainy season like now and we are still flooded out.

Give me one moment of leeway. I crave your indulgence. On Wednesday, I could not leave where I lived to get out for three hours because the area was totally flooded. I had to wait where I was for three hours. I had a meeting to go to in Siparia and I could not leave the house because of the flooding. The promises just never materialized.

Mr. Speaker: I am sure you would be soon relieved of that problem. Do continue.

Mrs. K. Persad-Bissessar: Mr. Speaker, are you, therefore, intending to become the Minister of Works and Transport and you are now making promises about drainage?

Mr. Speaker: Now, you are engaging the Speaker in the debate. I am understanding that you are moving your residence, that is what I am saying.

Hon. Member: To the Prime Minister's house.

Mrs. K. Persad-Bissessar: That move has been happening for six years, as you know, so when it happens, it happens.

Dr. Rafeeq: You would move to the Prime Minister's residence.

Mrs. K. Persad-Bissessar: My colleague is now pointing out that the moving of the residence may well be another residence and not the one you are thinking of at all. It may be one in Port of Spain, in which case we may have to displace the Member for San Fernando East.

Mr. Manning: Perish the thought.

Mrs. K. Persad-Bissessar: Since you are so anxious to come to Siparia, we can exchange places, certainly.

Camini Marajh, in her story in the *Express* of June 26, 2005, revealed the allegations that the illegal quarrying operators had been acting with impunity and they have extorted sums from the regular operators and they were seizing and operating the quarries for their own use. She disclosed that:

“The State's response to a September 2004 *Sunday Express* series on the Muslimeen's role in fostering a burgeoning black market in the quarry sector, when it was finally made public, was long on rhetoric and short on action. The Government's response saw armed troops moving into the Valencia and Toco areas and there was an announcement that interim one-year licences would be issued to 37 operators, among them Muslim leader Yasin Abu Bakr...

The *Sunday Express* series had raised questions about the legality of Bakr's recently resumed mining operations in Valencia, pointing to his one-year lease issued in late 1978 and now expired, and to unpaid royalties of some \$30,000 owed to the State. It was also noted that the licence was issued to an entity that was not legally registered. But the Ministry of Energy...”

That was the then Minister of Energy and Energy Industries, the Member for Port of Spain South.

“in full-page newspaper advertisements, announced its decision to grant provisional licences, which it intended to backdate to July 1, 2004, giving operators nine months to obtain the required environmental certificates and to pay up all outstanding royalties.

On Friday, newly-appointed Director of Minerals, Helenna Innis-King, in a short interview with the *Sunday Express*, admitted that no interim licences were ever issued, not to the former coup leader or to anyone else. She was, however, unable to explain why Government's stated intention was never followed through. ‘You will have to ask someone else that,’ was how she chose to answer.”

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

4.30 p.m. *Sitting suspended.*

5.00 p.m. *Sitting resumed.*

Mrs. K. Persad-Bissessar: Thank you very much, Mr. Speaker. Globally, there is an ever-raging debate on the whole issue of land use for sustainable development. This is important in the context of the Bill that we are debating, because the quarrying operations would have effect, not only within the quarrying industry, in terms of the impact on the environment and on the rest of the land in Trinidad and Tobago. I would ask the hon. Minister in his winding up as well, if he would be good enough to inform as to what would be the criteria and conditions for the granting of licences for quarrying.

The Member for Tabaquite pointed out to me that the trucks that have been quarrying and carrying the materials create a lot of havoc on the roads, in terms of dust; there is the health hazard from dust arising from the transporting of the materials and; secondly, it creates severe problems for the Minister of Works and Transport because road surfaces are also damaged. That gives rise to the various protests that we are seeing, as is happening in Barrackpore at the moment as we speak.

Mr. Imbert: Are you sure?

Mrs. K. Persad-Bissessar: I am very sure that bad roads are the reason. In the granting of the licences, are you setting—*[Interruption]* I am sorry, Sir.

Mr. Speaker: Do you plan to be very long, because your time is almost up?

Mrs. K. Persad-Bissessar: I would go again.

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

Motion made, That the hon. Member's speaking time be extended by 30 minutes. [*Dr. H. Rafeeq*]

Question put and agreed to.

Mrs. K. Persad-Bissessar: Thank you. Mr. Speaker, and I thank Members. I am asking the hon. Minister, through you, to indicate whether there are terms and conditions when licences are granted to legal operators, so as to prevent some of the damage that could be done health wise as well as physical damage to roadways. I am asking whether there are other conditions, in terms of the actual quarrying that takes place. Is it that people can quarry in any manner that they wish to, or do you have, again, terms and conditions under which the quarrying operations should take place? Is it also that you have areas where quarrying would take place and where quarrying should not take place? That last point is very important, in terms of environmental impact, because we have seen, for example, where the denuding of forestry has led to massive flooding in many areas in Trinidad where we have never had flooding before, such as the northern range, where forestry is being cut down for housing or other purposes. We have seen the effects of flooding along the Eastern Main Road. In terms of quarrying, what are the terms and conditions—when you are blasting, digging and removing everything in the earth—for the protection of the environment? Are there any within any of the licences that are granted? These are the legal quarriers, as opposed to the illegal ones.

The debate is global because we have seen, in our own situation and elsewhere, that there is also some news of flood or landslide, particularly going up in the east. There are a lot of landslides. The Member for Toco/Manzanilla would agree with me. I see him nodding his head. When the landslides take place, this creates further work for the Minister of Works and Transport who has informed me that is one of the reasons he is having difficulty repairing the Papourie Road, because of the various landslides along it. He said that it takes a very long time to repair and it is not just the time, but the cost as well. What are the terms and conditions and protections we have, with respect to the environment? We do not save the livelihoods of people who are the poorest in the society and the region.

Mr. Speaker, when we talk about sustainable land use planning, we are sadly lacking in this country. This Government disbanded the National Infrastructure Programme; none of it exists anymore. The Land Development Bill died in stillbirth. It was before several joint select committees. The Land Development Bill has never seen the light of day for all these years, after having gone through joint select committees. Nothing has been done with respect to do that. As we stand, I do not believe that there is any creditable or comprehensive land development formulation within this Government's framework of governance. That is a very vital area that will govern, not only quarrying but in terms of land use as a whole. I ask that the Minister tell us again; I may be ignorant and they have done things, or they have things that they are working on, with respect to land use, land planning, land management and specifically with reference to quarrying in Trinidad and Tobago.

There is one issue I would like to deal with before I close, the issue of state lands. I read paragraph 16 of the affidavit of Mr. Yasin Abu Bakr, where he deposed that the Prime Minister informed him that the remaining portion of lands at Mucurapo would be given to the Jamaat before the election and the hon. Prime Minister stood and denied it. He said that the entire thing in the affidavit is not true. I know the nation will remember when, before the election, the announcement was made that the Jamaat land at Mucurapo would be given and before the election all the Ministers surrounded the Prime Minister in a press conference to pull back on the deal. Whilst I do not accuse the Prime Minister of not speaking the truth, I have great difficulty in believing what he said. He said that all of it in the affidavit is lies, when we know for a fact that this happened; that the deal was struck with respect to the Jamaat lands and all the Ministers surrounded him thereafter to say: "We are not going to be doing it."

Indeed, the Member for Port of Spain North/St. Ann's West, Minister Rahael, was also featured prominently in this affidavit. Mention was made of the fact that they were to meet with Minister Rahael in order to deal with the deed for the giving of the Mucurapo lands. I am sure that Member is also aware of that. I remember the faces and the photograph on national television, when the Minister stood behind the Prime Minister to deal with this issue. Therefore, when the Prime Minister said that the allegations were not true, certainly for that one specific allegation, the national public saw with their own eyes and heard with their own ears the announcement on the deal that was made. It is said when your creditability is attacked on one issue, you deny the thing point-blank and carte blanche and say everything is false, but here it is, we can point to something that

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we actually saw with our own eyes and heard with our own ears. We have seen that what the Prime Minister is saying is not the state of the facts. I saw and heard the statement of the Prime Minister. [*Interruption*]

How did we reach deed? The Member for Diego Martin West should be concerning himself with the materials they have removed and why they have not charged him as yet. We are talking about state lands.

Mr. Imbert: Charge who?

Mrs. K. Persad-Bissessar: Why have they not charged anyone?

Dr. Rowley: They charged Panday though. Panday was in jail.

Mrs. K. Persad-Bissessar: Mr. Speaker, let me speak to you because if we engage with him we will have to ask questions as to why it is the recommendations of the Commission of Enquiry into Landate have not been carried out by that Government.

Dr. Rowley: Panday was convicted though.

Mrs. K. Persad-Bissessar: Mr. Speaker, I have dealt with the issue of creditability and I find the Prime Minister's response to be not creditable when there is at least one specific evidence that we have seen and heard about for ourselves.

Mr. Speaker—[*Interruption and continuous crosstalk*] [*Mrs. Persad-Bissessar sits*]

Mr. Speaker: I interpret the Member to be asking for protection. [*Dr. Rowley stands*] No, no, she is not giving way, she is asking for some protection.

Mrs. K. Persad-Bissessar: I am asking that they stop talking.

Mr. Speaker: Please continue and address me.

Mrs. K. Persad-Bissessar: You will have 75 minutes after to respond. I am not giving way; you have 75 minutes.

Dr. Rowley: I want to apologize.

Mrs. K. Persad-Bissessar: You want to apologize? No, he wants me to give way. I would give way. In two seconds I will be done.

Dr. Rowley: The name of the book is *Pip and the Convict*.

5.15 p.m.

Mr. Speaker, the ill that the Bill attempts to cure; the defect it attempts to cure—as I started, I would end. The purpose of the Bill is to increase these penalties for digging and removing materials from state lands without a licence. This alone, whilst in itself is inoffensive, it will not solve the problem that it attempts to deal with and, therefore, through you, I would like to ask the hon. Minister, in his winding up, to provide us with the information that would give us some kind of assurance that he would be dealing with illegal quarrying in a comprehensive manner.

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

The Minister of Works and Transport (Hon. Colm Imbert): Mr. Speaker, thank you. In listening to the contributions from Members opposite, including the one who is now running away, the Member for Fyzabad, it was extremely difficult to determine, other than the contribution from the Member for Pointe-a-Pierre, exactly what they were trying to say. The Member for Fyzabad carried on for almost 75 minutes, even though some of us did not agree to the extension of time. The Member for Fyzabad carried on and on.

The substance of the contribution of the Member for Fyzabad was that this Bill is oppressive; this Bill is wicked; and we are punishing people. In essence, that is what the Member for Fyzabad said. He said that we are coming to this Parliament to punish people; the Bill is wicked and the Bill is oppressive. Now, that was essentially what he said. He rambled all over the world in his usual way, bringing up—I think the Member for Tunapuna captured it—prisoners, agriculture, and all sorts of different things. Mr. Speaker, I am really sorry that we did not use Standing Order 43(2) properly and deal with the Member for Fyzabad.

Mrs. Persad-Bissessar: You used it.

Hon. C. Imbert: We did not use 43(2); we used it against you. We did not use 43(2) against the Member for Fyzabad. I am sure that if we had, he would have been stopped. Mr. Speaker, the problem that I have is, why would anybody in their right mind oppose or lobby against or object to an increase in penalties for the illegal removal of materials from state lands without a licence?

I was listening to the Member for Siparia, and it was only in the last sentence that the hon. Member said that this Bill is inoffensive, but all before that, in the 60-odd minutes that the Member for Siparia spoke, it was impossible to determine whether she was opposed to the legislation or not. It is clear that the Member for

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Fyzabad is opposed. Why would any Member of Parliament be opposed to an increase in penalties for the illegal removal of material from state lands?

The Member for Fyzabad sought to say that it was Members on this side who gave out lands and so forth to criminals, but it was the UNC that gave away the Tapana quarry while they were in office, and while the Member for Siparia was the Attorney General. [*Desk thumping*]

Dr. Rowley: The Ministry of Works and Transport quarry.

Hon. C. Imbert: The Ministry of Works and Transport quarry and the Ministry of Local Government quarry was given away to members of a criminal group. [*Desk thumping*] They did that while they were in power. They feel that we would forget, but we would not forget these things. They think the population would forget that the UNC administration gave away prime quarry lands; a working quarry; a quarry that was being used by the Ministry of Works and Transport and, yet, the Member for Fyzabad and the Member for Siparia would be so boldfaced to come into this Parliament—pious, mouthing sanctimonious platitudes—and pretend that they have no responsibility with respect to this matter. That was the beginning when they gave away the Ministry of Works and Transport quarry to a criminal group. That was the beginning of the grab for state lands. They are the ones who initiated this entire process. It was they, and it falls to us now to deal with the situation.

What bothers me, as well, is that the Member for Siparia is a learned attorney at law. [*Crosstalk*] The Member spent a large part of her contribution “pooh-poohing” this amendment Bill before the House today, claiming that this is of no consequence; it would achieve nothing; the illegal operators are stealing millions and, therefore, what is a fine of a couple hundred thousand dollars. She said that is no big thing and why are we doing this. This was a substantial part of her contribution.

I am continuously embarrassed by the intellectual bankruptcy on the other side. The Member for Pointe-a-Pierre did not descend to that kind of bacchanalian fantasy. The Member for Pointe-a-Pierre did not roam all over the world and make wild allegations and repeat double hearsay and put it on the record. What the Member for Pointe-a-Pierre did, quite rightly, was to indicate that in addition to clause 25, which is the subject of this legislation, there were some other clauses which need to be addressed, specifically, clause 30 which flows from clause 29.

If the Member for Siparia had taken one minute—Mr. Speaker, do you know what bothers me, all of them come to this Parliament and they do not take one minute to read the legislation, and then they talk rubbish. What I find embarrassing is

that a senior attorney, with the experience of the Member for Siparia, and a former Attorney General, would not even bother to read the law. If you go into the parent Act, you would see that section 29 deals with a person who is the subject of an Order that has been made by a magistrate, with respect to the offence of the illegal digging—well, in this case, it is asphalt. We want to thank the Member for Pointe-a-Pierre for proposing that that be changed to material because really that is the issue; gravel and so forth.

Clause 29 makes it a further offence. If you are the subject of an Order by a magistrate and if you have been found guilty of illegal quarrying, clause 29 makes it a further offence, if you continue to dig and win material, once the matter is before appeal. In fact, the Explanatory Note says no digging of asphalt pending appeal.

What we are doing here today is changing the piddling little fine that now exists which is \$200 and \$400 for the removal of materials and so forth. We are changing that in the legislation; we are changing the \$400 to \$20,000; and we are changing the sum of \$2,000 to \$250,000. That is with respect to clause 25. As I said, we want to thank the Member for Pointe-a-Pierre for her intervention. We are also dealing with the issue with respect to clause 30. What this means is that the current situation which is really a travesty, where a person who has gone into state lands and has been illegally mining gravel is found guilty, convicted and charged \$200 or \$400 as the case may be, laughs at the court; laughs at the system; and laughs at the entire country, and walks out of the court and goes right back on the land and says: “Charge meh again nah.” They would just pay another \$200 or \$400, as the case may be. We are fixing that; we are increasing the penalties considerably; and then we are making the continual offence a penalty as well. If the hon. Member for Siparia had listened to what the Member for Pointe-a-Pierre was proposing, she would have understood what this Parliament is trying to do. What bothers me, and it is so embarrassing, is that a person over there, who has so much alleged education, did not even bother to read the legislation.

Mr. Speaker, there is a situation now where a person would be fined \$120,000 or \$250,000, as the case may be, and be convicted. If they do it again, it is another fine coming at them of \$250,000, a larger one. What I find particularly disappointing, is that the Member for Siparia knows that in the parent Act there is no custodial sentence; it is simply a fine. What we are doing by this legislation is including, for the first time, a custodial sentence. So, we are going to jail them. [*Desk thumping*] That is why I am continuously embarrassed by the contributions of hon. Members opposite.

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This is not an innocuous or a piddling little amendment here; this is a very serious chance to improve and upgrade existing legislation. [*Desk thumping*] We are moving from a situation where an illegal operator would be charged \$200, and would go back out and come back and would be fined another \$200, and so it goes, and maybe in the space of two years, he may be charged a total of \$1,000 and, in the meantime, he is making millions of dollars. We are moving from that situation where it is now going to be \$100,000, then \$250,000 and then jail. So this is very fundamental reformist legislation. I am embarrassed for the Member for Siparia because she could not see that we are moving from a simple fine to a larger fine for a repeat offender plus a custodial sentence. This would most certainly deal with the problem.

When those people realize that the first lash is \$100,000, the second lash is \$250,000 and two years jail, I doubt that you are going to see that kind of wilful disregard for the law that we saw in this country over the last couple years or so. You are not going to see that again, because jail is not nice. [*Interruption*] I am reminded that I should enquire of hon. Members opposite whether they are aware what jail is. I am reminded that I should do that.

Mrs. Persad-Bissessar: Ask Franklin Khan and Eric Williams.

Hon. C. Imbert: They have not been convicted; they are not convicted felons; and they do not have a criminal record. You see, the other thing that bothers me is that the Member for Siparia had the audacity to talk about money laundering, income tax evasion and why is the Government not dealing with that matter and so forth. I wonder what world the Member for Siparia is living in?

Presently, there are Members of her party who have been indicted by the Government of the United States of America on charges of money laundering. [*Desk thumping*] The hon. Member knows that; high-ranking Members of the UNC have been indicted by the Federal Government in the United States of America, subject to an extradition request for money laundering. That is what has already happened in this country, arising out of the construction of that infamous airport. They would want us to forget these things. They do not want us to talk about these things. Why did you bring up this money laundering matter? Why did you bring it up? You said that nobody has been charged for money laundering. People have been charged! Your people! I just find the whole thing is entirely ironic. I mean, who in their right mind would oppose this legislation.

Mr. Hinds: The Member for Siparia.

Hon. C. Imbert: The Member for Fyzabad. Who in their right mind would say that this is a waste of the Parliament's time, which is what I heard coming out of the mouth of the Member for Fyzabad. Who in their right mind would say that this Bill is oppressive and is designed to punish people and what would the people who are tuning in to Channel 11 think when they see that we, Parliamentarians, are enacting legislation designed to punish people? That is what he said. I took notes. That is what I have to listen to in this Parliament. That is why you have lawlessness. When you have a Member of Parliament advocating lawlessness that we should not reform the law; we should not increase penalties for theft—. He said that. He said that we should not be here; we should not be debating this legislation; this legislation is a waste of time; and it would be punishing people. The only thing he did not say is that it would be punishing poor people. He could not say that because it is some very rich people that this amendment is intended to address.

I expect that when we get to the committee stage—when the hon. Member for Siparia reads the list of amendments, the amendments proposed by the Member for Pointe-a-Pierre to deal with the repeat offender are also being incorporated. This list was circulated. Everybody has a copy. That was circulated before the tea break. Everybody has a copy. When you read the amendments then, perhaps, you would understand, for the first time, what we are about in this Parliament today.

There were some other issues that were brought up by the Member for Siparia. The Member for Siparia quoted verbatim from an affidavit that was laid in a court in Trinidad and Tobago, and pretended not to be commenting on the allegations therein. I took notes where the Member for Siparia was saying that she is not commenting on the matter; she was simply reciting it. Then I heard—in the last section of the Member for Siparia's contribution—with my own ears; I saw it with my own eyes—the deal was struck and waiving the affidavit and so forth. I saw it; evidence. So, is that not commenting on the allegation in the affidavit?

Mrs. Persad-Bissessar: Would the hon. Member give way?

Hon. C. Imbert: No, I am not giving way. Mr. Speaker, both of us cannot be on our feet.

Mrs. Persad-Bissessar: Mr. Speaker, I would quote for you the Standing Order. I did not want to go there.

Hon. C. Imbert: What is the point?

Mrs. Persad-Bissessar: Standing Order 33(4).

Mr. Speaker: Standing Order 33(4) says:

“A Member who has spoken on a question may again be heard to offer explanations of some material part of his speech which he, alleges has been misquoted or misrepresented, but he shall not introduce new matter.”

I think that is what the Member is—

Mrs. Persad-Bissessar: I thank you very much, Mr. Speaker. The Standing Order allows me then to deal with being misquoted or misrepresented, and I cannot introduce new matter. Could you be kind enough to tell me how long I can go?

Mr. Speaker: I think all you need to do is to just indicate where in the Member’s contribution he misquoted you or misrepresented you.

Mrs. Persad-Bissessar: Well, it is to offer an explanation of part of his speech alleging where I have been misquoted. I thank you for your guidance. This, indeed, is a new Standing Order. This is a new one that we have invoked, for the first time, I believe. The Member for Diego Martin East really has that tendency for misquoting. The part of it is where he alleges that, in my contribution I commented on the affidavit. He gave the example of the done deal and struck deal. Mr. Speaker, that was in response to the Prime Minister’s statement. It was not a comment on the affidavit.

Hon. C. Imbert: Mr. Speaker, really the Member for Siparia had the affidavit in her hands. She read it and then she said she saw it with her own eyes, heard it with her own ears, and the deal was struck. As far as I am concerned, you were commenting on the affidavit, okay. Mr. Speaker, she could put it on a plate with peas and rice; the hon. Member could put it with ice cream but, as far as I am concerned, the hon. Member was commenting on the validity or the veracity of the matters contained in the affidavit. The hon. Member could put that in her pipe and smoke it. So, as far as I am concerned, that is what the hon. Member was doing. So, let us move on now, Mr. Speaker. That is precisely what the hon. Member was doing, as far as I am concerned.

I had a very interesting experience today. I had a conversation, and this is in respect of a matter raised by the Member for Siparia, in the context of trucks going in to quarries—you could stop me when I am misrepresenting you—and destroying roads, such as the roads in Barrackpore. Mr. Speaker, the Member had the audacity to refer to the protest action where people were burning objects; where they were throwing things in the road; and where they were in a confrontation with the police and so forth.

Mr. Speaker, I looked on the television; I looked in the newspapers and I saw a mass demonstration with burning objects in the road. I saw people preventing cars from going to and fro; I saw people beating drums; I saw things mobilized—they were beating iron; they were beating drums and carrying on and getting on, and the Member for Siparia was telling me that was a peaceful protest. Since when burning trucks and tyres in the road is a peaceful protest! What form of peaceful protest action is that? That is a peaceful fire! Is that what it is? That fire that I saw burning in the road, was it a peaceful fire? Well, I would hate to see a violent fire. I would hate to see it.

Mr. Speaker, be that as it may, that was an organized and orchestrated and planned protest in Barrackpore. You are not fooling anybody. Last night, I saw people on the television dancing in a choreographed movement, a whole line of them, and they were going like this—[Member demonstrates movement]—dancing in a choreographed movement. They were beating tassa; they were beating iron; and while that was going on another person was throwing gasoline and burning something and you are trying to tell me that was not a planned orchestrated breach of the law? It was planned by Members opposite. It was organized by the Members opposite.

You know, what is interesting is that I am having great difficulty in trying to establish who I need to relate to when dealing with issues relating to the people of Barrackpore. Yesterday, I was talking to the MP for Naparima who, as far as I know, is the MP for the major part of the area where the protest was taking place. So, yesterday, I was in communication with my fellow MP from Naparima. We are all colleagues in this House, and the MP for Naparima called me and asked me to give him some indication as to what can be done to deal with the particular problem that he is experiencing in the Barrackpore area. I told the MP that I would continue further investigations into what can be done and I would talk to him today during this sitting.

Mr. Speaker, before I came to this House, I got a call from somebody and when I picked up the phone I heard: “This is Winston”. I said, Winston, who? And the person said; “Winston Dookeran”. So, I said, okay, this is an MP, a senior MP, so I said: “What can I do for you, Mr. Dookeran?” He said that he is calling me about the problem in Barrackpore. So I asked him in what capacity. I told him that I have been talking with the MP for Naparima, so in what capacity. “Are you the MP?” He said: “Well, I have people in that area too, and you have to talk to me.” [Laughter] I mean, this thing is very interesting, Mr. Speaker.

So, Mr. Dookeran, the hon. Member for St. Augustine tells me, “Well, I have people too. I have community leaders and so on in the Barrackpore area and I want you to talk to them.” I said, “Okay, Mr. Dookeran”, because I am getting confused now. The MP for Naparima talks to me, and I am dealing with him as an MP; and then the MP for St. Augustine calls me to talk about Barrackpore and, I said, all right, out of courtesy, I would talk to him too. Then today the MP for Siparia comes and says that she wants to talk to me about Barrackpore. So, I told the hon. Member for Siparia that she is the third UNC leader for the day that has raised this matter with me. It is all becoming very confusing. *[Interruption]* Should I speak to Mr. Nizam Baksh, the MP for Naparima? Should I speak to Mrs. Persad-Bissessar, the MP for Siparia? Should I speak to Mr. Dookeran, the leader from the back of the UNC? I do not know who to talk to. But since they are all confused, and each one of them told me not to talk to the other one and talk to the him or her.

Mrs. Persad-Bissessar: Mr. Speaker, Standing Order 33(4). That is total lie. Indeed, I am the Member for Siparia. He said that he told me that.

Mr. Speaker: Hon. Member, you have to take your seat when I am standing. Again, the Member has raised 33(4) which say that you are either misquoting her or misrepresenting her.

Hon. C. Imbert: Mr. Speaker, I know the hon. Members opposite are jumpy, but at no time in the contribution of the Member for Siparia was there any reference whatsoever to this discussion that I am now reporting to the honourable House. So, I do not see how the hon. Member can use 33(4) indicating that I have misquoted her, when she never spoke at all on the matter. But, be that as it may, you cannot use the Standing Orders for that. I am sorry. Go and read the Standing Orders.

Mr. Speaker, the fact of the matter is that under the six years of the UNC administration, nothing was done for the people of Barrackpore. Nothing! In their heartland, during the 1995 to 2001 period, nothing was done to deal with Papourie Road; nothing was done to deal with Rochard-Douglas Road; nothing was done on Rochard Road; nothing was done on New Colonial Road—not one piece of stone, not a drum of asphalt and not a block of cement was put on any of those roads. Not a drain was cleared; not a culvert was built, because the hon. Members opposite took their heartland for granted, and they had other interests. They were not interested in fixing Papourie Road, and that is why I have to come and fix it now. They did not come and fix it. They were in power for six years and they did nothing for the people of Barrackpore; absolutely nothing. They did not do

anything to Rochard-Douglas Road, so the PNM has to fix Rochard-Douglas Road, and we will; they did nothing with respect to the flooding in Barrackpore. For six years there was no action on the part of the UNC to deal with the flooding issues in the Barrackpore area. They did nothing and it is now incumbent on the PNM administration to deal with those infrastructure problems in that area, and we will.

Mr. Speaker, because the infrastructure in the Barrackpore area was neglected under the six years of the UNC; because they took their people for granted; because they had other interests, such as building a \$1,600 million airport that should have cost \$400 million, the Ministers who should have been fixing the road in the Papouri area, they did not “business” with that, they were interested in inflating the cost of the airport by 400 per cent. That was their interest. The foundation of those roads was never addressed; the roadside drainage was never addressed; the landslips along those roads were never dealt with; and now it is incumbent on this PNM administration to deal with these issues, and we will.

I have already given an undertaking to the Member for Naparima that the first road that we are going to deal with would be Papouri Road. I am not blaming the Member for Naparima. I am not blaming him at all, because he came into this Parliament in 2001.

Mr. Narine: He was a Senator.

Hon. C. Imbert: He was not an MP; he was not a Cabinet Minister. He may have acted as a Minister on one or two days. He was not the representative. *[Interruption]* Ralph Maraj was victimized by you. That is why he had to walk out of your party; because of the corruption. That is why he walked out of your party; because of corruption.

Mr. Speaker, I have given the Member for Naparima an assurance, and I am repeating it in this Parliament here today that I, my Government, the PNM administration, headed by the Member for San Fernando East, will now fix all of the things in the Barrackpore area that the UNC did not do in the six years that they were in government. That is what we intend to do. Because of the neglect of the UNC for the six years that they were in power, the work that we have to do on those roads is substantial.

I have already informed the MP for Naparima that the cost of rehabilitating Papourie Road, which means virtually starting from scratch, because they did nothing, is going to be over \$20 million. That one road has no foundation; it has no drainage; and it has a number of landslips on it. To rehabilitate the whole of Papourie Road is going to cost in excess of \$20 million, because of the wanton neglect of the UNC administration when they were in power.

Mr. Speaker, one would have thought that they and others like them—their predecessors who have spent years in this Parliament talking about the victimization of the PNM—when they had an opportunity when they were in power, what did they do? One would have thought that having gotten into the corridors of power in 1995, the first thing that they would have done was to deal with the infrastructure needs of their constituents, but they did nothing.

The Member for Chaguanas told me privately that the work that the Drainage Division of the Ministry of Works and Transport is doing for this year 2006, is considerably more than anything that was ever done under his administration. He has told me that in his private moments. I believe that when he tells me these things that he is sincere. That is why there has not been a heavy incidence of flooding in the general Chaguanas area for this year 2006.

Hon. Member: For the last three years.

Hon. C. Imbert: You see, he is confirming what I am saying. That is why there has not been a significant incidence of flooding in the Chaguanas area over the last two or three years, because of what the PNM has done, in terms of clearing rivers; in terms of dredging; in terms of rehabilitating watercourses and so forth in the Chaguanas area. It is the PNM that did it. *[Interruption]* You made a request and we facilitated your request. It is we who did it. When your government was in power they did nothing. When your government was in power, for the first time in 30 years, the Chaguanas Main Road flooded. I saw that. There was three feet of water on the Chaguanas Main Road when the UNC was in government.

Mr. Speaker: Hon. Minister, I think you have spent enough time on that matter, perhaps you could come back to the Bill now.

Hon. C. Imbert: Mr. Speaker, we would deal with the concerns of the people of Barrackpore, as articulated by the Member of Parliament, the hon. Nizam Baksh. I shall not be dealing with anybody else. I shall be dealing with the duly elected Member, and those parts of the particular road in that area. I understand there are one or two roads where there is a boundary between Naparima and Siparia. There is also a boundary with Mayaro and the Naparima constituency, and I would be dealing with the duly elected representatives for Siparia and Naparima. I would love to get involved in the UNC “kanh-kanh”. I would love to facilitate Mr. Dookeran, just to create bacchanal and mischief, but I respect the representation of the people. I would be dealing with the Member for Naparima and the Member for Siparia. *[Desk thumping]* I would also keep the Member for St. Augustine fully briefed on what is going on so that he could also speak to his people in the Barrackpore area. I mean, come on, we are all colleagues here.

So, coming back to the Bill, when the Member for Tunapuna was talking, I noticed the hon. Members opposite were upset at the erudite contribution from the hon. Member for Tunapuna. [*Desk thumping*] I want to congratulate him on his erudition and his articulation of the issues, where he pinpointed the environmental effects of illegal quarrying. For the benefit of the Member for Siparia, if the Member for Siparia had even bothered to read the title of the legislation that is before the House which is: “An Act to amend the State Lands Act, Chap. 57:01, to increase the penalties for digging or removing materials on or from state lands without a licence”.

Mr. Speaker, clearly, there are a number of different reasons why the Government would want to increase these penalties. Contrary to the myopic and narrow-minded view presented in this Parliament by the hon. Member for Siparia, the contribution from the Member for Tunapuna struck at the core of some of the reasons why the Government is increasing the penalties. The Government is not increasing the penalties simply because persons are profiting from the illegal sale of aggregate. That is one reason, and it is true.

There are persons who have made themselves millionaires in a very short space of time, because they are illegally mining gravel and, therefore, they are quite contented to pay the piddling little fines of \$200 and \$400. It is true that one of the reasons why this legislation is being amended is to deal with that problem, but with respect to the other problem, the answers are contained in the title of the Bill. This is the question of digging or removing materials on or from state lands without a licence. The other problem with these illegal operators is the fact that they are destroying the environment. Because they do not have a licence, they are not required to keep a siltation track; they are not required to keep a settling pond; they are not required to restore the land to its original condition; and they are not required to replant areas where forest cover has been removed and so forth. That is the other fundamental aspect for increasing the penalties.

Quite apart from dealing with the illegal operators, the legislation is also aimed at controlling persons who do quarrying, and who destroy the environment without any regard for any environmental conditions whatsoever. And, therefore, Mr. Hart was dead on target when he talked about the adverse environmental effects of quarrying in the Maracas area and so forth and, hence, another reason why we have to increase these penalties. We have to stop these people before they destroy the environment.

Mr. Speaker, unlike the Member for Fyzabad, I think that what we are doing in this Parliament today is very important. Obviously, this is also the view of the

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Member for Pointe-a-Pierre. What we are doing today is very important. We are striking back at the criminals today with this legislation; we are striking back at persons who are raping our hillsides and destroying our environment and simply stealing the people's money. We are striking back at them. We are putting in meaningful amendments to the legislation—giving the legislation teeth and giving the authorities the power—to deal with these criminal elements. Therefore, I fully endorse this legislation. I commend it to this House. I ask that hon. Members opposite, who may wish to speak too, at least, take two minutes and read the Bill, so that they would understand what we are about here today.

I thank you. [*Desk thumping*]

Mr. Manohar Ramsaran (*Chaguanas*): Mr. Speaker, I enter this debate because I just want to respond to a few things that the Member for Diego Martin East alluded to. I would like to bring a matter to the attention of this honourable House and, especially, the Member for Arouca North.

In the constituency of Chaguanas, lands along the Southern Main Road, which were cane lands; good highland, if you want to call it that, were given to private contractors; private persons to plant rice. They excavated the lands. I understand that hundreds of loads of dirt and top soil were removed, because in order to plant rice you have to lower the land. Mr. Speaker, they did this without considering the environmental impact this would have in the area. The people from Bejucal and Caroni Villages came to me and complained. I decided to bring this matter up today, because really we are hearing things being said on that side that they care about people but, in fact, they do not.

Mr. Speaker, if you know about agriculture, you would know that planting rice is different from sugarcane fields, because when the rice is about to be reaped there would be rodents and animals coming in.

Dr. Rowley: Mr. Speaker, I rise on a point of order, Standing Order 43(1) and 43(2). [*Interruption*]

Mr. Speaker: I have allowed the Member a little leeway, hoping that he would develop, but do not dwell on that. I have given you a little leeway, hoping that you would come to the point. We are not dealing with rice and that sort of thing, but come back to the Bill. The Member does have a point. I agree with the Member, but I have given you a little leeway, so come back to the Bill.

Mr. M. Ramsaran: Mr. Speaker, you know, sometimes if you follow what is taking place, I took my time to introduce the topic. I said we have state lands

and these lands belong to Caroni (1975) Limited, and they have been transferred to the State; dirt is being removed from the land which, as far as I am concerned, is material. I could not be more relevant to the Bill.

Mr. Speaker: We are not talking about state lands in general. We are talking about state lands to increase the penalties for digging or removing materials on or from state lands without a licence. Now, if you are telling me they have no licence well, that is something else. Maybe I thought there is where you were going. *[Interruption]*

Dr. Rowley: Mr. Speaker, the Member started off by saying that these persons were put there by the Government and, therefore, they cannot be there illegally and, therefore, it is irrelevant and improper.

Mr. Singh: He said to plant rice, not to—

Mr. Speaker: Order, please. I would allow the Member to continue with his contribution.

Mr. M. Ramsaran: Thank you, Mr. Speaker. Let me say categorically that I was elected by the people of Chaguanas to come here, and to mind the people's business. *[Desk thumping]* When people are being abused by this Government, I have to talk. We have people going in there and taking out tonnes of dirt and creating a problem, I am sure, without a licence. I am not giving way.

[Mr. Narine stands]

Mr. Narine: That is Caroni (1975) Limited rice land.

Dr. Rowley: Mr. Speaker, I am asking you for a ruling.

Mr. Speaker: I have already ruled and I have given the Member a little leeway. So, I am ruling you out of order. Please, continue. *[Desk thumping]*

Mr. M. Ramsaran: Thank you very much, Mr. Speaker. I would not have gotten on my legs, but the last two lines that the Member for Diego Martin East talked about—protecting the environment—I believe, that is a strong statement, and I have to respond to it. What has happened now is that people have lived their lives. They are agriculturalists in the main; they have done their work; and the place is irrigated and so forth. Irrigation was put in there since 1954, and these people provided for themselves.

Mr. Speaker, what has happened to this little village is by digging and removing materials from state land without a licence—I am not talking about those that were existing before; I am talking about new rice land just opposite

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Bejucal Village. Mr. Speaker, do you know what is happening now? There is water, at least, three to four feet in the land now and the grass is rotting, and the entire area smells foul. I was brought into the village because of that. I am now in this Parliament to defend the rights of my constituents, and this is the response. If you do not care about your constituents, I do. The fact is that they are very angry about this. I told them to write to the relevant Minister.

Dr. Rowley: You are misleading the Parliament.

Mr. M. Ramsaran: I want to know. Rather than quarrel, you should tell us what you are going to do. Are you going to deal with the issue? I am worried about this. They are doing things in this country willy-nilly.

Mr. Speaker, today, we are debating this Bill, and this is something that bothers all of us, and that is the illegal removal of materials from state lands without permission. This is something that always worries me. Now, it is happening in my constituency. Dirt is also very important; topsoil is also very important; and they go for a very attractive price. Mr. Speaker, I am sure that you would have bought topsoil at some time in your life. This is really something that is disturbing. When we come to this Parliament, we cannot get correct answers.

I invited the Member for Arouca North to tour the constituency, and to look at this particular problem, and there was no response. The people are suffering. Now, do we have to wait for five years to get amendments to the law to deal with this problem? Mr. Speaker, that just would not hold.

Mr. Speaker, to respond to the Member for Diego Martin East, recently, there was a problem on the Solomon Hochoy Highway where three or four cars plunged into this gaping hole. Mr. Speaker, who is the MP for the highway? If a person is driving and that person reports to the Minister, should the Minister ask that person if he is the Member of Parliament for that area, in order to deal with the matter? I do not understand it. Many times I make representation for people outside of my constituency. The Member for Caroni Central would tell you that when there was flooding in Chaguanas, we came together. We did not care whose constituency it was. We worked together to end the flooding. This is what it is about. So when I come to this Parliament, and I listen to the Member for Diego Martin East—I know the leader of the UNC is in Barrackpore today. I know he is there.

Dr. Rowley: Who is the leader?

Mr. M. Ramsaran: If the leader calls the Minister, what is wrong with that? If we are driving on the road and Siparia is on the right and Naparima is on the

left, do we have to ask for permission to call the relevant Minister? *[Interruption]* I am confused about that attitude. We must end that. *[Interruption]* *[Crosstalk]*

Mr. Speaker: Again, I also have to protect the Hansard reporter in this House. If Members continue to crosstalk it would not help any of us. So, please, could you address me?

Mr. M. Ramsaran: Mr. Speaker, my colleague, the Member for Naparima, and I have always had a very good relationship, and for the Member for Diego Martin East to mislead this House, I must stand. All those roads were paved under the UNC administration. *[Desk thumping]* All! I visit there regularly, because I have friends there, but because of the nature of the soil—it is in a lagoon area—and because of the water undermining the road, it would cause the softening of the road and potholes and so forth. We know that. You do not have to be a geologist to know that.

Mr. Speaker, when the Member for Diego Martin Central misquotes people—he did that to me last week. I have the *Hansard*. He said that I said that there were 400 persons hiding in the hills; misleading the House. My *Hansard* is here. No such statement was made by me about 400 persons hiding in the hills to vote. My *Hansard* is here. He came and misled the House. The *Hansard* is here. I could bring it for you. Mr. Speaker, the point is that whenever you get up and you have the television on and you want to make political mileage, please, let us stick to the truth. I am one who likes to do that. Let us stick to the truth and make things happen.

Mr. Speaker, I will support this Bill. I have no problem with this Bill, especially where it is protecting the State's resources; and ensuring the environment is being protected. Again, I have one question. Who is going to police this?

Mr. Singh: That is the point I was making.

Mr. M. Ramsaran: Who is going to police this? Which police?

Hon. Members: The Jamaat.

Mr. M. Ramsaran: Who is going to protect it? Who is going to make sure it happens? How long is it going to take for this Bill to be proclaimed? These are the questions I want to ask. Coming here and “ramajaying” and carrying on is not the answer. We have Ministers who do nothing. The Member for Arouca North does absolutely nothing. The agricultural sector in this country is dead; completely dead and, yet, we have people talking about rice. I want to know what contribution rice on a half of an acre of land would make. I am convinced that

something is amiss. He is going to stand and tell you that the owner of the rice company is a PNM party group person and call the name, as he did the last time. Mr. Speaker, do you understand? That is what it is about.

Dr. Rowley: That is bothering you.

Mr. M. Ramsaran: Yes, it bothers me. So, who is going to police this? When these laws are put in place, could somebody on that side tell me or guarantee me that this would be policed? Who is going to look at this? Our police officers are stretched to the limit, because they have to deal with the crime situation in this country, and this is an added responsibility. Are arrangements being made? This is now an important piece of legislation where fines are extremely high, and, now you are showing interest to protect, but who is going to do it?

Last night, I heard on the news that people go to the quarry and spend nights waiting for their trucks to be filled, and there is no security. People are walking with \$4,000 to buy a load of material—and maybe people have licences to sell—and they have to wait for the entire night. There is chaos at the national quarries and, yet, we come to this House and get on as if everything is okay. It is not! What are we doing? We are putting huge fines to deal with these people who must produce for us.

I want to tell you and, maybe, people do not appreciate it, but the Minister of Housing is deaf to people's pleas in this country. As a private owner, you cannot build a house now. Young civil servants who are university graduates and who are married—two professionals—cannot think about building a house, because it is impossible. They must have \$500,000 and more. Where are they going to get this money from? If you go to the quarry now, it is \$1,000 for a load of gravel. Everything is out of control and we come to this House and “gallery” as if everything is okay. Mr. Speaker, I have a problem with that.

Whenever I get up to talk in this Parliament, I always say to put things right, and then we would follow. Do not come here every time and do a piecemeal here and a piecemeal there, as if you are fooling somebody. We must understand that.

When my friend, the Member for Diego Martin East, gets up from time to time, he misquotes people. He says that the PNM is the greatest thing since UNC, to make them feel good, and there is where they are misleading the nation. They are not facing the reality. Mr. Speaker, if I had a list of materials that are required to build a house here—this is what we are debating, this is what this is about; to protect the State's resources for our people—you would understand what is taking place—the price of bricks; the price of gravel; the price of sand; the price of

labour; and the heating of the economy. They sit there as if everything is all right, and they try to catch the people looking at Channel 11. I am not for that. We are for the people of this country, and the quicker you learn that it would be better for all of us.

Mr. Speaker, I want to tell you that I cooperate with the Government. I would write letters to the various Ministers; I would ask questions about the safety of the conduct of the Government toward our people; and they treat us with disdain. I have asked about 15 questions in Parliament so far for this term, and only two questions were answered, and the rest have disappeared. What is this Government doing? I am responding to the Member for Diego Martin East, where everything is hunky-dory and everything is all right.

Mr. Speaker, have you ever heard—I am asking this question for the entire country and maybe the entire world—of a government going on leave? That is the excuse we get here. The Government went on leave! I never heard that before. Even when general elections are called, Government Ministers remain in office. I have never heard of a government going on leave and we in this House accept that and grin. They grinned when the Member for Diego Martin Central said that they were on leave. The Member for Diego Martin Central talked for 30 minutes about his Government's contribution.

I want to say it publicly that when I wrote the Minister of Works and Transport, he responded. We work together and we talk. It does not happen just so. The Minister of Works and Transport cannot sit in his office and dream about a problem in Chaguanas. We have to bring it here. That is why there is a government; that is why we have MPs, councillors and leaders; to bring the people's business to the attention of the Minister. I am sure the Minister does not know what is happening in every constituency in Trinidad and Tobago. Maybe his colleagues do not tell him, but I would tell him and I would also offer solutions. I would not just write and say that there is a problem, but I would offer solution and he could tell you that. So, when we work together, it is not for the Minister to boast to the country and say that he has done it; because it was done in collaboration with the Members of Parliament, and I could say the same thing for my friend, the Member for Caroni East.

Mr. Speaker, for the first time in years, because we have worked together and we have written the Minister and so forth, there is no flooding in these two constituencies as before. I want to say thanks to the Minister for responding to us. Maybe, the Member does not know, but his ministry responded to us, and things are okay. I want to make the point that you must not come here and claim credit.

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We have to share the responsibility, because whenever there is blame—Mr. Speaker, look at the irony. We worked together and we have so far solved the flooding problem; no credit for us, but he is blaming the UNC for not fixing Papourie Road. Do you understand the conflict of his brain?

Mr. Imbert: It is true.

Mr. M. Ramsaran: If the MPs did not ask him to fix the road, he would then blame them, but when MPs ask for something to be done, he claims all the credit. No! We have intelligent persons out there. People believe that this country is made up of fools, but I want to differ. We have an intelligent nation. We have people who discriminate between good and evil and it would continue. We would have more and more educated people in this country, and they would see what is taking place, and who would follow what is good, and destroy what is bad.

The Member for Tunapuna talked about something, and that has really bothered me for years. I appreciated what he said. We are having a little something on Sunday and we have also received the same treatment. I do not want to go there.

I want to congratulate the Member for Tunapuna. [*Interruption*] Why do you not bark at other people? Why are you barking at me?

Mr. Speaker: Speak to me.

Mr. M. Ramsaran: I was doing that all the time. I have good ears and I listen. Mr. Speaker, I want to congratulate the Member for Tunapuna. There are certain things, even when things happen to us in our own party, we would want to bring them forward and we cannot, because of the nature of the politics, this Westminster style, and so forth. The Member talked his mind and maybe in doing it, he did not realize that he also attacked his own Government because, as he said, both governments were guilty of hiring the Muslimeen to work for them for the elections. Both parties!

6.15 p.m.

Then when they become out of control they are now trying to control them. In fairness to everybody in this Parliament, both sides attacked the use of the Muslimeen, but nobody did anything. Today, because the Government in office has fallen out with the dissidents they come to the Parliament to make these laws. Is it too late? Who in Trinidad and Tobago would now go and guard the quarries? I want to ask that question. Which police officer are you going to get to do that, because simple crimes in our communities are not being handled? So when people come to say that you have to go to your quarries with permission—

Mr. Speaker: I think the Member for Diego Martin West is threatening to raise a point of order which talks about tedious repetition, and you are, in fact, repeating yourself—well not repeating yourself so much, but repeating the contributions of Members before you.

Mr. M. Ramsaran: I was out of the Parliament today, so you have to forgive me for that. The fact is we are here dealing with a serious Bill. Mr. Speaker, you know how serious this is. Sometimes we in our own comfort would not understand the perils that people have to go through and the quarrying in this country has been one of such. I receive numerous complaints about people being abused in the quarries and I am sure other Members would have received that. When you go there, there are people with guns and so on; dressed in a certain way, in a religious garb, controlling the nation's quarries. We have to talk about it, you know, removing materials from state lands without permission or licence. Then of course, the debate was opened up by my friend from Diego Martin East who loves to do it; he believes that nobody else would speak on this side, because maybe they did not indicate that. We have to put everything in its proper perspective. You cannot come here and blow hot air and cold air.

My friend from Fyzabad talked about housing, but of course, it was early in the debate so he was pulled up. Now that the debate is opened up, I come to this Parliament—this is one thing that bothers me—in front of you, make requests, do certain things for the constituents of Chaguanas and the wider community and promises are made here dealing with state lands and years will pass and nothing would happen.

I am speaking of the people from Frederick Settlement who border the rice fields in Caroni. They are the ones who complain about the rodents I spoke about, because Mr. Speaker, you understand the rice business. When the rice starts to ripen they are attacked by various rodents and what they would do is invade the neighbouring villages. Up to now, in this Parliament, the hon. Member for Diego Martin West who is shouting so much this evening promised this Parliament—it is in *Hansard*—more than once, once the Member for Diego Martin Central read his answer, that he is going to deal with the issue of land ownership in that village since 2003. We are in 2006, that Minister has not done a single thing, and he comes here in this Parliament and boasts as if everything is okay. The people out there are understanding what is taking place and the same thing from my friend from Tabaquite, Williamsville, Kurma Village. The lands were approved since 2000 and up to today, because of the attitude of the Member for Diego Martin West, nothing has happened.

They come to this Parliament and try to preach that everything is okay—and every time I get up here I have to talk about it. I might repeat but I have to because these people do not listen. You might repeat something six times and they still do not understand. There are few Members on that side who understand but a few of them are so arrogant, as if they are God's gift to Trinidad and Tobago, and they would do nothing.

I thought I would get up to represent my constituents and I want an answer from the Minister that the state lands that are being raped because the soil is being moved. I am sure that those who grew up in the agricultural sector would know that rice land is different from sugar cane lands. This is a very serious matter and if you value the dirt that was moved, it is thousands of dollars—and I cannot see how that is connected to the rice industry. I cannot see selling material is connected to the rice industry. I cannot understand it and maybe something is happening that I do not know about. I would continue to investigate because half of my constituency is state lands. The entire swamp is state lands. The Caroni Swamp makes up more than one-third of my constituency plus sugar cane land and so forth.

Once there is a question of state lands, I am interested. I want to tell you that nothing positive has been done with the state lands in the constituency. When I hear this foolishness from the Members opposite I must stand to defend the rights of my constituents. I am asking that let us not politicize the matter; let us not hear Arouca North talk about party group and who has been given all—I cannot understand.

Dr. Rowley: Rambachan take your seat already.

Mr. M. Ramsaran: That is okay, my seat is here. I want to tell you that party politics and a party group should not be given priority over hundreds of other people who are bona fide agricultural workers in the constituency. I want to get this in your heads and understand it: party politics is not enough.

I want to just support my colleague's intervention that these amendments be made in her name because I think when you are talking about state lands you just cannot talk about one particular thing, because if it was not opened up to remove materials I could not have spoken this evening. I am talking to you but apparently some people do not understand the seriousness of the problem. It is a serious problem and if the Government does not intervene, maybe something else would have to be done, in digging up good lands on which houses could have been built, on which many other things could have been done; encourage the dry agriculture, instead you do this.

Mr. Speaker, while I am on my legs and it is the Minister of Agriculture, Land and Marine Resources Bill so to speak, I want to again make one final plea. I have been in this House many times and quite frankly I am losing faith. Questions have been on the Order Paper asking relevant questions about my constituency and other constituencies. I ask questions in Fyzabad because I do not believe that a person would know everything and if something comes to our attention we have to talk about it.

I want to tell you this evening, hon. Member, that you answered the question about the roads and so on, but three out of 10 cannot work. People are suffering; people need the assistance; our price of food is skyrocketing. You know, one thing with the Member for Arouca North, he should be living in 1950s. Every time we talk about something today he is going back four or five years. Are you something from the past? We have problems now to deal with. Forget the past; forget yesterday; deal with it today. This is why we have to come to the Parliament.

I mentioned earlier that I am losing faith in this Parliament and one of these days I could come and make a substantial motion to show that. I would ask questions; I would come on the adjournment of the House. Am I wasting my time in asking for things and maybe when the debate is finished they forget us? You are the Speaker and should maybe follow that and say what is happening. Why are we, for the fifth week in a row, coming here with questions on the Order Paper and one answered out of three?

Mr. Speaker: Hon. Member, I do not think we are dealing with that under this Bill, so get back to the Bill, please.

Mr. M. Ramsaran: Yes, Mr. Speaker, I was winding up. The State Lands (Amdt.) Bill before us is but a serious Bill. I said it a couple of times and just to finally repeat that. I want to be assured that it is properly policed and before that it is quickly proclaimed because—again, if I say it would sound like I am bashing somebody—proclamation is something we are not seeing from this Government. I do not know if OSHA is yet proclaimed; many important Bills. The Police Bills that the Government was so urgently waiting on to stop crime in this country, where have they gone. Nothing happened. I want this one now to be proclaimed so as to protect the future of this country. As it is already—*[Interruption]* I have about 20 more minutes—we find that the cost of housing has gone out of control and I am pleading for the poor people in this country who are not PNM members

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so they could get houses. There are many non-PNM members out there who need houses and the Member for Diego Martin East would tell you that there is discrimination there. You have to have a letter from some party group.

Dr. Rowley: Mr. Speaker, I rise on 33(1).

Mr. Speaker: You do not have to. Try and be relevant in the last couple of minutes.

Mr. M. Ramsaran: Mr. Speaker, I am on the last point. I do not want to argue with you, because I mean once you criticize, especially the Member for Diego Martin West, he always jumps to the defence.

Mr. Speaker: What is that?

Mr. M. Ramsaran: I said once you come to Diego Martin West he stands with his book.

Mr. Speaker: Okay.

Mr. M. Ramsaran: I believe that we in the Opposition must talk about what is bothering us.

Dr. Rowley: Are you accusing—

Mr. M. Ramsaran: No, you jump to defend yourself; I am not saying he is defending you. He did not defend you and he is right not to defend you.

Dr. Rowley: I just want to be clear. I could defend myself.

Mr. M. Ramsaran: Mr. Speaker, I am reminded by my friend about the Scarborough hospital. Is that state land?

Mr. Speaker: Hon. Member—

Mr. M. Ramsaran: Mr. Speaker, 30 seconds.

Mr. Speaker: I am on my feet, please take your seat. I am warning you, if you stray again I will order you to take your seat.

Mr. M. Ramsaran: If I stray, Mr. Speaker, it is because of the openness of the debate and I am not blaming you, but when we sit here and the debate is expanded all over the place; then we on this side are ruled out of order; sometimes we get the impression that maybe we are not treated—

Mr. Speaker: I get the impression that you are challenging me. If you are challenging me there is a way to do it; not the way you are doing it. Okay?

Mr. M. Ramsaran: And maybe you could help me find the way. Mr. Speaker, just let me tell you, I support this Bill; I support the amendments, but please when we come to this Parliament let us be serious about the Government's business and the nation's business and not “gallerying” all over the place.

Thank you very much.

Mr. Ganga Singh (Caroni East): Thank you very much, Mr. Speaker. I make a brief intervention on this Bill, an Act to amend the State Lands Act to increase the penalties for digging or removing materials on or from state lands without a licence.

It is clear that this Bill, the mischief it is intended to cure is the kind of virtual anarchy that transpires within, in particular, the quarrying sector in this country. It was well dealt with by my colleagues from Siparia, Pointe-a-Pierre and others in this House. I want to alert the Government about the problem associated with state lands in which top soil, material from state lands are removed illegally by contractors.

It is not only in the aggregate area you have shortages. With the construction boom, you have a fuelling of major works in different areas and what we have found in my own constituency is that contractors are moving in on state lands with their equipment and they are mining the soil. You have environmental problems arising out of that, and this is done without licence and it is done with impunity. So the point raised by my colleague, the hon. Member for Chaguanas, what are the enforcement mechanisms that would emerge in order to ensure that these sanctions, which we are supporting, will be enforced?

If it is that the contractors can move with impunity onto the state lands, carve out mine ridges and take with their trucks, line up excavators, back hoes and there is no enforcement whatsoever, there must be a mechanism in Government, perhaps coordination between the Ministries of Agriculture, Land and Marine Resources, Energy and Energy Industries and National Security, whatever squad you want to form to deal with this issue. But clearly, there is a problem that has emerged now. It is exacerbated by the fact that the 77,000 acres of Caroni lands have no direct control authority now other than the State in its nebulous form. What is happening, because you do not have the enforcement mechanism as you had in Caroni where Caroni had their police going and looking after the areas, people are moving in onto Caroni lands too, and are in fact—

Dr. Rowley: Mr. Speaker, I just want to assist the Member, I am sure he might not know and I do not want him to continue on this vein for too long. The

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Land Settlement Authority which was created by this Parliament and exists as an agency has the responsibility for policing those lands which this Parliament has converted from a corporate asset to state lands. Those Caroni lands are now state lands and they fall under the jurisdiction of the Land Settlement Agency. And to do just what you are saying there, the Land Settlement Agency has been expanded; we have increased the number of patrol staff and in fact we have created two external offices; one in Orange Grove and one in south Trinidad to ensure that the Land Settlement Agency is positioned to police the former Caroni lands, which are now state lands and legally fall to be protected by the Land Settlement Agency.

Mr. G. Singh: I want to thank the hon. Member for providing that information and I am happy to hear that there is a mechanism. What is really required, because I am telling you from my own experience. Now that the public is aware that there is the Land Settlement Agency that has legal jurisdiction over the 77,000 acres of Caroni lands, then that would be the area one can report when you see the plunder and the rape taking of the state lands.

That is why it is important, because you see there has emerged this new phenomenon of—I do not know what term I should use. But the plundering of the material resources: the topsoil and subsoil, because at times they go so deep that you begin to see Talparo clays and so on, beyond the top soil and the subsoil. I think that there is need—I do not know under whose jurisdiction the Land Settlement Agency falls, whether it is under the Minister of Housing, but certainly I would expect that there ought to be some kind of reporting and overall supervision mechanism as a matter of urgency in order to deal, in particular, during the dry season. Because of the nature of the area it becomes problematic during the rainy season, but during the dry season there is significant mining of the state lands soils by private contractors.

In that sense, I wish to really support this Bill and recognize the merit of this Bill. I look forward to the enforcement of the protection of the state lands on behalf of the people of this country.

I thank you.

Dr. Hamza Rafeeq (*Caroni Central*): Thank you, Mr. Speaker. I had no intention of getting into this debate, but I just rise to ask two questions so that the Member in his reply can give us some indication. In Caroni Central—and I speak also for my colleague from Caroni East—there are quite a few sand quarries in that area and there are two difficulties we are having in the area there; one of

which is, of course, when the trucks remove the sand from the quarries to wherever they are going, they are not properly covered. I just wanted to find out when the quarry operators are being given licence whether there are conditions attached to these licences, so that in the event that there are breaches of these contract arrangements that they can be called to book.

The second area is—and again it has to do with the Minister of Works and Transport—when these trucks pass in some of the areas—and we have had serious difficulties with this in some of the central areas—they damage the road badly. I want to find out, again, whether the quarry operators or those who transport the materials have any responsibility in getting back these roads to the original condition after they have been damaged.

Mr. Imbert: Would the Member give way?

Dr. H. Rafeeq: Okay, well I would give way.

Mr. Imbert: I thank the Member for giving way. That is something we are actively looking at. Whether there should be some sort of surcharge or penalty on quarry operators, or the creation of a fund for road reinstatement, because it is a very serious problem and I do not think the current legislation is tight enough to deal with those errant truck drivers.

Dr. H. Rafeeq: Well, I thank you for that explanation. Those are the two issues that I wanted to raise and I am glad that you have clarified that. If nothing is in place we look forward to something coming in place very shortly.

Thank you, Mr. Speaker.

The Minister of Agriculture, Land and Marine Resources (Hon. Jarrette Narine): Thank you very much, Mr. Speaker. I think that the matters of the last speaker were dealt with by the Member for Diego Martin East. It is obvious that we had about 11 persons speaking on this debate between last Friday and today. Our Members on this side, as usual, were to the point, very articulate and understood what we were about. I am speaking about the Members of Parliament for Tunapuna, Diego Martin East and, of course, my colleague from Port of Spain South, who on Friday last, after the Member of Parliament for Couva South spoke, there was very little for me to answer.

There are certain issues I would really like to answer in that, a number of persons come to this Parliament and say, and they have been saying it on the air and all that, that Caroni has 77,000 acres of land. How untrue that is. The entire Caroni is 77,000 acres of land. Caroni was from 1975 to three years ago, when

lands were given out to the Maha Sabha for churches; lands were given out for schools. We still have cane farmers who have land from Caroni under contract. We have lands that are given out for different purposes: recreational grounds—The most number of recreational grounds belong to Caroni. I think it was something like 100 and something grounds throughout that area. Even Gilbert Park is part of the Caroni land. So to come here and say we have 77,000 acres of land is really telling the untruth.

Apart from that, lands are classified by the University of the West Indies from class one to seven. Classes one, two, three and four are good lands for agriculture; classes five, six and seven are clay type soils where in some areas only cane can grow. We have certified from the Ministry of Agriculture, Land and Marine Resources 17 areas that had classification from two, three and four for lands for that.

I thought that I should say this today because I do not want this to be continuing all the time and misleading the people of Trinidad and Tobago; and I mean educated people are doing this. I have no problem that most of the Members who never spoke are now speaking every time because you have made it possible to get us live on television; it does not matter to me. Out of that, 7,249 former Caroni workers applied for the two-acre plots and it would not be 1,500 acres of land. We have to put another 300 acres of land in order to put the infrastructure in. So we need to put roads—and right in the constituency of the Member of Parliament for Chaguanas we have started doing the Jerningham area, where we are giving out about 400 farmers. We have started to do the roads, the drainage and all that but we would deal with that on Friday; I have no fear about that.

What I am saying to you is that yes, we have 77,000 acres of land but almost half of that has already been taken up. Then you have clay type soils that you would want to do aquaculture on. You also have soil types that you would do housing on, because it would take a lot to bring back those soils. We have Point Lisas and it is going to be extended and all that. So people speaking on the media and people who want to belong to some party that may be launched last week and is the shadow Minister of Agriculture, talking the same thing, 77,000 acres of land. I think the person wants to fight the new seat of La Horquetta/Talparo. That is a PNM seat and we would win that new seat too.

Mr. Imbert: Who is that?

Hon. J. Narine: I will tell you after. I would like to get rid of that myth about Caroni land is 77,000 acres and what we are doing about it.

Mr. Singh: Could the Minister give way? Could you then, for my own purposes of information and knowledge, give me an appreciation of how much land is under the jurisdiction of the Land Settlement Agency authority?

Hon. J. Narine: All state lands. The lands that Caroni sold under your watch are no longer state lands, but there are lands that are on lease. When the lease is due then it has to be renewed and those lands will fall under LSA and probably—I was not prepared for that type of question today, but when I am coming in the budget I would certainly bring the figures.

Dr. Rowley: Mr. Speaker, I thank my colleague for giving way. This is important information for the public and I want to clarify it. What is happening is that the LSA does not have jurisdiction. The Commissioner of State Lands, that is the state office—you asked about jurisdiction—has responsibility for all state lands. In terms of the point you asked about policing of the lands to ensure that they are not encroached upon, the authority for doing that is the LSA. That is a different question.

Hon. J. Narine: Thank you very much, Member for Diego Martin West. I heard the Member of Parliament for Chaguanas speak about rice lands being given away. Nobody is squatting and nobody gave away the land. The lands were advertised and the Rice Farmers Association of Trinidad and Tobago (CRATT) and Nariva Farms applied and based on the equipment that these people had who were in production of rice before, they were given Caroni rice lands. I report, I tell you again, 10,000 acres out of 20,000 acres of rice land were given to CRATT and Nariva Farms.

The point is that for a number of years, some of these fields were not under cultivation and obviously they would have silted up. For those of us who know rice production, you must rotavate and you must build the banks around to contain the water in the fields. Long ago they used to call it the “mere”, I think a lot of us may remember that. It was not taking away soil; they were building the banks to contain the water for the rice production and those were Caroni rice lands that they had put there. They had bought equipment: harvesters to harvest the rice, but those harvesters broke down and they packed them up at Caroni and did not maintain some of those fields.

So to say that the Government has given good agricultural state lands to plant rice, this is not true; it is far from the truth. It is rice lands that were given out that Caroni planted before. I just wanted to repeat that. When he tried to defend his leader I saw the Members in front here laughing, because today you all are in

Parliament so he went down there to see what he could do, you understand. The Member of Parliament is here but the political leader of some party went down to see the people.

I would also want to tell the Minister of Works and Transport and the Member of Parliament for Diego Martin East, that part of this problem—and the Member of Parliament when I tried to find out from him, probably he did not know. However, on our phase two programme we are doing agricultural roads in that area, in Cunjal. I have the record here, fortunately I walked with it. Cunjal Branch Road No. 5, Cunjal 24 farmers, total acreage to be serviced is 75 acres. Cunjal Branch Road No. 1, 1.645 kilometres and 168 metres along Cunjal South Trace, 25 farmers, 150 acres.

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Cunjal Branch Road No. 2, off Cunjal South Trace, Penal, 30 farmers 76 acres. Cunjal Branch Road, No. 4, off light pole No. 18, 25 farmers, 90 acres; Cunjal Branch Road No. 3, off Koondal South Trace, 30 farmers, 150 acres; Cunjal Branch Road No. 6, off Cunjal South Trace, Penal, 32 farmers, 120 acres. The MP for Chaguanas continues to come in this Parliament and say that we did nothing. Anything we do, and I would keep saying this, is more than what you did for six years.

Mr. Speaker, today, I answered a question here and even answering the question, the Member for Chaguanas could not understand what we were doing and he said three roads. I always knew and his friends told me he could not count. But when I answered the question, I said that Ramatalie Trace was being done; Chatie Trace was being done; Line Road was being done; Ramsaran Trace—I repeat Ramsaran Trace—was being done and between last year and the year before we had done Baboonia Trace Extension and Sumaria Trace in 2004. You understand, that is six out of 10. They always told me that he cannot count, so I am convinced today because six roads were mentioned here out of 10 and he said three. I am sorry, I just thought that I should point out that.

Mr. Ramsaran: You promise [*Inaudible*]

Hon. J. Narine: I promise what?

Mr. Ramsaran: That is a promissory note, you have to start.

Hon. J. Narine: It started already. You do not go into your constituency or what? [*Crosstalk and laughter*] Hello, the contract was signed on August 08, those roads have started. I would come and go with you.

Dr. Rowley: Ask Rambachan, Rambachan knows.

Mrs. Seukeran: Ask Rambachan.

Hon. J. Narine: Probably Jack Warner knows more than him. He is so busy going to meetings in the night that he does not go in the day to see what is happening in his constituency. That is what is happening. So, I think that these things have been answered.

I would like to go back to Friday when the Member for Couva South spoke. He was the first person who spoke and most of his questions and what he said was in support of the Bill and was dealt with by the Member for Port of Spain South, adequately. But there are certain things here that the Minister of Works and Transport raised today. While the MP for Diego Martin East was the Minister of Works and Transport, I was his Parliamentary Secretary and we had refurbished Tapana. It cost us \$4.1 million, but within two years we were able to double the profits coming out of Tapana.

When we went out of office in 1995, it remained with the Ministry of Works and Transport because the Unemployment Relief Programme was with that Ministry. At that time we had built Preysal Pavilion; we had built the Mandir out in the sea; we had built a number of Community Centres all over Trinidad, including St. Charles and all those areas that were started, Dades Community Centre. We did work all in Toco and Matelot and so on; a productive programme. But what happened at that time, we went out of office in 1995 and I got news at home that the same people that they are speaking about—

Dr. Rowley: Muslimeen.

Hon. J. Narine: Yes—they were the people who got the Tapana wash plant. They ran the plant down and did not bring the spares from England—Roper company brought the spares, rollers and the drums and all of that—and when they could no longer get anything out of it after three or four years—

Dr. Rowley: Who was it?

Hon. J. Narine: The same Jamaat that they spoke about.

Dr. Rowley: I do not believe this.

Hon. J. Narine: Sadiq Baksh did that, he gave it to them.

Dr. Rowley: I do not believe you.

Mr. Imbert: They ran it to the ground.

Hon. J. Narine: They ran it to the ground. And then they took the lands, the 100 acres that local government had and the 100 acres of pitchrun land that we had at Tapaná under the URP and they gave it away to two of their friends with some company, I would not want to call names at this time. I am saying to you, Mr. Speaker, it is unfortunate that that happened because aggregate is of special price today and I say this because a lot of the speakers spoke about the cost of aggregate and what we are doing about it.

When I was introducing this Bill, I indicated to this House that the Government also established an interministerial committee to develop and oversee the implementation of a sustainable security plan for preventing illegal quarrying activities. It is as a result of this ministerial committee headed by the Minister of National Security, that 12 persons were arrested. It is common sense that the former Minister of Energy and Energy Industries, who was quarantining that place to make sure that there was almost one entrance to come out through the National Quarries, so that the stealing would have been curtailed. I am not saying it is finished, but because the stealing went down, we are now in the process and we have been doing that for a number of months, to re-issue licences to people. As the licences are issued, more material would come on the market.

Mr. Speaker, the reason for it going up, is because there was no illegal quarrying. It went down to a minimum, that is why the cost went up because there was no more illegal quarrying. I went there personally and I saw what was happening. So that as we issue the licences, we are hoping that the material cost would come down. But the illegal mining has almost been to zero. There may be people who are still mining and stealing gravel and all of that; you cannot stop that. Now, the Government is not to lock up anyone, who we lock up or how many persons we charge, is the police who has to do that because illegal mining did not start when we came into office in 2002.

When I grew up in Arima as a boy, illegal mining was taking place in Wallerfield and Tapaná, and all those areas. I am from that area, I could tell you this. I would not want to say what you did for your six years about it because I have already said that that is a matter for the police. We are putting laws in place today; we are increasing the penalties and we are putting things in place to deter the people from illegal quarrying. When they have to pay \$200 on the first charge and \$400 on the second charge, then they can pay \$400 for a year. I mean, the police can take them up and charge them every day, it does not matter, there were no other penalties. So this is what we are trying to do. It is unfortunate that people came here—and it is the habit now of the Opposition to give wrong information.

I must join with my colleagues to compliment the Member for Pointe-a-Pierre.

Hon. Member: True.

Hon. J. Narine: She went through the Bill and pointed out certain errors in the Bill and we needed to correct them. She showed me something and I agreed that what she said was right. Certainly, when we are dealing with it at the Committee Stage, we would include it.

Rehabilitation for quarrying operations is already in place. Mr. Speaker, in some cases people do not do it. The Member for Diego Martin East indicated that the legislation is in place for catchment ponds to de-silt the area and after you need to rehabilitate by planting trees. Some people did it while we were in Government 1991 to 1995, some did not do it and there are areas we need to backfill and we need to re-forest those areas. We need to deal with that.

As I said, the Member for Port of Spain South made an excellent contribution; the Member for Pointe-a-Pierre correcting sections 29 and 31, that would come. Well, I should not say anything about the Member for Fyzabad because the Member for Fyzabad said nothing about the Bill. He spoke about all other things and—Norris Deonarine is not a farmer, he is not a registered farmer. He read extensively from Norris Deonarine who is a middleman; who buys agricultural produce. He sells at Curepe, you know him well, Member for Chaguanas. He is a middleman. He buys from the farmers at \$2.00 a pound and sells at \$6.00 and \$8.00. So his interest is not with us and his interest is not with what the Member for Fyzabad was saying; his interest is about his business.

Mr. Ramsaran: Profit.

Hon. J. Narine: Right. So that we know him well. And saying that 19,000 farmers would be displaced—where? I do not know. The last agricultural census said that we went down to 19,000 farmers and we are hoping that the 7,000 new farmers coming in from the VSEP workers would build back that number for small farmers. They are also concentrating on other areas in agriculture which have not been touched for years, like irrigation.

I heard the Member for Chaguanas complimenting the Minister of Works and Transport for the irrigation projects; those irrigation projects help out the farmers. We do not work like agriculture alone, we have local government that does drainage; we have the Minister of Works and Transport and the Ministry of Works and Transport do drainage. So when you all are fighting against one

another, we survive because we are a team [*Desk thumping*] and we work with each other, hand in hand. If you learn that, you may be able to survive a couple more years in politics, but you would not be able because I understand that they already have people earmarked for your seat.

I would like to deal with another matter here in that, someone spoke about land acquisition. I think it was the Member for Fyzabad. Land acquisitions are done by sections 3, 4 and 5. Section 3 is to give public notice that you are going to acquire lands. Section 4 is when you give notice to enter lands and then you pay 80 per cent, the laws were passed in this House. When he told the untruth and said that he has 16 years in Parliament, I think probably he wanted to be senior to most of us here, but it was not true.

Mr. Imbert: Imagine that.

Hon. J. Narine: Because on December 16 this year, most of us here would have had 15 years service. When you do sections 3 and 4, you have to pay 80 per cent of the value of the land and the Commissioner of Valuations would do the valuation. If they are acquiring my lands or anybody's lands in Trinidad and you are not satisfied with the State's valuation, you are free to do a private valuation and contest it; you can do that. But once we come here with section 5, we pay 20 per cent. After paying the 80 per cent, we then pay the 20 per cent with 9 per cent interest. He has been a Member of Parliament for so long, he stood up here this evening and said, "you owe the people and they did not even get interest." The law is now clear that you pay people 80 per cent to enter the land and the next 20 per cent you have to pay them when section 5—even if you take five years to come here to do section 5, you have to pay them 9 per cent interest per annum. So this is how we have to sit here, listen to these half-truths and all that and—

Hon. Member: Half lies.

Hon. J. Narine: Uh? Outright lies, I would not say so, untruth all the time—and still listen to them week after week after week. The distribution of land—and may I just say, and they love to not hear me go back but sometimes you need to go back. When I came to that Ministry, your bhagi and pumpkin Minister and whosoever was there, there were about four different Ministers, all of them—I am certain that my colleague who took up the first two years in the Ministry of Agriculture would have told you, that you all were doing 40 leases per year, 40. There was a backlog of about 5,000, we still have a backlog. When he came in he did approximately 300 in the first year and 369 in the second year and since I came, we are doing over 400 leases per year.

Mr. Ramsaran: You better lease it.

Hon. J. Narine: But when you call—no, well, we now have a Commissioner of State Lands on board. Remember, you all came to this Parliament seeking to get a Commissioner of State Lands and could not do it. Why? There was never a Commissioner of State Lands on the permanent establishment of the Ministry. So the first thing you all had to do was to go to the CPO, which I did, and we got the Commissioner of State Lands. We are now trying to increase the staff for her and put persons who can help fast track the issue of leases to these people who have agricultural land. So you should not come here—you all should be ashamed to come here and talk about able land distribution, you have failed miserably. Land distribution under the UNC was nothing and in some cases, I understand that they had to pay bribes to get their leases and so on, you understand. Mining, I dealt with that, the catchment area and so on.

As I said, the Member for Tunapuna made an excellent contribution. The Member for Siparia talked about an incident that occurred in Tunapuna and the Member of Parliament. But she would not say it, I would have to say it and I am just saying this because it is the facts. The Deputy Mayor, Mr. Nagessar, was bringing van loads of people to register in Tunapuna, from Cunupia, Chaguanas and Tabaquite to register in Tunapuna. They learnt voter padding from day one.

Mr. Singh: Mr. Speaker, if the hon. Member would give way? Could the hon. Member provide this House with the empirical evidence to indicate that people from Cunupia and Chaguanas were being brought by the Deputy Mayor, Orlando Nagessar, to vote in the constituency of Tunapuna?

Hon. J. Narine: I do not have to provide that, I was in Tunapuna and I saw that. [*Crosstalk*] And you would recall that I was involved with an Indian orchestra in Campo. I saw persons from there coming to register in Tunapuna. [*Crosstalk*]

Mr. Speaker: Order, please.

Hon. J. Narine: And there was a certain pundit from Tacarigua who went there for three years. Mr. Speaker, I would tell you how it happened. He went there for three years and every time they had a 17-year-old, he registered them in Tacarigua because he knew all the people in Tacarigua by surnames. So, if you are Singh, he knew that he had to put you on Thavenot Street and those things. When you go there, 24 persons in one house to vote; 24 persons! And that is where the problem was. The time has come for us to put this on the record and get this thing straight.

Mr. Singh: Bring the names.

[By order of the Chair, remarks withdrawn]

Hon. J. Narine: They registered—[*Interruption and crosstalk*]

Mr. Speaker: Please, I am sure the hon. Member for Caroni East did not intend to say what he said just now. Please strike that off the official record.

Dr. Khan: Just one question, how long before the election was this taking place, how many months?

Hon. J. Narine: I said for three years they were moving, as you got of age to get an ID card, not voting age—Let me answer you—they were registered in Tunapuna and they were registered according to names, by houses and by streets in Tacarigua.

Mr. Singh: What about the 800 house—[*Interruption*]

Hon. J. Narine: I am telling you PASU was in my constituency and I had information, monthly information coming from PASU office in Arouca.

Mr. Singh: And that is why we cannot say you paid him a bribe?

Mr. Speaker: Order!

Hon. J. Narine: No, I have never paid any bribe for anything in my life. You better be careful.

Mr. Singh: PNM.

Hon. J. Narine: So that—because they have not stopped incarcerating people yet. [*Crosstalk*]

Dr. Khan: The reason I asked that question, you see, in our legislation, if you register somebody to live in a certain place three months before an election, it is legal. So what I am saying to you, it is a legal process, therefore, what the guy was doing was not wrong.

Hon. J. Narine: These people were registered there as they became 16, 17, three years before the election; so when they would have been 18, they knew where they had to go and vote. You understand. There was another situation after the next election up in Bon Air North-East. Bon Air North-East, a number of persons were sent there to squat, I do not want to call the names, but you would realize that a political leader of a party said before that election—and that is 1995 election—“what is the sense I am winning Caroni East by 14,000 votes and I am

losing Tunapuna by approximately 100.” I recall that and that was telling you all what to do. He was instigating the whole thing, by that statement he instigated that. So to come here and blame the PNM for voter padding and bringing people to vote, we do not look for that.

Dr. Khan: You are doing it illegally.

Hon. J. Narine: How?

Dr. Khan: By building houses and putting PNM voters in them.

Hon. J. Narine: We are building houses all over Trinidad. We are a national party and we are building houses in Mayaro, whole South, all through Central, all through North. When we built houses in Ibis Gardens, did we not build Ibis Gardens to voter pad.

Dr. F. Khan: That is wrong.

Hon. J. Narine: Is it wrong to build houses?

Dr. Khan: You are renting and—

Mr. Speaker: Please, please. Hon. Member for Barataria/San Juan, you cannot sit in your seat and engage in crosstalk like this. And Minister, please come back to your winding up on the Bill.

Hon. J. Narine: Thank you. [*Crosstalk and Interruption*]

Dr. Rowley: He has four more weeks; after for weeks he gone.

Mr. Imbert: After the budget he gone.

Dr. Rowley: After the budget he gone.

Hon. J. Narine: But the illegal quarrying is really for the police. [*Interruption and crosstalk*]

Dr. Rowley: Do not come back here after the budget.

Mr. Speaker: Again, please. Hon. Minister, please. Again, let me appeal to Members not to engage too much in crosstalk and as to whether the Member for Barataria/San Juan will be with us, I think he would be with us. Now, you continue please. [*Laughter*]

Hon. J. Narine: Yes, and as we are on this and we are speaking about a certain religious sect, I would like to recall and put on the *Hansard* record that when the Member for Couva North became Prime Minister, the first person he

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met with was the Jamaat; the leader; the Bakr. Right? And when you all went to the carnival at the grand stand and you occupied all the VIP lounge in the grand stand, even your Minister of National Security was ashamed. He left and walked out, that was reported in the press. So to come and link us up, oh Christ.

Mr. Speaker, they feel that this country is really a nine-day country, so we have forgotten all of that. But the country you say is an intelligent country and from time to time I hear people recalling these things on the radio programmes. There are very intelligent people in Trinidad, so do not feel that you can paint us with the brush that you have been painted with. You understand.

Mr. Ramsaran: I agree with you.

Hon. J. Narine: The Member for Siparia spoke about monitoring this. The Minerals Act, No. 61 of 2000, is for designated areas, like Tapan where we have designated that area for quarrying and then Matura where the Melajoe gravel is being taken out, that is a designated area. This piece of legislation is for state lands throughout Trinidad and Tobago. This is national, so that it is quite different. She was trying to find out what was the situation in that. We talked about the terms and conditions.

A number of them raised the question about good agricultural lands. I would like to remind Members on the other side that they were in office when they gave out Nonpareil Estate for peanuts, 1840 acres of land, up in Fishing Pond. You would recall that, Nonpareil Estate, for small money? Three persons applied and the same person applied and the first two withdrew, so the third person got it. Little money, small money. And that place Nonpareil also have a quarry which they have started to mine. The Ministry of Works and Transport used to use that quarry to repair roads in the Sangre Grande area and so on. That was given away by your government, so do not come here and talk about agricultural lands.

Dr. Nanan: Would the Member give way?

Hon. J. Narine: I have to go home, just now. I do not like TV. While they were giving out, I spoke about Cunjal but I would also like to tell the Member for Naparima that last year we did Platanite. Eight kilometres of roads in Platanite, yet you have the Member for Chaguanas sitting here and saying that we did nothing.

Mr. Baksh: That is in the constituency of Siparia.

Hon. J. Narine: All right, so you are against Siparia.

Mr. Baksh: No, no.

Hon. J. Narine: It was done in Trinidad and it was done in one of your constituencies. You know, you get away from that. [*Crosstalk*] Oh, gosh. [*Crosstalk and interruption*] What?

Hon. Member: [*Inaudible*]

Hon. J. Narine: Well, he is getting Cunjal all now. [*Interruption*] Again? I also heard the people last night saying that you are not a good representative. [*Laughter*] Mr. Speaker, I would like to thank everyone who has made a contribution on this debate. When I thought that we would have completed this debate last Friday, surprisingly, we had to come back today and it is good that you have introduced Channel 11 because you are getting people who cannot speak now standing up to speak, in front cameras and so on thinking that they would get political mileage. But, I would like to tell some of them that when your people hear you, you would lose votes. Thank you, Mr. Speaker. [*Desk thumping*]

Question put and agreed to.

Bill accordingly read a second time.

Bill committed to a committee of the whole House.

House in committee.

Mr. Chairman: Hon. Members, we are dealing with the amendments that were last circulated.

Mrs. Persad-Bissessar: The one before the tea break or after the tea break?

Mr. Imbert: Yes, before the tea break.

Mr. Chairman: How would we know which one it is, there is no identification—The one we are dealing with has the date at the bottom left-hand corner, September 06, 2006.

Clause 1.

Question proposed, That clause 1 sand part of the Bill.

Mr. Sharma: Mr. Chairman, before you proceed there—and it would relate to almost all the other clauses—the Opposition raised the question of and it was elaborated on by the Member for Siparia, that the fines proposed may not reflect what the Government is trying to achieve and that is, that it may be making millions of dollars. In fact—

Mr. Chairman: Hon. Member, we are dealing with clause 1, that is probably clause 2 which is renumbered. So let us deal with clause 1 first.

Question put and agreed to.

Clause 1 ordered to stand part of the Bill.

7.15 p.m.

Clause 2.

Question proposed, That clause 2 stand part of the Bill.

Mr. Imbert: Mr. Chairman, I beg to move that clause 2 be renumbered as clause 3. [*Crosstalk*] [*Interruption*]

Mr. Sharma: Mr. Chairman, there were concerns raised by the Opposition as to whether these fines truly reflect what the Government is trying to obtain from the passage of this Bill. We have suggested that there should be an additional measure to make sure that those who break the law do not find it easier to pay a fine of "X" amount and continue, because when you recall what obtained in terms of lost revenue in 2002 to the last year, it amounted to in excess of \$100 million. Even if 10 persons were fined the maximum of \$250,000, it would only amount to \$20 million, if so much.

Mr. Imbert: We are not accepting that amendment.

Mr. Sharma: I did not hear the Member.

Mr. Chairman: He said that he is not accepting that amendment.

Mrs. Persad-Bissessar: Why are you saying it so quiet; are you ashamed?

Mr. Sharma: I do not think it is a question of not accepting; there must be a reason for it. It is not just to say, "We are not accepting it."

Mr. Imbert: Because we do not agree.

Mr. Sharma: This is not a shop.

Mr. Chairman: The Minister said that the Government is not accepting what you have proposed, because they do not agree with it.

Mr. Sharma: Well then this exercise is totally useless.

Mr. Imbert: We do not agree with you.

Mr. Sharma: My understanding of this committee is not for the Minister to say, "We are not accepting and I do not agree," full stop; otherwise we are making a mockery of this Parliament.

Mr. Imbert: Mr. Chairman, could you put the vote, please?

Mr. Chairman: If there is nothing more forthcoming from the Government, I would have to put it to the vote.

Mr. Sharma: It would have to be debated. [*Crosstalk*]

Mr. Imbert: Not at committee stage, Sir.

Mr. Sharma: It means we would also have to debate it. [*Crosstalk*]

Mr. Imbert: The debate is over.

Question put and agreed to.

Clause 2, renumbered clause 3, ordered to stand part of the Bill.

New clause 2.

Mr. Imbert: Mr. Chairman, I propose a new clause 2 which reads as follows:

"A. Insert the following new clause 2:

Section 6 amended 2. Section 6(6) of the Act is amended by deleting the words 'one thousand dollars' and substituting the words 'two thousand, five hundred dollars.'

B. Renumber the existing clause 2 as clause 3."

New clause 2 read the first time.

Question proposed, That the new clause be read a second time.

Question put and agreed to.

Question proposed, That the new clause be added to the Bill.

Question put and agreed to.

New Clause 2 added to the Bill.

New Clause 4.

Mr. Imbert: Mr. Chairman, I propose a new clause 4 which reads as follows:

"Section 29 of the Act is amended by deleting the word 'asphalt' wherever it occurs and substituting the word 'material'."

New clause 4 read the first time.

Question proposed, That the new clause be read a second time.

Mrs. Persad-Bissessar: This has come now as an amendment from the Minister of Planning and Development at the committee stage. Could we record that this was an amendment from the Member for Pointe-a-Pierre, which we supported?

Mr. Imbert: No objection to that.

Question put and agreed to.

Question proposed, That the new clause be added to the Bill.

Question put and agreed to.

New clause 4 added to the Bill.

New Clause 5.

Mr. Imbert: Mr. Chairman, I propose a new clause 5 which reads as follows:

"Section 30 of the Act is amended by deleting the words 'two thousand dollars' and substituting the words 'two hundred and fifty thousand dollars' and imprisonment for a term of two years'."

New clause 5 read the first time.

Question proposed, That the new clause be read a second time.

Mr. Sharma: Mr. Chairman, concerning the new clause 5, it is the same argument that the Opposition raised; this should be considered under the Money Laundering Act as well so as to reduce the offence and for the fine to reflect what it was intended to achieve.

Mr. Imbert: We do not agree.

Question put and agreed to.

Question proposed, That the new clause be added to the Bill.

Question put and agreed to.

New clause 5 added to the Bill.

Mr. Imbert: Mr. Chairman, the Explanatory Note should be changed from 3 as renumbered to new clauses 4, 5 and 6.

Mr. Chairman: Yes. [*Interruption*] In the marginal note.

New clause 6.

Mr. Imbert: Mr. Chairman, I propose a new clause 6 which reads as follows:

"Section 31 amended 6. Section 31 of the Act is amended by---

- (a) Deleting the word 'asphalt' wherever it occurs and substituting the word 'material';
- (b) deleting the word 'section' and substituting the words 'section 26'; and
- (c) deleting the words 'two thousand dollars' and substituting the words 'twenty thousand dollars.'"

New clause 6 read the first time.

Question proposed, That the new clause be read a second time.

Mr. Sharma: Could the Minister explain how in section 30(5), \$2,000 has been moved to \$250,000 and in section 31(6)(c), \$2,000 has moved to \$20,000?

Mr. Imbert: We consider that to be appropriate.

Mr. Sharma: Is that the explanation?

Mr. Imbert: Yes.

Mr. Sharma: Mr. Chairman, could I place on the parliamentary record that the Government is really holding this Parliament as a mockery. It is most unfortunate that we are asked to be here at 7.20 p.m. and it is a big joke for the Government. Here you are talking about putting things into the laws of the country, the Opposition in the Parliament has raised concerns and all the Minister does is dismiss them. This is not how things are done in any Parliament in the world. We are seeing that you moved \$2,000 to \$250,000; you are the Government and that is okay. In another place, you moved \$2,000 to \$20,000 and you think it is appropriate and that is the end of the story?

Mr. Chairman: What are you suggesting?

Mr. Sharma: There must be an explanation. We have asked that the fines be reflective of what you are trying to achieve. If on occasion \$2,000 is converted to \$250,000, and in the very same section you move to \$20,000—

Mr. Imbert: Member for Fyzabad, we are at the committee stage; this is not the time when we debate matters. If you want to propose an amendment, please, feel free to do that.

Mr. Sharma: If I propose an amendment, there must be discussion; that is how it is done.

Miss Lucky: Mr. Chairman, if I might just interject here. I do not know if this may be of any assistance; I hope it is to the Member for Fyzabad. The increases that we dealt with before at the committee stage, dealt with penalties and fines. In section 31, we are actually dealing with issues of bail. That is the point that the Member for Toco/Manzanilla made.

When we are speaking about bail, it is not the penalties. So instead of talking about putting somebody on a surety in the sum of \$2,000, one is taking it to \$20,000. That would be deemed to be appropriate in the circumstances; so you cannot compare it to the penalties that have been increased.

Mr. Imbert: Thank you, Member for Pointe-a-Pierre. I hope the Member for Fyzabad now understands why the Government considers it to be appropriate, because it deals with bail.

Hon. Member: This is not a kindergarten.

Mr. Imbert: I did not wish to prolong this argument.

Mr. Sharma: Let me thank the Member for Pointe-A-Pierre, who assisted the Member for Diego Martin East in his explanation.

Question put and agreed to.

Question proposed, That the new clause be added to the Bill.

Question put and agreed to.

New clause 6 added to the Bill.

Miss Lucky: Mr. Chairman, I am really sorry to do this. It is just something that came to my attention; I would be guided by my colleagues across there. I notice in section 29, that we have dealt with already, the marginal note would still be reading, "no digging of asphalt pending appeal", but we have now changed that. It is "no digging of material pending appeal". I do not know if we could just make that change, so that those who read it in the future would not think that it applies to asphalt only. I am sorry for making the House go over something that we would have covered already.

Mr. Imbert: Thank you for that intervention. I am advised that it is an editorial change that would be done by the Law Revision Commission.

Miss Lucky: Much obliged.

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

House resumed.

*Bill reported, with amendment, read the third time and passed. [Crosstalk]
[Interruption]*

PROCEDURAL MOTION

The Minister of Works and Transport (Hon. Colm Imbert): Mr. Speaker, as it appears we would be going beyond 8 o'clock, I would now move a Procedural Motion that this House would continue to sit until the completion of Bill No. 2 on the Order Paper, the Pharmacy (Amdt.) Bill.

Question put and agreed to.

Mr. Speaker: Hon. Members, before we move on to Bill No. 2 on the Order Paper, the sitting of the House is suspended for eight minutes and would resume at 7.35 p.m.

7.27 p.m.: *Sitting suspended.*

7.36 p.m.: *Sitting resumed.*

Mr. Speaker: Hon. Members had time to look at Bill No. 2; I now call upon the hon. Minister of Health.

PHARMACY BOARD (AMDT.) BILL

Order for second reading read.

The Minister of Health (Hon. John Rahael): Mr. Speaker, I beg to move, That a Bill to amend the Pharmacy Board Act, Chap. 29:52, be now read a second time.

This Bill seeks to amend the Act to provide for the issuance of temporary licences to persons who have been awarded degrees in pharmacy from institutions recognized by the Accreditation Council of Trinidad and Tobago. It also seeks to remove the obligation of the Council of the Pharmacy Board to register and maintain a registry of pharmacy students and pharmacy assistant trainees.

It is important to note that this Bill was debated in the other place and many of the speakers contributed to the discussions. A number of recommendations were made and the Bill was referred to a select committee. The suggestions that were accepted, after several meetings, generated a report that found agreement by all sides at the other place. As such, I feel quite comfortable that this Bill before us is in the best interest of the public and would be met with favour by Members of this honourable House.

Mr. Speaker, the Ministry of Health is also in the process of reviewing most of the legislation which falls to be administered under its purview. We would be coming shortly to this honourable House with, at least, three new bills and a number of amendments to existing legislation. More importantly, we expect to introduce a new Mental Health Bill which would provide for a shift from institutional care to community care, as currently the present Act addresses only institutional care.

A National Ambulance Bill would also be introduced. This would seek to regulate all ambulance service providers and ambulance personnel. Finally, Mr. Speaker, we would also be introducing a Tobacco Control Bill, which would seek to legislate the Articles of the Framework Convention on Tobacco Control to which this country is a signatory.

We have found, after reviewing the Pharmacy Board Act, that the process one must endure before one is trained and registered as a pharmacist, is cumbersome, unnecessary and oftentimes leads to frustration, thereby acting as a deterrent to persons pursuing and those wishing to pursue a career in this discipline.

Before I proceed to the provisions of this Bill, I believe it is necessary for Members to have an understanding of the present process one must go through before one can be registered as a pharmacist. This process is detailed in the regulations to the Act. Mr. Speaker, this process may have been relevant when it was passed back then, but we are of the view that it is now unnecessary, as the programme was changed in 1996. Prior to 1996, a three-year part-time apprenticeship programme was offered at the University of the West Indies and this allowed persons to work in the public sector during the day and attend classes in the afternoon. However, in 1996, the part-time diploma programme was discontinued and replaced by a full-time four-year Bachelor of Science degree in pharmacy.

Presently, before a student is accepted by the University of the West Indies to pursue the Bachelor of Science in pharmacy degree, he must first register with the Pharmacy Board as a pharmacy student. This process is outlined in Regulation III. The student must first apply to be registered; produce a testimonial satisfactory to the council and show that he has gained two passes at the advanced level, one of which must be chemistry; five ordinary passes, including English language, mathematics, biology and physics and one other subject acceptable to the council.

Mr. Speaker, the council interviews the persons applying to be students to determine their fitness. A number of persons are rejected notwithstanding the fact they possess the required academic qualifications. The Ministry has, over the

years, received numerous complaints from persons who possessed the required academic qualifications, but failed the council's interview. In fact, many of those persons went on to do medicine.

After the student obtains the diploma, he is then entitled to be registered as a preregistration pharmacist, provided that he satisfies the council that he has obtained a diploma in pharmacy by the University of the West Indies. After the preregistered pharmacist has served a period of six months, working under the direct supervision of a pharmacist, he may then apply to be registered as a pharmacist. To do so, he must satisfy the council that he or she is of good character and mentally and physically capable of satisfactorily performing the duties of a pharmacist and that he has been granted a diploma or degree in pharmacy. He must also produce a declaration that he has satisfactorily undergone a period of preregistration experience as a preregistered pharmacist.

He still has to pass an exam set by the council. So even after he gets his degree from the University of the West Indies, has done his internship and has gone through everything he needed to, he still has to sit an exam that is set by the council. He also has to obtain a favourable report from the person who supervised him and, lastly, he has to pay his fee. After a period of one year working under the supervision of a responsible pharmacist, the individual is considered a responsible pharmacist. What we are doing is amending the Bill to change some of these conditions.

Clause 3 seeks to define the term "approved pharmaceutical establishment" to be, one, a retail pharmacy business, two, a pharmaceutical department of a hospital or similar institution and, three, a pharmaceutical industrial establishment as approved by the council.

Clause 7 seeks to repeal section 18 of the Act; as such, this definition which is contained in the said section needs to be saved. Accordingly, the definition of "approved pharmaceutical establishment" would now be placed under section 2 of the Act. It is to be noted that the meaning has not changed as we have retained the present definition.

Mr. Speaker, again, because of the repeal of section 18(1), the terms "preregistration experience", "preregistration pharmacist" and "preregistration tutor" are no longer necessary.

Clause 4 also addresses the same consequential amendments as the words "preregistration pharmacist" and "pharmaceutical students" have been replaced by the words "temporary licence holders". Accordingly, this amendment now mandates

the council to prescribe a code of ethics and rules of discipline for temporary licence holders. The Ministry of Health would work with the Pharmacy Board to have such codes of ethics and rules of discipline prepared and published as soon as possible.

Clause 5 removes the obligation of the registrar to keep and maintain a register of all persons registered as preregistration pharmacists, pharmaceutical students and pharmacy assistants. Consequently, it is no longer necessary for students to be accepted and registered by the Pharmacy Board. So there is no need for students to go to the Pharmacy Board to be preregistered and accepted to apply to the University of the West Indies. Further, persons wishing to pursue the pharmacy assistants programme may not be registered by the Pharmacy Board.

It is common knowledge that there is currently a serious shortfall in the supply of health professionals throughout the world, with very few exceptions. We have been struggling to address this issue for some time and have had some degree of success. As you are aware, we have been sourcing medical personnel from Cuba and Philippines to address the current shortfall. However, we recognize that this measure is only short-term and, as such, we need to put more focus and resources in training our nationals to take advantage of these opportunities.

To this end, we have a number of training programmes in place, at this time, with the Government bearing the full cost, in most cases. I am pleased to report that we have recently started a programme for training as pharmacy assistants for both the public and private sectors. I think this is the first time this is happening.

Fifty persons are in training and we expect to train another 150 within the next 18 months. We are committed to continue training persons to work in the sector. In fact, we are now targeting school leavers by going to secondary schools to inform students of the opportunities and the great satisfaction they can derive by working in the health sector. This is a project between the Ministry of Health and the Ministry of Education, where we would be going into secondary schools and talking to students from Form II and upwards, indicating to them the career opportunities in health, guiding and also advising them as to what subjects they would need to have in order to access a university or college in order to pursue a discipline or profession in the health sector.

We are targeting those who need training now. We are also targeting those who are looking for career opportunities. Because of the shortage of health care providers in the world, we think this is a wonderful opportunity for our nationals to be guided and to be aware, at least, that these opportunities exist.

Mr. Speaker, a few months ago, we were faced with a serious shortage of pharmacists in both the public and private sectors. This shortage caused the pharmacy services at most of our public health institutions to be severely compromised. At the Eric Williams Medical Sciences Complex, the outpatient pharmacy was closed for over a year. In the San Fernando General Hospital, the outpatient pharmacy was closed for about nine months before we were able to introduce foreign pharmacists to assist us and we were able to reopen those pharmacies. The Chronic Disease Assistance Programme (C-DAP) was able to absorb most of the fallout, as we continue to review the programme and add new drugs. This partnership with the private sector has proven to be a great success. I take this opportunity to thank the participating pharmacies and all the pharmacists for ensuring its success.

During the latter part of 2005, the Ministry did secure additional Philippino pharmacists and although there was much ado about it, I must say that they are in the system and are working very well; because of that, we were able to provide more services to the people of Trinidad and Tobago.

Mr. Speaker, clause 6 seeks to repeal section 17A of the Act as this provision would no longer be relevant. Presently, an applicant who graduates from a university, other than the University of the West Indies, must invoke section 18A in seeking registration. We are now proposing a simpler and tighter form of registration. Under the present system, the applicant need not have a degree. All he needs to do is to satisfy the council that he is a holder of a diploma degree or certificate approved by the council; he is of good character and is mentally and physically capable of satisfactorily performing the duties of a pharmacist. We are proposing that all pharmacists in possession of a degree from a university recognized by the Accreditation Council of Trinidad and Tobago. So diplomas and certificates would no longer be recognized. You must have a degree in pharmacy. The Accreditation Council is also responsible for the recognition of post-secondary and tertiary qualifications acquired elsewhere.

Mr. Speaker, allow me to now outline the steps the Accreditation Council follows in determining the recognition of foreign universities and programmes. The first step is to determine whether the institution is a legitimate university in the country of origin. To do this, the Accreditation Council uses its membership in an official international database maintained by the National Recognition Information Centre in the United Kingdom and other international resources to identify the official quality assurance and accreditation agency of the country in which the institution is located.

The Accreditation Council then establishes whether the institution is accredited by the duly authorized agency in that country or an accredited body recognized by that country or internationally. If the university is on the accredited agency's official list of accredited institutions, then the Accreditation Council of Trinidad and Tobago researches the level of qualifications the institutions is approved to offer; for example, a bachelor's degree, a master's degree or a doctorate degree.

The Accreditation Council also investigates any accreditation conditions that may apply; for example, the period of accreditation to determine whether the status is due for re-evaluation and renewal. Accreditation must be periodically evaluated, on an average three to seven years, to be maintained. For professional programmes, for example, law, engineering, medicine, pharmacy and others, specialized accreditation of the programme is also required in order for graduates to meet the requirement to be licensed to practise. So it is not just the institution, but the programme itself that is going to be accredited. In those cases, the Accreditation Council also identifies the official agency responsible for specialized accreditation of the programme and verifies that the programmes offered at that institution is accredited.

Clause 7 seeks to repeal section 18 of the Act and a new section is substituted. This section outlines the registration process for persons now wanting to practise pharmacy. Mindful of our obligation as a member of the Caribbean Single Market and Economy (CSME), we have created three potential categories of applicants, namely: nationals of Caricom Member States—of course, Trinidad and Tobago would be included in that—nationals of non-Caribbean Member States and, thirdly, graduates of the University of the West Indies. It is important to note that before an individual gains full registration, he must first be a holder of a temporary licence. This allows him to work under the supervision of a responsible pharmacist. *[Interruption]*

Dr. Rafeeq: I thank the hon. Minister for giving way. Why is there a disparity between the Caricom nationals and non-Caricom nationals?

Hon. J. Rahael: I will come to that in a little while.

The important thing is that before an individual gains full registration, he must be the holder of a temporary licence; this allows him to work under the supervision of a responsible pharmacist for a period of three months. After he completes this period in a satisfactory manner, he is then entitled to be registered as a pharmacist. Accordingly, an applicant who is a national of a Caricom Member State must

satisfy the registrar that he has been awarded a degree in pharmacy by an institution recognized by the Accreditation Council of Trinidad and Tobago, that he is of good character and is mentally and physically capable of performing the duties of a pharmacist and has paid his prescribed fee.

A non-Caricom national, Mr. Speaker, must show all of the above plus that he is the holder of a valid licence to practise in another jurisdiction. It has been our experience that a person who has been disbarred from practising in his own country, may seek registration elsewhere without disclosing this fact to the regulatory body there. So he may be disqualified from an accredited university, but for whatever reason his licence is not renewed. It may have been revoked.

The fact of the matter is that when he provides his qualification, the university is accredited, the programme is accredited and you would believe that he is holding an accredited degree from that university. Thereafter, if his licence is revoked or not renewed, for whatever reason, we would not be aware of it. Therefore, he must have a valid licence to practise in his jurisdiction in order to practise in ours. [*Interruption*]

Dr. Rafeeq: Thank you for giving way. I understand that, Minister, but suppose a pharmacist in Jamaica, for instance, has a degree from an accredited university and has been practising in Jamaica, but, for some reason, he has had his licence revoked and he comes to Trinidad for a job. What happens in a case like that? There could also be that within Caricom.

Hon. J. Rahael: Why was his licence revoked?

Dr. Rafeeq: He was not asked for it. It was not a requirement.

Hon. J. Rahael: With respect to Caricom nationals, if they are accredited from our university within Caricom, then they would be able to practise in any of the Caricom States. We are concerned about non-Caricom members who are accredited and we are not aware that, in fact, their licences have been revoked. I understand your point, that if a person's licence is revoked, let us say, in Jamaica, whether we would be aware of that or not—the Accreditation Council would have to verify that such a person is valid.

Dr. Rafeeq: The Accreditation Council does not come in there.

Hon. J. Rahael: We have included this additional obligation for non-Caricom nationals; we are talking about the licence. We have decided to omit this requirement for Caricom nationals, as we have been advised that many students go abroad for training. We are concerned about these students who go abroad for training, for

example, in Canada, the United States or the United Kingdom and who, for many reasons, do not obtain a registration in the country of training; because once they are qualified and they want to come back to Trinidad and Tobago to practise, they would be leaving that country without applying for a licence. As you would appreciate, in order to do so, it is costly. They would need to spend more time in that country.

Once you are a national of a Caricom country and you have a degree from an accredited university, an accredited programme, then you would be granted a licence to practise in Trinidad and Tobago or within Caricom.

We are also actively working on improving the environment of care and providing the tools and equipment necessary within our public health system, so that we can retain the pharmacists we have at present. We are currently working at automating the pharmacy services in all major hospitals. After this is completed, we would then automate the services at our district health facilities and health centres.

Mr. Speaker, graduates of the University of the West Indies, the other category we spoke about, would be issued with a temporary licence to train with a pharmacist at an approved pharmaceutical establishment for a period of six months, when he satisfies the registrar that he holds a degree in pharmacy; he is of good character and is mentally and physically capable and has paid his prescribed fee.

The temporary licence would be for a period of six months, as distinct from three months for Caricom and other non-Caricom graduates. Moreover, the latter would be working under supervision, whereas the graduates would be training under a registered pharmacist.

The reason is quite simple. Unlike other universities, the internship programme is not part of the University of the West Indies degree programme, at this time. As such, being awarded a degree in pharmacy, the graduate must undergo a period of internship for, at least, 840 hours before he could be registered as a pharmacist. The reason for him or her having to undergo a six-month training programme or 840 hours is because the UWI degree, at this time, does not have an internship attached to the degree, so the person still has to undergo that internship under a registered pharmacist.

Mr. Speaker, clause 8 also seeks to repeal section 18 and a new section is substituted. The new section provides the steps temporary licence holders must follow when applying to be registered as a pharmacist. It provides that Caricom and non-Caricom holders be registered as pharmacists upon presentation of a

certificate from the Chief Medical Officer certifying that he has worked under the supervision of a responsible pharmacist at an approved pharmaceutical establishment for a period of three months and the he is now competent to be registered as a pharmacist.

Accordingly, after completion of three months, an assessment would be made by the supervisor of the individual. The supervisor sends the report to the Chief Medical Officer who would then prepare a certificate for the council of the Pharmacy Board indicating whether the individual is now competent to be registered or whether the period of supervision should be extended. When the Chief Medical Officer recommends an extension of the supervised period, the registrar would amend the temporary licence to reflect the recommendation of the Chief Medical Officer. This is a necessary safety measure to ensure that only competent persons are allowed to practise pharmacy.

With respect to a graduate of the University of the West Indies, he would be registered as a pharmacist only upon presentation of a written declaration by the responsible pharmacist under whom he was trained, certifying that he has completed 840 hours of training and is now competent to be registered as a pharmacist.
[*Interruption*]

Dr. Nanan: Would you give way? Could you define what a responsible pharmacist is?

Hon. J. Rahael: A responsible pharmacist is really a person who has a degree in pharmacy, has gone through the process, has worked for a number of years and has the experience. Within the public service, that is qualified as a responsible pharmacist.

Dr. Rafeeq: A responsible pharmacist is one who has a degree and has worked one year under supervision.

Hon. J. Rahael: He has the experience of one year. With respect to a graduate of UWI, he would be registered as a pharmacist only upon presentation of a written declaration by the responsible pharmacist that he trained under, certifying that he has completed 840 hours of training and is now competent to be registered as a pharmacist.

If he completes 840 hours before the end of six months, he could apply to be registered. If he is unable to complete the stipulated hours within the six-month period, he would not be registered. Therefore, he could apply for the extension, as I have indicated. He would be granted the extension to complete the 840 hours.

Pharmacy Board (Amdt.) Bill
[HON. J. RAHAEL]

Wednesday, September 06, 2006

Clauses 9 and 10 are consequential amendments. Mr. Speaker, I beg to move.

Question proposed.

Dr. Hamza Rafeeq (*Caroni Central*): Mr. Speaker, I want to say from the outset that we on this side of the House would support any measure to improve the level of health care service to the citizens of Trinidad and Tobago.

I had the opportunity to read the deliberations of the Members in the other place. I also had the opportunity to read the comments made by the select committee. They were very thorough, but there are still some comments that I would like to make, as far as this Bill is concerned.

The Minister started his presentation by mentioning a couple of other pieces of legislation he would like to bring to this House for some time. At the beginning of this session of Parliament, the hon. Attorney General came to this House, made a statement and laid the annual legislative agenda for 2006 of the Government; the Bills that Government would have liked to have enacted during the 2005/2006 session. This document contained 66 pieces of legislation and, subject to correction, I think we have only completed about one-third of that during the term.

Coming specifically to the Ministry of Health, there were five pieces of legislation that the Attorney General listed. The first one, which was mentioned by the Minister a while ago, was the Ambulance Service Bill; the second was the Pharmacy Board (Amdt.) Bill; the third was the Tobacco Control Bill. The others were the Toxic Chemical Regulations, for negative resolution, and the Regional Health Authorities Discipline and Conduct Regulations, also for negative resolution. The Minister, a while ago, talked about mental health.

We are now on the eve of prorogation of this Parliament and we are just about to complete one of these pieces of legislation among the six mentioned in the legislative agenda. I have a feeling that when that document mentioned the Pharmacy Board (Amdt.) Bill, it was not referring to this Bill that we are dealing with today. It might have been referring to a much more comprehensive bill; this is just a part of what was originally anticipated. Among these six Bills, on the eve of the prorogation of Parliament, which would happen maybe within the next two weeks or so, we are completing maybe one-tenth of the work anticipated in this document laid by the Attorney General.

All these pieces of legislation are very important, as the Minister mentioned. I would like, maybe, to advise him to get the legal department in his Ministry

working a little faster so these Bills could come to us, because all of them would eventually redound to the benefit of the citizens of this country, as far as health care is concerned.

I had some difficulty in going through the different pieces of legislation, because I was trying to get a consolidated piece for the Pharmacy Board Act, for a little while, from the Ministry of Health. I was unable to get it, so I had to go through several pieces of legislation in order to understand what we are speaking about today. I see that there is another piece of legislation that has come from the Senate to be debated next week; I hope we can get these pieces of legislation consolidated as quickly as possible, so it would make it easy for us when we are dealing with them.

As the Minister mentioned, the Bill seeks to do three things: one is to abolish the requirement of the student pharmacist to be registered by the Pharmacy Board; the student pharmacy assistants as well. The second one is to get rid of all or any examinations administered or initiated by the board and, thirdly, to allow for easier registration of pharmacists and, in particular, foreign pharmacists.

I am happy that the Minister did not blame the Pharmacy Board for the practice they had engaged in for the last how many years. The practice they had engaged in, as far as the registration of pharmacy students was concerned, the registration of the pharmacists themselves and the administration of an examination, were mandated to them by law. They did not break the law in any one of those things. They did them because they were mandated to do so and were allowed to do so by the law. The Pharmacy Board was acting quite within their competence.

The practice of pharmacy, as everything else, and the training of pharmacists, have been changing over the years. If the laws need to be upgraded to reflect these new realities, we have no problem with that.

The Minister mentioned the practice as obtains at present, before this comes into play, this new Bill. I have had discussions with the Pharmacy Board. What they have said is a little from what he mentioned a while ago. Advertisements were placed and students applied; the university or whoever ran the programme before would tell them that there was a requirement for 30 students to come. If more than 30 students apply, obviously, some would be rejected; they would not be able to take all of them; so there was a process of selection; some would, of course, be rejected. What happened after was that a lot of students in high school applied to different faculties.

Some of them applied to the Faculty of Medicine; they also applied to do pharmacology. Some of them applied to do engineering and some applied to do pharmacy. They did not know where they get in. When they got into the Faculty of Medicine, having also been accepted to do pharmacology, they opted to do medicine instead; so that place was made vacant. By that time, all the students who had applied and did not get in, they would have also been absorbed in other courses in the university, so you would have had, in some instances, even though you had 30 places, less students accessing the course. That is what I was told by the Pharmacy Board.

They also said, and there is some truth in this, that before dollar-for-dollar and Government Assistance for Tuition Expenses (GATE), and now there is free tertiary education, a lot of students could not afford to do the course, because it was expensive, so they went on to do other courses. The third reason some of them dropped out from the course and there was not a big intake, was because this is a four-year degree course. Graduating from the university with a degree, after being there for four years, you still have to spend six months, the 840 hours, to do the internship and then you get a salary of about \$6,000.

Now, if you had gone to UWI and done a degree in natural science or social science, you would have been able to come out and teach and get a salary almost twice that amount. So a lot of students found that this was not an attractive profession, especially as far as the remuneration was concerned. These were the reasons I think all the spaces in the programme were not taken up.

The Minister also mentioned that it is not acceptable now for student pharmacists to be registered by the Pharmacy Board. We on this side could agree with that, but remember there is also a stipulation for all nursing students to be registered by the Nursing Council before they can enter the nursing programme. I do not know if that has changed, but that was the requirement. If you are changing this, because you do not accept this from the Pharmacy Board, then I think you need to change that as well. You need to level the playing field for all the professions. You need to look at the nursing profession, because I do not think you want to have one rule for one profession and another rule for the other. You need to remove that restriction.

I am in agreement with the provision not to have an examination administered by the Pharmacy Board for students who have come out of the University of the West Indies. We are very familiar with the course there and we know that it is a very good one. I do not think that it is necessary for us to put the students through another exam, having trained here locally.

We had the same problem, some time ago, with the dentists and, as you know, the Dental Council was administering an exam for the graduates of the dental school. We brought legislation to deal with that, for the students who had graduated from the dental school would be able to be registered. So we have no problem with students who get the bachelor's degree here in pharmacology, being registered without going through an exam.

8.20 p.m.

Mr. Speaker, I do not know if it is the right way to go for pharmacists who are coming from abroad not to have an exam administered by the Pharmacy Board. I think there is a lot to be said for having foreign pharmacists participate in an examination administered by the board or any authority in Trinidad and Tobago.

For instance if you go to practise in Miami you have to do the State Board Examination regardless of what qualifications you have. You can have the highest qualifications, but if you go to Miami or any part of the United States of America you have to do the State Board Examinations to ensure that you know the law and their practices and so forth. So I do not see why it is necessary to remove the examination for pharmacists who are coming from abroad. I think if we are moving to First World status, and if we want the best for our citizens, there is much to be said for keeping the examination.

Mr. Speaker, I want to advise Members of this House as to what the roles and responsibilities of a pharmacist really are. A pharmacist is not a pill pusher; he/she is not one who collects a prescription and hands out pills, that is not the role and function of a pharmacist. A pharmacist is a professional person; he or she has been trained professionally to do many things and is required by law to do many things.

Firstly, a pharmacist will order pharmaceuticals/drugs and that in itself is a special skill because you have to know the quantities you are ordering. All drugs have expiry dates so you have to know what your usage pattern is and you would not order more than your usage pattern to have the drugs expire on you. So there is a special skill even in ordering drugs.

You need to have proper documentation; checking the expiry date of every drug that comes in; the pharmacist needs to store drugs properly; some of these pharmaceuticals have to be in the refrigerator; some can be on the shelves; some cannot be in the light or in very bright places and, of course, pharmaceuticals, as you know, should not be stored on the floor and things like that. That is another area. Then, of course, the pharmacist records all the drugs that are coming in,

particularly the antibiotics, controlled drugs, narcotics and so forth. That is also a special skill because you need to know which drugs are classified as antibiotics, which are classified as controlled drugs, which are classified as narcotics and these have to be stored in different areas as well under lock and key.

Then of course the pharmacist dispenses, he/she must be able to read the prescriptions properly and then dispense. In dispensing, you have to label your prescription properly because you have to be able to properly communicate the direction to the patient so that the patient does not misunderstand you and misuse the drug and cause harm to himself or herself. So the pharmacist will have to tell the patient whether the drug should be taken with meals; whether it should be taken on an empty stomach; what time of the day the drug should be taken; whether in the morning, lunch time, or at night; how many times per day the drug should be taken; and the side effects of the drug. It is important that the pharmacist tells the patient the side effects of the drugs; whether it will make you drowsy, whether it will give you a headache and things like that, and whether there are interactions with other drugs that the patient might be taking.

Mr. Speaker, probably the most important function of a pharmacist is being the last check and balance before the patient takes a drug. When a patient goes to the doctor; he is seen, examined, diagnosed, and a prescription is given which is taken to the pharmacist but there is a possibility that the doctor can make a mistake in that prescription, and this has occurred. The doctor can write a dose that is too high, or too low, he/she can write to take a tablet three times a day and that tablet should be taken only once a day. The pharmacist is the check and balance as far as that patient is concerned. So when that prescription goes to the pharmacist and he/she realizes that there is a problem with it, the pharmacist can alert the doctor telling him there is a problem with the prescription and would like it confirmed, and in that way sort it out so that the patient can get the best deal.

The pharmacist is not only a pill pusher but a very important professional. This is why I am saying that we have to ensure that the pharmacists who are coming in to practise pharmacy in this country are well qualified so they can look after the interests of the population.

Mr. Speaker, the Minister mentioned that there is a shortage of pharmacists in Trinidad and Tobago. I do not know how many there are, maybe 300 or a little more than that because I think there are about 250 private pharmacies in Trinidad and Tobago and each of them is supposed to have a pharmacist. And I think in the public health sector there may be about 60 or 70, so besides the Filipinos, there may be about 300—320 pharmacists in Trinidad and Tobago,

I do not know if that is sufficient, maybe it is not. I have been told that according to international benchmarks we are way above the average but I do not want to get into that. If there is a shortage, there is a shortage especially in the public sector. What I thought the Minister would have told us—and this is where I thought he was deficient in his presentation—is what exactly the difference is. What exactly is the gap? How many pharmacists are there in Trinidad and Tobago now in the public sector? How many are there in the private sector? How many do we need in Trinidad and Tobago at present? And given the projections for medical institutions and population that may come in place in the next five or ten years give us an appreciation of how many pharmacists we would need in the next five years.

If we know that our gap is about 100, it is 50 now, and in five or ten years' time it will be 100, then we can structure our training programmes. We must know the rate of attrition of the pharmacists who we have at present; how many are getting old, and how many will not be in the system within the next couple years then we would have an appreciation of how many pharmacists we need to train within the next five years so we can be self-sufficient. If we had that kind of gap analysis we would know whether our programme at the University of the West Indies needs to be expanded or whether in two or three years we will be self-sufficient. We did not have that, so we are not sure as to how soon we will become self-sufficient in Trinidad and Tobago as far as pharmacists are concerned; and not only pharmacists but other health professionals as well.

The Minister mentioned that there is a shortage of doctors and that is true, there are shortages in certain areas, but again in the projections for the health sector for population and attrition and so forth, we should be able to say how many doctors we would need in urology, how many in paediatrics, and in every, other discipline so that we can plan and begin to train now so that in five to ten years' time we would be self-sufficient insofar as our own professionals are concerned.

We are training doctors now. I do not know whether we are training 40 or 50 doctors at the University of the West Indies which is funded by the Government, some are also training at St. Georges University, but will that be sufficient to take care of our needs? So I am saying if that kind of analysis is done, then we would know and train so that in a few years time we would not have to go knocking all over the place looking for health professionals.

Mr. Speaker, the Minister mentioned that there has been—well I do not know if he mentioned this—some migration of pharmacists, but not abroad—some of them have gone abroad, as all professionals—but from the public to the private sector. I

can tell you that many of the pharmacists who have gone from the public sector to the private sector would prefer to work in the public sector because there is so much to gain from working there, the service that you give and so forth. But the private sector pharmacists and public sector pharmacists all have to face the same increases in cost of living and go to the grocery, and if the private sector is paying a salary that is almost double or one and a half times what the public sector is paying, then of course, they will attract the pharmacists from the public sector.

I am saying that is one area I did not hear the Minister address and that is what is to be done to retain the pharmacists within the public sector. We would always have that problem of pharmacists wanting to go to the private sector, but if you have measures in place to retain them in the public sector, then it is likely that so many of them will not leave. Their remuneration package and their terms and conditions of work need to be improved.

Mr. Minister, I know that you have a difficulty or an issue with the Chief Personnel Officer (CPO), but why is it that the Regional Health Authorities cannot offer a better pay package? They do not have to go to the CPO; that is why the Regional Health Authorities were created so they will not be in the public service.

Mr. Minister, through you Mr. Speaker, if the Regional Health Authorities were to offer the same package that the private sector is offering and there are public service doctors who want to go to the private sector, they will go to the RHAs because they are offering the same package as the private sector. Why can the RHAs not offer that package? I am saying that you can get the Regional Health Authorities to offer an attractive package to pharmacists so that they can remain in the public sector and you will not have to import so many pharmacists from abroad.

Do you know what is more difficult to understand, and the Minister can clarify this in his winding up. I understand that the salary of a local pharmacist is between \$5,000 and \$7,000 and the senior pharmacist gets about \$7,500—that is the package at present—but the Filipino pharmacist's total package comes up to about \$11,000. *[Interruption]*

Mr. Speaker, something has to be wrong there. If the local pharmacists are leaving the public sector and going to the private sector to get \$11,000 and you have to bring pharmacists from abroad to pay them \$11,000, why do you not pay the local pharmacists \$11,000 and retain them in the public sector? It will be easier because many of the pharmacists who have gone from the public to the private sector would prefer to work in the public sector but it is because of the

remuneration package, and if that can be sorted out—and there is a way to do it—where it does not have to go to the CPO. If that is a policy decision of the Government that the Regional Health Authorities' remuneration package should go to CPO first, then you can deal with that at the policy level in Cabinet. I see no reason why it cannot be done because that is why the Regional Health Authorities were created, to delink it from the public service so that there will be that flexibility to deal with staff. That is a fundamental issue that needs to be dealt with.

Mr. Speaker, I mentioned a while ago the roles, functions, and duties of a pharmacist and I mentioned that the pharmacist is a professional who provides a very important service to the population. The Minister mentioned that there are Filipino pharmacists here who are providing a good service. That may be so for most of them, but we have to be assured that especially health professionals who have been put within our system are qualified enough to deliver the level of service that we expect and what we need.

You will recall, Mr. Speaker, I said that the pharmacist is the last check and balance in our whole chain of professionals before the patient actually takes his medication, but if the pharmacist is incompetent then who protects the patient? Who protects the patient if the doctor is incompetent? If the doctor has made a mistake, the pharmacist will protect him, but if the pharmacist himself or herself is incompetent then who protects the patient? There is no one to protect the patient.

Mr. Speaker, recently there was a highly publicized incident at the San Fernando General Hospital, and I am saying this is not an isolated case but this was the one that was publicized where a pharmacist was dispensing wrong medication to patients. That was highlighted in the newspapers, I am sure the Member for San Fernando West would know about it.

Mr. Speaker, the pharmacist was a Filipino and I think it was a disservice to the local pharmacists if the reporter knew that it was a Filipino pharmacist and wrote only a pharmacist, because that would put all pharmacists under suspicion. I am saying it is not true to say that all the pharmacists who have come to work here from abroad are all competent. That is not the only problem. We have seen and read in the newspapers that they have prescribed wrong medication and when you dispense wrong medication you can actually kill a patient. It can result in lots of difficulties and it can also result in death. I am saying that is not an isolated incident.

Many of the Filipino pharmacists have difficulties in understanding some of the English and Latin abbreviations that doctors use to write prescriptions. Doctors are trained to write prescriptions in a particular way. A doctor will not write in long hand take one tablet three times a day, he does not write a prescription like that. He will write 1, a little dash, a dot, tab, tds, pc and that means one tablet three times a day after meals. If a pharmacist cannot understand that, and my understanding is that some of the Filipino pharmacists read “tds” to mean twice a day but the abbreviation “tds” means three times a day. So if a pharmacist cannot understand the abbreviation, then he/she may be giving wrong doses to patients and that can result in severe consequences and even death.

I do not know if the Minister knows, but in Canada Filipino pharmacists are not accepted to practise because the Canadian authorities have determined that they are not qualified to practise there and they are not allowed to do so.

Mr. Rahael: Mr. Speaker, just to assure the hon. Member that most of the Filipino pharmacists, if not all, actually went through an orientation and an internship. They all worked with a responsible pharmacist before they were put out to our public health pharmacies.

In addition to that, most of them worked alongside our local pharmacists so they are constantly being monitored and, like you said, there are persons in all disciplines whether they are pharmacists, doctors, or nurses, some are more competent than others and there would be some who are not as competent and that goes for any discipline and group of persons.

Mr. Sharma: What is your point?

Dr. H. Rafeeq: Yes, Mr. Minister, I know that they are required to work under supervision for a while and I am querying whether in fact, the period they have to work under supervision is enough. That is what I am querying. If we are having difficulties with them, it probably means that the period of orientation is not enough. There needs to be a longer period of orientation if they are having difficulties reading the prescriptions and giving wrong prescriptions and so forth.
[*Interruption*]

Mr. Speaker: Order!

Dr. H. Rafeeq: Mr. Speaker, I just want to raise the issue of the pharmacy assistants which the Minister mentioned a while ago. In 2003, that Act was passed to establish that category of staff, pharmacy assistants, and I want to read very briefly what they are allowed to do:

They can assist in the preparation and compounding of prescriptions, medication orders, and ward stock.

Receive, check, and store stock, and check for expiry dates of all pharmaceuticals.

Assist in entering prescription orders into the information system whether electronic or paper based.

Prepare books or computer files for keeping records such as dangerous drugs, antibiotics, controlled drugs, and general prescription book.

Assist in the preparation of ward patient medication cards and deliver same.

Co-ordinate with pharmacists in the preparation of up-to-date, available drug lists for use by medical practitioners, and assist in the pre-packaging of drugs including liquid, solids, injectables, ointments and creams.

Mr. Speaker, at present all this is done by the pharmacists so you can imagine how much work this is especially in an institution like a hospital where the turnover of patients is so great. This Bill was passed in 2003 and there was no programme in 2003, none in 2004, none in 2005. That programme has now started. I am saying if there were pharmacy assistants for the last three or four years, it is possible that we would not have had so great a shortage of pharmacists within the public sector because the pharmacists would have been freed up to be allowed to do their professional work, because much of what they do at present would have been done by the pharmacy assistants. That is why that group of pharmacy assistants was created in the first place.

I am glad that the programme has started and I heard you mentioned—but I missed what you said about the private pharmacies—but I hope as the commitment was made when this Bill was passed that the private pharmacies would also be incorporated in this programme at the cost of the Government. That was the commitment which was made when this Bill was passed and I hope it will be kept. If you want, I can quote the *Hansard* for you, but that commitment was made and I hope you can keep it.

Mr. Speaker, the Minister mentioned the Chronic Disease Assistance Programme (CDAP). I have always said in this House and in other places that it is a good programme in concept. Of course, it was an initiative of the United National Congress (UNC) and implemented by the previous Minister and, of course, improved by the present Minister.

Mr. Minister, there are a couple problems in the programme that I want to mention to you. First of all, as we speak, there is a shortage of some critical drugs and I hope you can use whatever influence you have to ensure that these drugs come to Trinidad and are disbursed to the pharmacies as quickly as possible. One of the drugs is not available now in the CDAP and because it is not, all the stocks in the private pharmacies have dried up so it is not available anywhere in Trinidad and Tobago at this point in time. It is GTN, glyceryltrinitrate.

Mr. Speaker, that is a drug that is used under the tongue for patients who have heart disease, angina. It is an extremely frightening experience when you are a patient who has heart disease and you depend on that to save your life and it is not available. That is a life-saving drug and right now there is none available under CDAP and because of that, all the stocks from the private pharmacies have dried up as well because all have been bought out.

Hon. Member: Do you have in your pharmacy?

Dr. H. Rafeeq: There is absolutely none. We do not have any. That is a life-saving drug and I want to make a special plea to you Minister, to do what is necessary to ensure that drug comes into the country as soon as possible.

Mr. Sharma: Only Super-Pharm has it.

Dr. H. Rafeeq: That is one, but there is another drug I want to mention, it is the one you introduced into the programme earlier this year, it is one for stomach; omeprazole. That drug has not been available for the last three months. Just about a month ago, a small stock came in and was used up. That is also a very important drug. As different from the tablet to put under your tongue, there are many companies that sell this drug. This one is easily available, so see what you can do to get this as early as possible.

Hon. Member: “Yuh checking the wrong pharmacy.”

Dr. H. Rafeeq: This is not PNM medication. This is funded by the citizens of Trinidad and Tobago, not by the PNM.

Mr. Minister, through you, Mr. Speaker, I want to make another point. I know that you have added some drugs to the programme this year. There are two drugs to which I want you to give serious consideration because you are dealing with chronic diseases and in the chronic disease programme, you have given salbutamol inhaler; that is for asthma but many patients do not use the inhaler, they use the tablets and the tablets are not on the programme. Some patients use the inhaler only when there is an acute attack, but most of them use the tablets on a regular

basis. It is a cheap tablet, I think you will be able to get it for maybe 10 or 15 cents. So I make a plea with you to get that tablet on the programme.

The second tablet and I think this was mentioned to you somewhere in Chaguanas at a programme at which I was present. It is a tablet that is extremely important now for prevention of heart disease and stroke. Many patients use aspirin for what they say will thin the blood which is available in the programme, but there is another tablet that is far superior to that and is being used worldwide now and it can have the effect of preventing a heart attack. It can also have the effect of you not having to go and do an angioplasty or bypass surgery, it can save you from getting a stroke, and this is where I want to plead with the Minister with all the force that I have to get plavix on the programme.

It is an expensive tablet and this is why many people cannot get it and this is why I am making the plea. If it were cheap, people would buy it, but this tablet is retailed at \$19 for one and I know it is the intention of the Government and our intention to make health care available to all citizens of this country regardless of their ability to pay. That tablet is extremely important as I said for patients who have heart disease, and patients who are getting to the stage where they may have strokes and so forth. So I really make a plea that you get this tablet on the programme.

Finally, on the CDAP I want to say that some of the generic tablets that are being used need to be looked at again. You can get your technical people to look at them, they may not be as efficacious as they were intended to be.

Before I wind up, there are two or three small points again and the first one has to do with counterfeit drugs. At this point, that is a billion-dollar industry in the world and these drugs are not effective. They are packaged the same way as the original ones and many people can be fooled innocently and if they take these medications, innocent people can get caught, and they can have serious effects to the point that they can even cause death. I do not know if the Minister can tell us what steps the ministry is taking to deal with the influx of counterfeit drugs in Trinidad and Tobago.

The other issue as far as the health industry and medications and curing of diseases are concerned is false advertising. Sometimes you hear on the radio people advertising a cure for almost every disease in this world. A cure for cancer; a cure for AIDS; kidney disease; fibroids; and a cure for all sorts of things. They are selling all sorts of medications and claiming that they can do so many things.

Mr. Speaker, the population needs to be protected from these people because almost every day, if you listen to the radio, you will hear all sorts of concoctions being advertised to cure all kinds of diseases and I am saying that innocent persons are being fooled. The population needs to be protected and, Mr. Minister, that is your responsibility. It is all our responsibility, but it is certainly your responsibility and we would like to hear from you what you are doing about it.

8.50 p.m.

Finally, we are talking about pharmaceuticals, drugs and pharmacists but we need to step back a little further and deal with the preventive. I know that there are many programmes within the Ministry of Health to deal with the prevention of diseases but there is one area that I hope you have the fortitude to deal with. That is the area of the fast food industry. By your reaction I did not expect anything different. I know that it is a difficult area. Today, we are bringing up a set of young people who are not very active physically. They are sitting down behind the Internet and the television and eating fast food. In a couple years there will be an explosion of diseases in this country. It is happening already, but before that explosion takes place you need to have some kind of programme to deal with that.

There is one final point that I want to mention. We are talking about improving the health status of our population. A few years ago, no less a person than the Prime Minister announced with great fanfare in Parliament that he was appointing a commission of enquiry to diagnose what was wrong with the health sector and make recommendations. That commission was supposed to have reported in six months. Many six months have passed. One chairman has died; one member has resigned and so far, three years later, we do not know where that commission of enquiry is. We know that they have not had any public meetings and some time ago they were saying that they were waiting on lawyers.

We would like to know the position of this commission of enquiry. We hope that we can get a report from this commission of enquiry probably before the end of this year so we could understand from their investigation and the people whom they have interviewed what is wrong with the health sector and the prescriptions they have made, so we could improve the sector. I hope that we can get that report before the next election.

With these few words, in the exercise that we are engaged in, this is a tidying up exercise. We have no problems with most of the clauses. The 500 hours for the pharmacists from abroad, maybe that should be looked at; it should be more. Maybe we should have a second look at the examinations for pharmacists from abroad. In the drafting, just for consistency I do not know why for Caricom and

non-Caricom nationals we have three months but when you are talking about the UWI pharmacists, you talk about 840 hours. Why did we not put six months instead for consistency?

Thank you.

Mr. Speaker: Hon. Members, before I call on the distinguished pharmacist from Tabaquite, I think this is a good opportunity to take the break. Dinner is served and we would resume at 9.25 p.m.

8.55 p.m.: *Sitting suspended.*

9.25 p.m.: *Sitting resumed.*

Dr. Adesh Nanan (Tabaquite): Mr. Speaker, I enter the debate on the Pharmacy Board (Amdt.) Bill. I do so as being a part of the system. Following 1996, as the Minister mentioned, there was the introduction of the degree programme at the University of the West Indies. In the 1980s there was a pharmacy diploma programme. At that time it was very difficult for a pharmacy student.

I will give you a brief history because this convoluted piece of legislation before the House in terms of a historical perspective shows how it was in the '80s when the Bill was first brought forward. I would go back there because it is important to understand that particular point and then come forward.

The pilot Bill makes reference to the repeal of the medical ordinance. At that time druggists were licensed under the medical ordinance. When that Act was repealed with the coming of the Pharmacy Board Act the licensed druggists automatically became pharmacists. I am sure that if you look at the parent Act you would see that there was allowance for medical practitioners to pay a fee of \$25 and they would be registered as pharmacists. Later on a division was made where a medical practitioner could not become a pharmacist because of conflict of interest.

In that parent Act there was no reference to a pharmaceutical student. It made reference to pharmaceutical apprentices which included pharmaceutical students. Initially, they were pharmaceutical assistants. In the 1980s, a person who wanted to do pharmacy had to be assigned to a pharmacy. In the application, before the pharmacy student could have been accepted he had to show the Pharmacy Board that he was attached to a pharmacy. It was very difficult at that time because there was not that acceptance of pharmacy students. I guess it was a kind of guarded profession in the 1980s.

In terms of moving to a pharmacy degree, you do not have that problem any more with respect to getting attached to a pharmacy. After weeks of trying you would get attached to a pharmacy and enrol in the pharmacy diploma programme. It was very difficult because you had to spend a certain number of hours working in a pharmacy and attend classes at the university, if I recall from 5.00—8.00 p.m. For those from the southland they had to venture to St. Augustine to take classes. It was very difficult to mix the working and classroom environments.

In the working environment you were not given any assistance. As a pharmacy student you had to work as a pharmacist. In that programme a pharmacy student had to start from washing bottles for the liquids. You would be like a pharmacy assistant. I recall that on my first day in that particular working environment I was put in the bottle room in a particular pharmacy. I had to wash all the bottles and ensure that they could have been used for packaging. Then you work your way—the approach in that particular programme assisted you. You learnt the drugs in the pharmacy very easily and you interacted on a daily basis with the patients. Of course, you were supervised by a responsible pharmacist. You had the opportunity to ask questions of the pharmacist and get your hours of theory at the University of the West Indies, Extra Mural Department. You had the hands-on approach.

I want to congratulate the Chief Whip, the Member for Caroni Central, on an excellent contribution because he showed the importance of a pharmacist. If the Minister were here I would point out to him—in his presentation he made reference to the pharmacy assistant. As the Member for Caroni Central pointed out in his contribution, one of the functions of the pharmacy assistant is to assist in the preparation and compounding of prescriptions, medication, orders and ward stock. [*Interruption*]

I am showing you something else, another aspect. There is a difference between dispensing and compounding. Whereas in dispensing you can have a simple exercise of counting a few tablets; putting them in an envelope; having it properly labeled and then give it to the patient, in the compounding exercise it is a different environment. You have to know the percentages of the chemical that you are putting into a particular mixture.

I recall that in the pharmacy we had to make an ointment to remove corns. That particular evening I made a large batch of the ointment with the chemicals phenol, zinc oxide and salicylic acid. Salicylic acid has a peeling potential; zinc oxide is anti-fungal and the phenol is a very corrosive element if used in large quantities. I am sure that the Member for Diego Martin West is aware of the

potential of phenol in large quantities. *[Interruption]* I am trying to explain to you how important the role of a pharmacist is. You need to see it from that level. This is compounding at a different level. That particular batch of ointment was made that afternoon. In so doing, accidentally, I had rubbed my hands with the ointment to remove the corn.

I left from that pharmacy environment and went to an Intercol match. Of course, at the match the team I was supporting was winning and I did a lot of applauding. Would you believe that with the penetration of ointment into the skin, for the next few days the entire layer of the top skin peeled off completely? I am demonstrating that to the House to show the importance of a pharmacist. If the pharmacist does not know the percentages especially in compounding—today, many pharmacies do over the counter medication and have most of the items on the shelves. In rural areas if you go to a pharmacy, you might find the pharmacist compounding a mixture for a fever or cough. You have a local mixture. You still have that ability. Much compounding takes place in the public institutions as the hospitals. Many requests come via mixtures.

If these pharmacists you are bringing are not aware of these percentages; art of compounding and utilizing formulae—that is why in the actual application you must have the particular combination of Physics and Chemistry, A level subjects. This is a science. This is not just counting tablets and giving to a patient. This is beyond that. You must have a strong pharmacology background. The Member for Caroni Central talked about the importance of that particular tablet, glyceryltrinitrate. There is also another interaction.

If you give a patient metronidazole for a fungal infection—the trade name is flagyl—and that patient is not warned that there is an interaction between alcohol and flagyl, that patient can end up in a situation with extreme vomiting. There is a disulfiram reaction between that particular drug and alcohol. This is the importance of the pharmacist. In many societies today because of the advancement in technology you could press a button and have much interaction. You can see on a computer screen if you are administering a drug what interactions are possible. It has gone high-tech. *[Interruption]* I do not know why the Minister of Health does not have that available. That will help the situation at many pharmacies. Drug interaction is critical when dealing with patients.

You may ask yourself, what if I give a patient magnesium trisilicate tablets—that is an antacid—or tetracycline capsules? I am sure that the House is aware that if you give tetracycline which is an antibiotic and the patient drinks milk or any milk products, the calcium from the milk would interact with the drug and

you would not get the full effect. You may take tetracycline for a week and there would be no therapeutic value because the efficacy of the drug would be reduced considerably.

The Member for Caroni Central mentioned counterfeit drugs. In terms of the efficacy and therapeutic potential of a drug, the pharmacist has to know the toxicity level. Some drugs can be administered in large quantities and some only in very small quantities—knowing the toxicity level and the antibiotic threshold. There is a misnomer in this country that if you take more and more antibiotics it would be better. Many patients are being given antibiotics in low doses. If you give antibiotics in low doses you would not reach a certain threshold level. If that threshold level is not reached you would not have any antibacterial effect of the drug. The pharmacist must inform the doctor. Many times the doctor will prescribe and then the pharmacist would advise the doctor that the kind of dosage he administered, he would not get the effect that he desired. Such is the importance of having that pharmacological background as well as all the various areas of the pharmacy programme.

That is why, Minister of Health, when you look at a programme and the Accreditation Council has to accredit it, it is important in the concept of delivery to the population. Pharmacists with a degree as the Act says can come from abroad after practising in the country where they obtained their degrees, but it would be a different environment in Trinidad and Tobago. Just to draw reference, when many patients have toothache with an accompanying abscess they go to get antibiotic coverage. They may take one or two capsules and it has no beneficial effect because they need a certain amount over a certain period of time.

When the Member for Caroni Central spoke about the administering of dosage and the Latin abbreviations to give the dosage, it is important to give the medication two or three times a day. Today much of the medication must be given after meals because of the potency and the action of the drug on the stomach wall. Many drugs cannot be given in the stomach, that is why there is enteric coating. The action has to take place in the small intestine.

I went in that direction to show the House that the profession of pharmacy is very important. It is a life and death situation we are dealing with. This is not a joking matter.

The Minister of Health brings this Bill to the House and informs us that the Bill went to a select committee of the Senate and everything was discussed. I read the report; I read the contributions of all the Members of the Senate. I read the

reports to see how the discussions went and not to get information to regurgitate in the debate. *[Interruption]* I cannot help it if I am technology competent, Mr. Speaker. *[Desk thumping and laughter]* I do not know if they have that ability. With the click of a mouse you can get all that information on Parliament's website. You do not have to come to the library to get it. You can get it from the website. I do not want to discuss computer literacy and the use of the Internet in this particular debate.

It is there and I congratulate the staff of Parliament for the website. I do not know how many of them use the website. Parliament has a very comprehensive website and you can get the information very quickly.

With that background information and having had that angle of debate in the Senate and the committee's report, Minister of Health, I have a few comments to make in that respect. *[Interruption]* Very briefly. As I said before, it is a very convoluted piece of legislation because I had to traverse several Acts and regulations to put this into perspective this evening. As the Member for Caroni Central said, it is very difficult to find all the information very quickly. In so doing and having looked through all the pieces of legislation and the amendments, there are certain areas that I need to comment on. I do not know if it might be changed in the committee stage, but it is important. The legislation moved away from the pharmaceutical assistant. It went from pharmaceutical assistants and pharmacists to the pharmaceutical students. That is initially. Apparently, you were absent from that particular debate.

9.50 p.m.

So, initially, they were the pharmaceutical assistants. Then they moved away from that and went to the pharmaceutical students. They have now moved away from that and they are going to the—*[Interruption]* Yes. They no longer have that particular provision. The amendment, actually, is removing the pre-registration, and that is what I am speaking about, the pre-registration aspect is being removed. It is being removed in all areas of the Bill, whether it is a pre-registration tutor, a pre-registration pharmacist, a pre-registration period; they are all being removed from the Bill. They are moving now to just the Pharmacy Degree Programme.

Mr. Speaker, initially, in the regulations of 1987 there is a period of six months. I will read it just for the record.

“A pre-registration pharmacist may not be registered as a pharmacist unless he has undergone pre-registration experience for a period of six months after being registered as a pre-registration pharmacist.”

What the Bill before us is doing—they are keeping the six months but they are saying not pre-registration pharmacists, they are saying that that person is going to be called a temporary licence holder. You are now moving from the pharmaceutical assistant, away from the pharmaceutical student to a temporary licence holder. That is where we are now. When we look at the situation, you have a temporary licence holder—and I gave this background to show you that the Pharmacy Degree Programme and the internship that you are now putting, with respect to six months for the students coming out of the University of the West Indies, may need to be looked at again. It was mentioned here in terms of the capability of the students.

Mr. Speaker, just for reference it takes a student 44 months with a degree to become a dental surgeon in Washington DC. When you have finished your 44 months you get your certificate. There is a difference, however, and this is the important part, Mr. Speaker. There were many students who finished the Dental Degree Programme and could not practise in their own countries because they did not pass the Dental Board examination so they had to remain as dental hygienists until they passed the Dental Board exam.

What I am showing is that there are many areas, as the Minister pointed out—In fact, it is such a closed environment that they may not be able to obtain a licence in their particular country because they could not pass the Dental Board examination so they would not be licensed in their countries. There are these students who are coming back from these foreign universities.

Mr. Minister, if I recall, forensic science was a part of the programme that we had to do. Forensic Science and the Food and Drugs Act and other pieces of important legislation which would be necessary, so you may need to look at that again with respect to the students who are coming from abroad and what is happening when they come in that particular six-month period. Are they going to know forensic science or forensics in terms of the pharmacy environment and the Food and Drugs Act? The Food and Drugs Act that we amended in this House is very important. You saw the importance of the drugs that we were discussing and the side effects.

A pharmacist also has to control the amount of antibiotics that are being distributed because every single antibiotic tablet or capsule must be recorded. These particular registers are checked from time to time; it is the same with the narcotics situation. I do not know how the foreign pharmacists are relating to this particular aspect. What is peculiar here—if I am wrong you will correct me—is that I was under the impression the Filipino pharmacists were coming only for the

hospital environment, but now under this amendment the Filipino pharmacists could move into the private sector. [*Interruption*] But that is a possibility; that can happen. Because with this amendment they are not confined to the public sector; they can go into the private sector. This amendment points to—you will correct me if I am wrong—

Mr. Rahael: Mr. Speaker, I just want to inform the hon. Member for Tabaquite that with respect to these pharmacists the work permit that they have allows them to work only in our public health institutions and for the Ministry of Health.

Dr. A. Nanan: Thank you for the clarification, hon. Minister. I do not want to play devil's advocate here but I want to point out that the amendment to section 2 talks about approved pharmaceutical establishments and you include a retail pharmacy business, the pharmaceutical department of a hospital and similar institutions or a pharmaceutical industrial establishment. This one is either/or. Do you agree with that? But in the initial part they had two. I do not know if you recall that. Instead of being either/or and you were working fulltime in the initial Act and then you would be under a responsible pharmacist. It may be, as you have pointed out, that they are contracted for the health sector, but in the distant future, we do not know that they may go into the retail pharmacy business. That is why when the Member for Caroni Central pointed out, in terms of the percentages, the number of pharmacists and the total population and the breakdown with respect to the private sector, if you have this kind of intervention we do not know if there would be a shortage anymore, or if there is any shortage in the private sector. I am told that there is no shortage in the private sector. That is one area that I wanted clarification on.

The other area is the temporary licence holders. You are dealing with the students from the University of the West Indies; you are dealing with Caricom nationals and non-Caricom nationals and you mentioned the Caricom situation with respect to the Caribbean Single Market and Economy (CSME). Why did you not go to the Caricom market first before you went to the Filipines?

Mr. Rahael: Mr. Speaker, just to inform the hon. Member for Tabaquite, in fact, we did go to the Caricom market and even beyond. We also contacted our embassies abroad and enquired from them if there were any Trinidadians or Tobagonians who were interested in coming back to Trinidad and Tobago we would be able to provide them with a job, whether it is in nursing or pharmaceuticals.

Dr. A. Nanan: Thank you. Mr. Speaker, I am going to wind up my contribution because the rest of the matters that I have to bring forward I am sure I will have to

mention them at the committee stage. But there is one area I need to talk about before I wind up, and that is with respect to the CDAP programme. I also want to make a plea for a particular drug for the patients who are suffering from glaucoma. Mr. Speaker, glaucoma is as a result of increased blood pressure to the eye, and bleeding from some of the peripheral blood vessels in the eyelid.

I make reference to that because of the cost of the medication to treat glaucoma. One of the eye drops used is Timoptic; if I remember correctly it is 0.25 and 0.5 per cent. It is a very expensive eye drop. [*Interruption*] It is on the programme?

Dr. Rafeeq: Yes.

Dr. A. Nanan: Okay, I am glad for that. I am sure the Minister was not even aware. I am happy that is on the programme because I recently checked and did not see it on the programme. The other one is the Philocarpine eye drops. Mr. Speaker, once those are on the programme I am very happy for the patients.

Mr. Rahael: We accept compliments; you know, so go ahead and compliment us.

Dr. A. Nanan: I give kudos where they are due, Mr. Speaker.

I was just winding up my contribution, but right now as I speak the people of Guaracara and Barrackpore cannot access their health centres. They cannot go to the drugstores if there is a problem because the roads are blocked. [*Crosstalk*] They cannot access any medication. For the information of the Members opposite, these rural constituencies consist of very venomous creatures such as snakes, scorpions and spiders. What can happen is that you could have a child being bitten by a scorpion in the middle of the night and because of the situation as it stands in Barrackpore and Guaracara—[*Interruption*] This is not a joking matter, Member for Diego Martin East. In my constituency as a whole, in the area of Brasso, we have made several pleas to the Member for Arima with respect to street lighting. Even in the day and especially at the night the children encounter snakes and scorpions on the roadway. I am relating this with respect to the medication and the importance of having street lights, as I have requested, so that at least they could avoid the snakes and scorpions if they cannot get to the health centre. I am pleading with the Member for Diego Martin East to remedy the situation as soon as possible.

Mr. Speaker, I made that particular tangential intervention because it is important to understand that these situations can arise at any time; these are emergency situations and the population is at risk.

With those few words, Mr. Speaker, I thank you. [*Desk thumping*]

The Minister of Health (Hon. John Rahael): Mr. Speaker, let me first of all thank the Members on the other side, the Members for Caroni Central and Tabaquite, for their contributions towards this debate. I am very happy and pleased that they are in support of this piece of legislation that would provide the opportunity for more persons to become pharmacists in Trinidad and Tobago. As was pointed out by the Member for Caroni Central, now that the Government of Trinidad and Tobago has made tertiary education available to all citizens of Trinidad and Tobago, once they qualify for entry into whatever field or discipline that they want to get into, they would be able to access that at no cost to the individual, through many of the programmes including, of course, the GATE programme, that the Government has put in place so that no citizen of Trinidad and Tobago would be left out of getting a tertiary education because of their financial status. I think that is something the entire country applauds because it is this Government—first of all, it was a PNM government which introduced free secondary education in Trinidad and Tobago and now, again, another PNM Government is introducing free tertiary education in Trinidad and Tobago. Mr. Speaker, I had to point that out.

With respect to the legislation, I want to inform the Member for Caroni Central that I, too, am anxious to get a number of these bills to the Parliament, particularly, the Tobacco Bill and right now that Bill is before the Legislative Review Committee and I am hoping that in a matter of weeks we would be able to bring that piece of legislation to Parliament, as we continue to try to bring the other pieces of legislation.

I am very pleased to learn from the two pharmacist Members on the other side—

Mr. Sharma: Doctors.

Hon. J. Rahael:—who have made their contribution to this debate and who have pointed out the importance of a pharmacist. I am very pleased that they, too, have recognized that there is a shortage of health care providers, not only in Trinidad and Tobago but worldwide. We have increased the number of persons that we are training in almost every discipline in health care. We are not only trying to encourage more people to get into the pharmacy programmes but also in medicine, as radiographers, radiologists, pharmacy assistants, nursing assistants and also we have more than doubled the number of persons that we are training in our nursing school.

Pharmacy Board (Amdt.) Bill
[HON. J. RAHAEL]

Wednesday, September 06, 2006

With respect to the remuneration, let me say, Mr. Speaker, that I agree that the pharmacists who are employed by the Ministry of Health, their wages are not in keeping with what is really the market wages for a pharmacist. A year and a half ago the pharmacists who worked in the public sector came to see me and they informed me that for over 25 years they have been trying to get reclassified with respect to their positions in the public service and that they were unsuccessful.

I intervened and was able to advise them that they should get their union to make representation to the Chief Personnel Officer. I contacted the Chief Personnel Officer to try and meet so that we could look at the reclassification so that better wages could be provided. My understanding is that they have come to a stalemate. They have agreed on certain items to be reclassified but not all of them, so that is ongoing.

Also, Mr. Speaker, the question about obesity and fast-food, and preventative and primary health care, let me say to the Member for Caroni Central that that is one area that the Ministry of Health is going to aggressively promote. We have recognized that unless we deal with the problem at that stage, the preventative and primary level, we are going to be in a position as the United States of America and the developed countries, where many of their citizens are obese and many of them suffer from cardiovascular diseases and end-stage renal failure. We have already seen that happening in Trinidad and Tobago today and having recognized that there are a number of programmes that we have put in place and others that we are putting in place. Of course, in my budget contribution, I will elaborate more on them.

Mr. Speaker, again I thank all the Members who have contributed and I beg to move. [*Desk thumping*]

Question put and agreed to.

Bill accordingly read a second time.

Bill committed to a committee of the whole House.

House in committee.

Clauses 1 to 4 ordered to stand part of the Bill.

Clause 5.

Question proposed, That clause 5 stand part of the Bill.

Dr. Nanan: Mr. Chairman, is it the intention to delete “(e)” also? In section 17 of the Act it is amending subsection (1) by deleting paragraphs “(b), (c) and (e)”. Paragraph “(e)” is Dental Assistant Trainees, is that what you intended? If

you are keeping “(d)”, “(d)” is Pharmacy Assistant Trainee.

Mr. Rahael: Pharmacy Assistants but not pharmacy trainees; we are deleting that.

Question put and agreed to.

Clause 5 ordered to stand part of the Bill.

Clause 6 ordered to stand part of the Bill.

Clause 7.

Question proposed, That clause 7 stand part of the Bill.

Dr. Rafeeq: Mr. Chairman, I do not know which copy of the Bill you have but if you look at 7(4); something is not right in my copy of the Bill.

“The Registrar shall issue a temporary licence to practise pharmacy to an applicant to train as a pharmacist...”

Something has to be wrong with this. Do you have this same copy, Mr. Chairman?

Mr. Chairman: Yes, that is what I have.

Dr. Rafeeq: Something is wrong with this.

“The Registrar shall issue a temporary licence to practise pharmacy to an applicant to train as a pharmacist at an approved...”

[*Interruption*] I thought we were removing the training.

Mr. Imbert: Mr. Chairman, we have to delete the words “to practise pharmacy”. It should read: “The Registrar should issue a temporary licence to an applicant to train as a pharmacist.” The words “to practise pharmacy” are out.

Dr. Nanan: Bad drafting.

Dr. Rafeeq: Mr. Chairman, something is still wrong with this. Is it the intention that you are going to issue a licence to a trainee? Is that the intention here? [*Inaudible*] That is what the Member for Diego Martin East is saying.

Mr. Imbert: What is the difficulty in issuing a licence to someone to train as a pharmacist?

Dr. Rafeeq: I am asking whether that is the intention.

Mr. Imbert: This is the advice that that is the intention. This is to allow

persons to train for a period of six months; a period of internship. What is the difficulty that you are having?

Dr. Nanan: Mr. Chairman, they are not training there; they are coming as pharmacists. They are coming to work under a responsible pharmacist, that is what the Act is stipulating. It is not a training programme; they are working under a responsible pharmacist.

Mr. Rahael: Mr. Chairman, that is, basically, for the University of the West Indies students, so that when they come out they will be supervised by a senior pharmacist and they will get a temporary licence during that period for six months or 840 hours. That is the intent.

Dr. Rafeeq: Mr. Chairman, that is not correct because it says:

“where the applicants-

- (a) satisfies the requirements listed in paragraphs (b) and (c) of section 18(1);”

Paragraphs (b) and (c) refer to Caricom nationals and so on; these do not refer to UWI students.

Mr. Imbert: Dr. Rafeeq, let us slow down a bit and let us try to see if we could settle this matter. Could you repeat what you just said?

Dr. Rafeeq: In response to the Minister?

Mr. Imbert: Yes.

Dr. Rafeeq: The Minister was talking about UWI students. Up to this point UWI students are not mentioned. It is mentioned here “satisfies the requirements listed in paragraphs (b) and (c) of section 18(1)”. Paragraphs (b) and (c) of 18(1) refer to applicants who come from Caricom member states not UWI; UWI comes quite later on.

Mr. Imbert: I do not think so. Paragraphs (b) and (c) of 18(1) simply establish the character of the person, their physical well-being and whether they have paid the fee. If you look at 4(b) there is an “and”; “(a)” flows into “(b)” with an “and”. So what this means is that the person has to be the holder of a degree from UWI and be of good character and mentally and physically—

Dr. Nanan: No, that is not correct. On page 6 it makes reference to the UWI student.

Mr. Imbert: We are on page 6.

Dr. Rafeeq: Is this construction correct then?

Mr. Imbert: It appears so. This will refer to somebody who is a holder of a degree in pharmacy from the University of the West Indies and satisfies 18(1)(b) and (c). And 18(1)(b) and (c) simply speak to the character of the person, their physical well-being and whether they have paid the fee. Section 18(1)(b) and (c) does not cover persons who are outside of the UWI jurisdiction.

10.20 p.m.

That is a different (b), that is, 18(2)(b) that speaks to the person who is not a University of the West Indies graduate. If you look at it carefully, it is speaking about 18(1), and 18(1) only speaks about good character, mentally and physically capable, and 18(1)(c) speaks about paying the fee. If you read it in its totality, it refers to somebody who has established to the satisfaction of the Council that he is of good character and so forth, has paid the prescribed fee and is the holder of a degree in pharmacy from the University of the West Indies.

Dr. Nanan: With due respect Member, that is incorrect. This 18(1) speaks about a person who is already a pharmacist. We agree with that, and is coming to work—

Mr. Imbert: No, no, Member for Tabaquite. Read it carefully—“satisfies the requirements listed in paragraphs (b) and (c) of clause 18(1)”. It does not refer to paragraph (a) of clause 18(1). So what you have just raised about being awarded a degree in pharmacy is clause 18(1)(a) and that is not referred to in (4) of this.

Dr. Nanan: I know that, but I am talking about the construction. What is happening here, apparently you are not aware, the Registrar is granting a temporary licence to a Caricom national who is already a qualified pharmacist and coming to work under a responsible pharmacist. Do you agree with that? Then (b) and (c) apply there, whether the person is of good character and mentally sound. Then the other part which we have not discussed is the non-Caricom national.

Mr. Imbert: Dr. Nanan, the subclause that is in question, 18(4), is the issue here.

Dr. Nanan: But we had also queried—have you given us a construction for the 18—

Mr. Imbert: I am dealing with the query of the Member for Caroni Central

which is in respect to 18(4) and we are trying to resolve any confusion that may exist with respect to 18(4). If you have an issue with 18(1) or 18(2), we can come to that in due course. Let us try to settle 18(4).

Dr. Rafeeq: I just wanted to find out whether this was the intention of the clause. If that is the intention, then this is correct.

Mr. Imbert: It is the intention that somebody who is a holder of a degree from the University of the West Indies, and satisfies the requirements of clause 18(1)(b) and (c) would be given a temporary licence to train as a pharmacist.

Dr. Rafeeq: I thought that in 18(1) and (2) that the construction would have been the same because that was the intention. But if the intention is different—

Mr. Imbert: I am advised that it is different.

Dr. Rafeeq: If that is the intention, then the construction is correct.

Mr. Imbert: Because in 18(1) and (2), they are being given a temporary licence to practise and in 18(4), they are being given a temporary licence to train. Okay with that?

Dr. Nanan: I still have a difficulty with subclause (4).

Mr. Imbert: What is your difficulty?

Dr. Nanan: You are issuing a temporary licence to train as a pharmacist, not to practise pharmacy.

Mr. Imbert: Correct.

Dr. Nanan: So you are saying, the Registrar issues a temporary licence to practise pharmacy to an applicant to train as a pharmacist.

Mr. Imbert: We have deleted the words “to practice pharmacy”, Dr. Nanan. Yes, Dr. Nanan, we did that already. Are you okay now?

Dr. Nanan: Are you going to do any change in 18(1)?

Mr. Imbert: What is the particular wording you would like to have changed?

Dr. Nanan: We are having different concepts.

Mr. Imbert: Yes. To repeat, clause 18(1) refers to a temporary licence to practise as does 18(2), and 18(4) refers to a temporary licence to train. Clause 18(4) is specifically dealing with the UWI graduates; 18(1) and (2) are dealing with Caricom nationals.

Dr. Nanan: I still have a difficulty because the person coming out of the University of the West Indies, it is an internship period; it is not a training programme as such.

Mr. Imbert: What is the problem?

Dr. Nanan: The person is not coming to train as a pharmacist. The person is already a pharmacist. It is just to work under a responsible pharmacist. No training is taking place there.

Mr. Imbert: You do not like the word “train”.

Dr. Nanan: No.

Mr. Imbert: What would you like to change it to?

Dr. Nanan: If you could introduce the word “internship” into that particular clause.

Mr. Imbert: What would you like to change it to?

Dr. Nanan: So you would remove the words “to train as a pharmacist”—the Registrar shall issue a temporary licence to practise pharmacy to an applicant—it is very late so you have to give me some time.

Mr. Imbert: I am so glad you have recognized that.

Dr. Nanan: I just do not like that construction training because it is not a training programme, it is an internship period.

Mr. Imbert: If you are uncomfortable with the words “to train”.

Mr. Chairman: To undergo an internship.

Dr. Nanan: I agree with the Chairman.

Mr. Imbert: You would like those forms of words?

Dr. Nanan: Yes.

Mr. Imbert: So that the clause would now read, “the Registrar shall issue a temporary licence to an applicant to undergo an internship as a pharmacist”? Is that what you want?

Dr. Nanan: That does not sound correct.

Mr. Imbert: That is precisely why I wanted you to come up with the form of words, because I am comfortable with the word “train”.

Dr. Nanan: You could go on to the other clauses and I will give you the construction—

Mr. Chairman: Hon. Members, we shall revisit clause 7.

Question put and agreed to.

Clause 7 deferred.

Clauses 8 to 10 ordered to stand part of the Bill.

Mr. Chairman: Hon. Members, we shall now revisit clause 7.

Clause 7 reintroduced.

Mr. Sharma: If we put a full stop after the word “intern” it would solve the problem.

Dr. Nanan: I have a construction for you.

The Registrar shall issue a temporary licence to an applicant to facilitate an internship period of six months at an approved pharmaceutical establishment...

Mr. Imbert: The legal draftsman has suggested a form of words which makes eminent sense to me.

The Registrar shall issue a temporary licence to an applicant to undergo a period of internship at an approved pharmaceutical establishment for a period of six months.

Are you okay with that?

Mr. Sharma: Mr. Minister, why pharmaceutical institution and not just institution? Because, a hospital would qualify as a pharmaceutical institution.

Mr. Imbert: It is an approved pharmaceutical establishment, and there is a definition for that, and there would be a pharmaceutical establishment in a hospital. There would be a number of different types of approved pharmaceutical establishments; wherever there is a pharmacy; whether it is a health centre, a district hospital, a general hospital.

Mr. Sharma: Agreed.

Mr. Imbert: So we shall delete “to practice pharmacy” and we shall delete “train as a pharmacist”.

Mr. Chairman: You are saying, the Registrar shall issue a temporary licence

to an applicant to undergo a period of internship as a pharmacist at an approved—

Mr. Imbert: No. To undergo a period of internship at an approved pharmaceutical establishment. So we are deleting from this the words “to practice pharmacy” and the words “train as a pharmacist”.

Mr. Chairman: So it shall now read: Members, the question is that clause 7 be amended in 18(4) by the deletion of the words in the second and third lines, “to practice pharmacy”, “train as a pharmacist” and to substitute the following words, “under a period of internship”. It will now read:

The Registrar shall issue a temporary licence to an applicant to undergo a period of internship at an approved pharmaceutical establishment for a period of six months where the applicant—

- (a) satisfies the requirements listed in paragraphs (b) and (c) of section 18(1); and
- (b) is the holder of a degree in Pharmacy from the University of the West Indies”.

Dr. Rafeeq: Mr. Chairman, I want to find out—and it is only a question I am asking—whether there would be need to define internship?

Mr. Imbert: Probably. That is why I like the words “to train”. It is clear. And, I am now being told that the Accreditation Council said that the words “to train” are appropriate.

Mrs. Persad-Bissessar: I pointed it out to the Member for Caroni Central in passing, that if it is this is a new concept being introduced into the Bill and this is an amendment, and in the parent Act you never mentioned this word “internship” and it is the first time you are so doing, the possibility of a further amendment is necessitated in the interpretation section of the Bill. So you may want to consider that.

Mr. Imbert: I think I like the words “to train” and I would like to support the intervention of the Member for Caroni Central, and we go back to deleting the words “to practice pharmacy” and that is it.

Mr. Chairman: Hon. Members, the question is that Clause 7 be amended in clause 18(4) by the deletion of the words “to practice pharmacy” appearing in the second and third lines.

Dr. Rafeeq: Mr. Chairman, I am saying if that is the intention, there is no

problem with this construction. Do not remove “to practice pharmacy” here. You are giving a licence to practise pharmacy. The same construction that you have, because I thought that the intention was different.

Mr. Chairman: In other words, what you are saying is, it should stand as is.

Dr. Rafeeq: I am saying that it should stand as is. [*Crosstalk*]

Clause 7 ordered to stand part of the Bill.

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

House resumed.

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

ADJOURNMENT

The Minister of Works and Transport (Hon. Colm Imbert): Mr. Speaker, I beg to move that this House be adjourned to Friday, September 08, 2006 at 1.30 p.m.

On that day, we will be dealing with the report of the Finance Committee, Variation of Appropriation Bill, and also Motion No. 1 on the Order Paper, under “Government Business” which is the Motion to increase the amount in the Contingency Fund. We would also be seeking to adopt the Senate amendments to the Caribbean Court of Justice Trust Fund Bill.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 10.37 p.m.