

Leave of Absence

Friday, September 15, 2006

HOUSE OF REPRESENTATIVES

Friday, September 15, 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 St. Augustine (Mr. W. Dookeran) requesting leave of absence from sittings of the House for the period Tuesday, September 12 to September 19, 2006. I have also received a request from the hon. Member for Barataria/San Juan for sittings for the period September 15 to 25, 2006. The leave which these Members have requested is granted.

PAPERS LAID

1. Annual audited financial statements of Trinidad and Tobago Mortgage Finance Company Limited for the financial year ended December 31, 2005. [*The Minister of Works and Transport (Hon. Colm Imbert)*]
2. Annual audited financial statements of First Citizens Holdings Limited for the financial year ended September 30, 2005. [*Hon. C. Imbert*]
Papers 1 and 2 to be referred to the Public Accounts (Enterprises) Committee.
3. The Freedom of Information Act, 1999 - Annual Report to Parliament for the period January 01 to December 31, 2005. [*Hon. C. Imbert*]
4. The Telecommunications (Fees) Regulations, 2006. [*Hon. C. Imbert*]
5. The Caribbean Court of Justice (Amendment to the First Schedule) Order, 2006. [*Hon. C. Imbert*]

NATIONAL CARNIVAL BANDS ASSOCIATION (INC'N) BILL

Special Select Committee Report

(Presentation)

The Minister of State in the Ministry of Community Development, Culture and Gender Affairs (Hon. Eudine Job-Davis): Mr. Speaker, I wish to present a special report of the Special Select Committee of the House of Representatives appointed to consider and report on a Bill entitled "An Act to incorporate the

NCBA (Inc'n) Bill
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National Carnival Bands Association of Trinidad and Tobago and for matters incidental thereto".

BANKRUPTCY AND INSOLVENCY BILL
Joint Select Committee Report
(Presentation)

The Minister of Planning and Development (Hon. Camille Robinson-Regis): Thank you very much, Mr. Speaker. I wish to present the report of the Joint Select Committee appointed to consider and report on a Bill entitled "The Bankruptcy and Insolvency Bill, 2006".

ORAL ANSWERS TO QUESTIONS

The Minister of Works and Transport (Hon. Colm Imbert): Mr. Speaker, the Government is prepared to answer questions numbers 24, 26, 27, 28, 29, 41, 49 and 51. We would request a deferral of one week for all other questions on the Order Paper.

Mr. Speaker: Hon. Members, I must say to myself and perhaps on your behalf, I am very impressed with the fact that the Government is answering all these questions.

Dr. Rafeeq: Why are you impressed when they are only answering less than half of the questions?

Mr. Speaker: Simply because it is the first time I am sitting in this session that the Government is answering so many questions.

Dr. Rafeeq: Most of these questions have been deferred from two weeks, three weeks ago and if Parliament is going to be prorogued shortly, it means we would not have answers to these questions.

Mr. Speaker: Question No. 24 is by the Member for St. Augustine; or, you are asking it? Okay. Question No. 24.

Mr. Singh: Mr. Speaker, in the absence of the Member of Parliament for St. Augustine and in recognition of the fact that the Parliament is shortly to be prorogued, I wish to ask question No. 24 to the Hon. Minister of Local Government.

Mr. Imbert: Mr. Speaker, I would answer on behalf of the Minister of Local Government.

The following questions stood on the Order Paper:

**Residents of Oropune and Piarco
(Compensation of)**

25. Could the hon. Minister of Planning and Development indicate when residents of Oropune, Piarco would be compensated for their property acquired for the development of the Piarco International Airport? [*Mr. W. Dookeran*]

**Brian Lara Stadium
(Status Of)**

31. With regard to the Brian Lara Stadium, could the hon. Minister of Sport and Youth Affairs advise:

- (i) the status of work being conducted;
- (ii) the expected completion date; and
- (iii) the cost overruns to date?

Could the Minister state what the stadium would be used for in relation to Cricket World Cup 2007? [*Mr. M. Ramsaran*]

Incentives For Cricket Team

32. Could the hon. Minister of Sport and Youth Affairs advise what incentives have been given or would be given to our cricket team for winning the regional competition for the first time in 23 years? [*Mr. M. Ramsaran*]

**Prisoners On Remand
(Non-Attendance at Courts)**

37. Could the hon. Attorney General indicate:

- (a) whether he is aware that prisoners on remand are usually not brought before magistrates in various courts at the Magistracy, San Fernando before 11.00 a.m. on a daily basis;
- (b) whether he is aware that there is a severe shortage of police personnel at the holding bay "cell block" at the Magistracy, San Fernando;
- (c) whether this shortage of police personnel has resulted in prisoners not being conveyed to the various Courts on time which has resulted in a chronic delay in the administration of justice; and
- (d) what steps, if any, are being taken to alleviate these problems? [*Mr. S. Panday*]

Children's Authority

33. Could the hon. Minister of Social Development indicate when the Children's Authority would become functional? [*Mr. M. Ramsaran*]

**Remand Home for Young Male Offenders
(Aripo)**

34. Could the hon. Minister of Social Development indicate the status of the remand home for young male offenders at Aripo? [*Mr. M. Ramsaran*]

**CEPEP Contracts Awarded
(Information Governing)**

43. Could the hon. Minister of Public Utilities and the Environment inform this House:

- (a) whether any employees of the State, state enterprises and/or state agencies have been awarded CEPEP contracts?
- (b) If the answer to (a) is in the affirmative, could the Minister provide this House with the names of such contractor/contractors; and
- (c) what is the policy used in the award of CEPEP contracts? [*Mr. S. Panday*]

Ownership Of Former Caroni (1975) Limited Lands

45. With respect to lands formerly owned by Caroni (1975) Limited, situated between the western side of the Solomon Hochoy Highway and the former Montserrat Section Office, Couva Main Road, Preysal Flyover, could the hon. Minister of Finance indicate to this House:

- (a) who is the present occupier of the lands;
- (b) whether the occupier has purchased the said lands or has a lease for the lands;
- (c) whether permission was given to occupy the lands without it being purchased or leased;
- (d) if permission was not given to the occupier to occupy the said lands, whether the Estate Management Development Company has taken steps to remove the trespasser; and
- (e) if the lands were leased, what are the terms of the lease? [*Mr. S. Panday*]

**Early Childhood Care and Education Centres
(Chaguanas)**

40. Could the hon. Minister of Education indicate whether there are plans to construct Early Childhood Care and Education Centres in the Constituency of Chaguanas? [*Mr. M. Ramsaran*]

Smart Card Programme

48. With regard to the Smart Card Programme, could the hon. Minister of Social Development explain to this honourable House:

- (i) how the Smart Card System works;
- (ii) how this system would replace the Share Programme; and
- (iii) the role of the non governmental organizations which support the Share Programme? [*Mr. M. Ramsaran*]

**Education Facilities Company Limited
(Members of Board's Conflicting Service)**

- 50.** (a) Is the hon. Minister of Education aware whether any member of the board of the Education Facilities Company Limited also serves as a director of any construction company that has tendered for and has been awarded contracts to construct or renovate schools?
- (b) If the Ministry is so aware could the Minister further advise what steps are being taken to avoid such conflicts of interest? [*Mr. H. Partap*]

**Denominational and Government Assisted Schools
(Terminal Benefits of Cleaners)**

- 52.** (a) Could the hon. Minister of Education state whether the Ministry is aware that cleaners at Denominational and Government Assisted Schools are not provided with terminal benefits or pensions when they retire notwithstanding their lengthy years of service?
- (b) If so aware, could the Minister advise what steps would be taken to ensure that cleaners at Denominational and Government Assisted Schools are provided with terminal benefits at the end of their service? [*Mr. H. Partap*]

**Naparima Bowl
(Details Of)**

53. Could the hon. Minister of Community Development, Culture and Gender Affairs advise:

- (a) when was the Naparima Bowl in San Fernando closed for repairs;
- (b) whether repairs on the Naparima Bowl have been terminated and if so, why;
- (c) what is the scope of works for the renovation/rebuilding of the Naparima Bowl;
- (d) what is the expected completion date for the project; and
- (e) who are the contractors on the project? [*Mr. H. Partap*]

**Roy Joseph Housing Project
(Details Of)**

54. Could the hon. Minister of Housing please state:

- (a) the reasons for the delay in completion of the Roy Joseph Housing Project in San Fernando;
- (b) the name(s) of the contactor(s) on the project;
- (c) the estimated cost of the project when the contract was awarded and the revised cost for completion of the project;
- (d) how many families from the Roy Joseph Housing Scheme have been placed in private homes at the expense of the State and the cost to date; and
- (e) the contribution that displaced families are making towards rental of private homes? [*Mr. H. Partap*]

Questions, by leave, deferred.

**Point Fortin Market
(Leaking Roof)**

24. Mr. Ganga Singh (*Caroni East*) on behalf of Mr. Winston Dookeran (*St. Augustine*) asked the hon. Minister of Local Government:

Could the Minister indicate:

- (a) whether the Ministry of Local Government is aware of the leaking roof at the Point Fortin Market?
- (b) If the answer to (a) is in the affirmative, could the Minister inform this House when the roof would be repaired in order to bring relief to vendors and customers especially during the rainy season?

The Minister of Works and Transport (Hon. Colm Imbert): Mr. Speaker, the Ministry of Local Government is aware of the leaking roof at the Point Fortin market.

The Point Fortin Borough Corporation has commenced work to alleviate the problem, which is proceeding at present under the Public Sector Investment Programme, at a cost of \$ 275,000. It is expected that barring unforeseen circumstances work would be completed before the end of September 2006.

**Coastal Erosion
(Point Fortin to Icacos)**

26. Mr. Ganga Singh (*Caroni East*) on behalf of Mr. Winston Dookeran (*St. Augustine*) asked the hon. Minister of Works and Transport:

Could the Minister indicate:

- (a) whether the Ministry of Works and Transport is aware of coastal erosion taking place in the south western peninsula which is threatening homes from Point Fortin to Icacos?
- (b) If the answer to (a) is in the affirmative, could the Minister inform this House of the plans to protect the south western coastline and the expected starting date for implementation?

The Minister of Works and Transport (Hon. Colm Imbert): Mr. Speaker, studies and designs for coastal erosion works have been completed by consultants for five areas; namely, the Manzanilla/Mayaro coastline; the Los Iros beach to Erin stretch coastline; the Cedros to Icacos area; the La Romain Mosquito Creek stretch and the Orange Valley stretch. The Ministry has accordingly scheduled construction work in these areas on a priority basis. The Orange Valley project has been completed and the Manzanilla/Mayaro project is ongoing and expected to be completed in 2007/2008; the other projects should commence in 2007.

However, due to changes that have taken place along the coastline since initial studies and designs were completed, there is a need to revisit the design and bidding documents for the remaining projects before inviting tenders.

The Ministry has accordingly initiated a design update for the Cedros/Icacos project using in-house resources. Further, because of the extensive alterations to the coastline over the last three years, new surveys, geo-technical reassessment and re-design work are now required. These studies and designs are programmed to be completed in December 2006 to allow for a start of construction in 2007.

Flooding at Spring Village and Surrounding Areas

27. Mr. Ganga Singh (*Caroni East*) on behalf of Mr. Winston Dookeran (*St. Augustine*) asked the hon. Minister of Works and Transport:

Could the Minister indicate:

- (a) whether the Ministry of Works and Transport is aware of the perennial flooding affecting the residents of Spring Village, Dookiesingh Street, Freeman Road and other surrounding areas in the St. Augustine Constituency due to the blockage and poor conditions of the Blackman Ravine?
- (b) If the answer to (a) is in the affirmative, could the Minister inform this House of the present and future plans being undertaken by the Ministry to improve the condition of the ravine?

The Minister of Works and Transport (Hon. Colm Imbert): Thank you, Mr. Speaker, yes; we are aware of the flooding in Spring Village; on Dookiesingh Street and Freeman Road areas.

Works are scheduled to commence in 2006 on the Blackman Ravine from Abdul Lane, Curepe to its outfall on the Guyabel River. The proposed works are:

- (1) The construction of approximately 238 linear metres of rubble masonry walling and approximately 120 linear metres of reinforced concrete paving between Abdul Lane and the Churchill Roosevelt Highway;
- (2) The construction of 1,100 linear metres of reinforced concrete walling and paving located between the Churchill Roosevelt Highway and the channels outfall on the Guyabal River;
- (3) Installation of portable pumps to be used in the affected areas in times of excessive flooding.

In addition, control gates have been installed at the mouth of the Blackman Ravine and the Guyabal River to avoid backflow into the villages while the Caroni River is in flood. Maintenance works have also been done on the embankment of the northern side of the Guyabal River to avoid flooding of the village when the Caroni River overflows. Embankments have been constructed along the mouth of the Blackman Ravine to avoid spilling into Spring Village and Dookiesingh Street.

It is to be noted however, that the Freeman Road area is part of the flood plain of the Caroni River and is therefore subject to flooding whenever the Caroni River overflows. Freeman Road is not a populated area and the embankment has been designed in this location to act as a spill over point in times of excessive rainfall, in order to protect populated areas such as La Paille Village.

**Soomai, Cap-de-Ville
(Dilapidated Bridge)**

28. Mr. Ganga Singh (*Caroni East*) on behalf of Mr. Winston Dookeran (*St. Augustine*) asked the hon. Minister of Local Government:

Could the Minister indicate:

- (a) whether the Ministry of Local Government is aware of the dilapidated bridge at Soomai, Cap-de-Ville; and
- (b) if the answer to (a) is in the affirmative, could the Minister inform this House when the bridge would be reconstructed?

The Minister of Works and Transport (Hon. Colm Imbert): Thank you, Mr. Speaker. The Ministry of Local Government is aware that the bridge located at Soomai Trace, Cap-de-ville West is in need of repair.

The Siparia Regional Corporation has commenced the reconstruction of the bridge and barring unforeseen circumstances, the bridge is expected to be completed by the end of September 2006.

**Caroni River
(Temporary Bridge along Southern Main Road)**

29. Mr. Ganga Singh (*Caroni East*) on behalf of Mr. Winston Dookeran (*St. Augustine*) asked the hon. Minister of Works and Transport:

Could the Minister indicate:

- (a) whether the Ministry of Works and Transport is aware that the bridge over the Caroni River along the Southern Main Road was due to be constructed since the 1980's and to date has not been constructed and that the temporary bridge over the river is cause for grave concern for the safety of commuters?
- (b) If the answer to (a) is in the affirmative could the Minister inform this House if there are plans to construct a new bridge?

The Minister of Works and Transport (Hon. Colm Imbert): Thank you, Mr. Speaker. Over the last several years there have been various proposals to construct a new bridge over the Caroni River along the Southern Main Road. It is to be noted however that during the six years that the UNC Government was in office, nothing was done to replace the existing bridge over the Caroni River.

The existing bridge does not pose any danger to commuters since the Highways Division carries out regular maintenance on the bridge. However, there are plans under this PNM Government to commence construction of a new bridge at this location over the Caroni River in 2007.

Munroe Road Hindu School (Status of Construction)

41. Mr. Manohar Ramsaran (*Chaguanas*) asked the hon. Minister of Education:

Could the Minister of Education inform this House of the status of construction of the Munroe Road Hindu School?

The Minister of Works and Transport (Hon. Colm Imbert): Mr. Speaker, final designs and tendering process for the Munroe Road Hindu School were completed in September 2000. The Ministry of Education had some concerns which it needed to address with the SDMS about design of the proposed new Munroe Road Hindu School. However, during the deliberations between the Ministry of Education and the SDMS board and before a construction contract was awarded or finalized, the Penal Rock Hindu School was destroyed by fire. The Hindu Board of Management, as a result, agreed to have the construction of the Munroe Road SDMS Primary School project replaced by the Penal Rock SDMS Primary School.

I wish to reiterate that the Ministry of Education enjoys an excellent working relationship with the SDMS Denominational Board, as well as the other denomination boards, and this decision would only have been arrived at after intense, meaningful and positive collaboration. In any event, the Munroe Road SDMS Primary School has

since been extensively upgraded at a cost of \$1,100,000; of which the Ministry of Education's contribution was \$800,000. The work undertaken included, among other things, replacement of the roof; installation of Terrazzo floors; complete electrical rewiring; new walls and floors.

**Denominational/Religious Construction Companies
(Eligibility to Tender)**

49. Dr. Hamza Rafeeq (*Caroni Central*) asked the hon. Minister of Education:

Could the Minister advise whether construction companies owned by or otherwise affiliated to denominational/religious organizations are eligible to tender for contracts to build, repair or renovate schools that fall under their respective jurisdiction?

The Minister of Works and Transport (Hon. Colm Imbert): Mr. Speaker, to the best of the Government's knowledge and that of Ministry of Education's officials, there was only one case where a company comprised of persons from a denomination board applied for registration as a contractor with the Ministry of Education.

When this information was brought to the attention of the Ministry officials, a meeting was held and it was drawn to the attention of the parties involved that this position would be unacceptable to the Ministry and that application was consequently withdrawn. Since then, the Government is not aware of any other similar application submitted for consideration.

**Denominational Boards of Education
(Adjustment of Electricity Bills Grant)**

51. Dr. Hamza Rafeeq (*Caroni Central*) asked the hon. Minister of Education:

- (a) Could the Minister of Education advise whether there has been any decision to adjust the grant provided to denominational boards of education for the payment of electricity bills in order to absorb the increase in electricity rates?
- (b) If such a decision has been taken, could the Minister inform this House:
 - (i) when would the increase in the grant take effect; and
 - (ii) would the increase be retroactive to the date that electricity rates were increased?

The Minister of Works and Transport (Hon. Colm Imbert): Mr. Speaker, the Government wishes to inform the House of the arrangements for the payment of electricity bills for denominational schools. Payments are made as follows:

Primary Schools: Under this arrangement a grant is provided to the denominational board in accordance with the decisions of Cabinet. This grant is paid according to the grade of the school, which is based on the school's population as follows:

Category A school comprising over 600 students receives a grant of \$10,500 per annum; category B school, 300 to 600 students, receives a grant of \$7,250 per annum and a category C school, less than 300 students, receives an electricity grant of \$4,250 per annum.

Secondary Schools: Under this arrangement, electricity bills for all secondary schools are paid fully by the Ministry of Education. Given the date since the last revision of these grants, the Ministry is currently in discussions with the Trinidad and Tobago Electricity Commission to obtain information on the rates to determine what should be the appropriate revision to the grant.

Dr. Rafeeq: In the event that the Parliament is prorogued before the other questions are answered—

Mr. Speaker: They would lapse.

Dr. Rafeeq: The questions would lapse? We would have to re-file these questions?

Mr. Singh: Mr. Speaker, having regard to the length of time these questions have been on the Order Paper, perhaps there should be an undertaking on the part of the Government to provide written answers to these questions in the event that the Parliament is prorogued, because it would really be a waste of time to get these questions back on the Order Paper for the next session. So, certainly there should be provided written answers to Members of Parliament.

Mr. Speaker: I hear you, but the Standing Orders do not provide for such an event.

WRITTEN ANSWER TO QUESTION

CEPEP Contracts

(Award of)

44. Mr. Subhas Panday (*Princess Town*) asked the hon. Minister of Public Utilities and the Environment:

Could the Minister inform this House of:

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- (a) The contractors, if any, who have been awarded CEPEP contracts for fiscal 2006;
- (b) The extent of each contract; and
- (c) The dates, duration and exact location where each contractor performed his/her contracts for the year 2006?

Vide end of sitting for written reply.

HERITAGE AND STABILISATION FUND (NO. 2) BILL

Bill to provide for the establishment and management of the Heritage and Stabilization Fund and for matters related thereto [*The Minister in the Ministry of Finance*]; read the first time.

ARRANGEMENT OF BUSINESS

The Minister of Works and Transport (Hon. Colm Imbert): I beg to move that the House deal with Motions Nos. 2 and 3 under “Committee Business” before proceeding to “Government Business”.

Question put and agreed to.

BANKRUPTCY AND INSOLVENCY BILL

Joint Select Committee Report

(Adoption)

The Minister of Planning and Development (Hon. Camille Robinson-Regis): Thank you very much, Mr. Speaker.

Mr. Ramnath: You are looking very radiant.

Hon. C. Robinson-Regis: Mr. Speaker, I beg to move the following Motion standing in my name:

Be it Resolved that the Joint Select Committee appointed to consider and report on a Bill entitled "the Bankruptcy and Insolvency Bill, 2006" be adopted.

Mr. Speaker, this report of the Committee has been approved by all Members of the Committee and my understanding from colleagues opposite is that they do not intend to debate this report. Consequently, I would not make a formal presentation of the report because the report has been seen by all Members; it has been agreed upon by all Members and I beg to move that the report be adopted in the form that it has been agreed upon by the Members of the Committee.

Mr. Speaker, I beg to move.

Question proposed.

The Minister of Planning and Development (Hon. Camille Robinson-Regis): Thank you very much, Mr. Speaker. I beg to move.

Question put and agreed to.

Report adopted.

NATIONAL CARNIVAL BANDS ASSOCIATION (INC'N) BILL
Special Select Committee Report
(Adoption)

The Minister of State in the Ministry of Community Development, Culture and Gender Affairs (Hon. Eudine Job-Davis): Mr. Speaker, I beg to move the following Motion standing in my name:—

Mr. Ramnath: With that hair style, deadly.

Hon. E. Job-Davis: *Be it Resolved* that a special report of the Special Select Committee of the House of Representatives appointed to consider and report on a Bill entitled "An Act to incorporate the National Carnival Bands Association of Trinidad and Tobago and for matters incidental thereto" be adopted.

Mr. Speaker: Is there agreement?

Hon. E. Job-Davis: Yes.

Question proposed.

Question put and agreed to.

Report adopted.

FIRE SERVICE (AMDT.) BILL

Order for second reading read.

The Minister of State in the Ministry of National Security and Minister of State in the Ministry of Trade and Industry (Hon. Fitzgerald Hinds): Thank you very much, Mr. Speaker. I beg to move,

That a Bill to amend the Fire Service Act, Chap. 35:50, be now read a second time.

The fundamental objective of the Bill before us is to provide for periods of fulltime service to the Auxiliary Fire Service to be reckonable for pension purposes.

In January of 1995, 74 Auxiliary Fire Service officers who had been performing the duties of fire officer on a fulltime basis for five years or more as at January 1, 1991, were

absorbed as professional firemen into the Trinidad and Tobago Fire Service. However, neither the Fire Service Act nor the Auxiliary Fire Service Act, Chap. 35:54, makes provisions for the service of the officers in the Auxiliary Fire Service to be considered for pension purposes.

As such, the officers who were absorbed in January 1995, could not have full-time service as auxiliaries counted for superannuation benefits under the Fifth Schedule of the Fire Service Act. On retirement therefore, these officers were only afforded a compassionate gratuity on the basis of Regulation 14:1 of the Pension Regulations, Chap. 23:52. However, this compassionate gratuity provides for a relatively small one-time payment without pension benefits.

As a result of this, officers who gave what was considered to be invaluable service to the State for many years, were not eligible to receive pension while their colleagues who they served with and served alongside and who would in some cases, have spent a similar time period as fire officers, they were eligible. Clearly, this put the auxiliary officers who had so served at a serious disadvantage.

It has therefore become necessary to recognize the circumstances of these auxiliary officers or former auxiliary officers who gave such service, and to recognize them as full-time officers since they are now presently part of the regular fire service.

The amendment proposed today would provide for full-time service of an auxiliary officer in the Auxiliary Fire Service to be reckonable for pension purposes and to provide for full-time service of auxiliary fire officers of the Auxiliary Fire Service that was immediately followed by the service as a professional fire officer in the Fire Service as at January 01, 1991 to be taken into account for payment of full pension.

In an effort therefore, to remedy and rectify the above anomaly, the following amendments are proposed:

Paragraph 2(7) in the Fifth Schedule of the Fire Service Act should be amended to widen the meaning of "Public Service" for the purposes of subparagraph (3), to include the service as a member of the Auxiliary Fire Service established under the Auxiliary Fire Service Act.

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Secondly, paragraph 2 of the schedule should be amended by inserting a new subparagraph (8) to enable the full time service of an auxiliary fire service officer of the Auxiliary Fire Service that was immediately followed by service as a fire officer in the Fire Service as at January 01, 1991 to be taken into account for full payment of pension.

These simple amendments we propose and we consider that they would rectify the existing deficit or lacuna in the law. It is therefore submitted that the Fire Service Act, Chap. 35:50, be so amended.

I beg to move.

Question proposed.

2.00 p.m.

Mr. Chandresh Sharma (Fyzabad): Thank you very much, Mr. Speaker. Let me congratulate the mover of the Bill for a fine job. The mover of the Bill advised this House of the invaluable service provided to the citizens of Trinidad and Tobago by such fire officers and it is important that he mentioned it, and I think in some way he attempted to pay tribute to such fire officers.

Mr. Speaker, I think the first point that must be noted is, that this legislation has taken quite a long time to come to this House. In fact, the mover of the Motion did indicate the services rendered. When you look at the role of the personnel, the fire officers that the Minister spoke about, what are the important roles they perform; we were talking about their pension and why it is important to look at it. We know of late that the fire service provides very important service across Trinidad and Tobago, not just in the area of fighting fires, but in saving lives; preventing fires; providing medical aid; rescue emergencies; material management; and of late, disasters.

We witnessed in St. James recently, at a famous meeting place, where there was a fire bomb and many people were injured and we saw the role of the fire service. It brings into focus the risk factors that they have to face from time to time, so that any effort to treat with the fire officers, to assist them in their times of need, must be considered.

Mr. Speaker, we also saw the number of cases as they relate to hazardous materials on the highways; trucks transporting materials of one kind or the other and accidents coming out of it and the fire service having to respond. I think it is a good time to identify that in many instances we have seen it coming out of the

fires in Port of Spain as well, where a number of follow-ups from them indicated that the fire service lacks fire equipment. So, in addition to agreeing that the pensions must be revisited, we have to make sure that the fire officers have the necessary equipment; the necessary training; and the necessary ability to respond in emergencies. From the number of fires we saw in Port of Spain and the millions of dollars lost, not just in value, but with many people being put out of jobs, we need to revisit the entire service, in terms of equipment, training, et cetera.

The other matter that must be considered is the heavy traffic that we face in this country and the inability of the fire service to reach the scene of the fire in time. When you look at the fire service in San Fernando having to respond to a fire in La Romain for instance, or further south up to where the area covers them, it takes more than 30 minutes and that is very, very frightening, because it means to say that a truck with hazardous material or an explosion in an industrial estate would put a lot of us at risk; the whole country.

In fact, there was a study that showed that if there was an explosion at the Point Lisas Industrial Estate, the fire service does not have the expertise nor does it have the equipment, so it would be very unfair to talk about the pension for fire officers and put them all at this risk because some of them may not live to enjoy the pension that is being considered. Of course, we have to make sure that in the future and as of now, that fire officers are given all the opportunities for training, not just locally, but training that is available abroad as well.

Mr. Speaker, when we talk about training, of late we have been seeing a lot of cases where the fire service has had to respond to persons suffering with heart attack, mothers giving birth on the way to the hospital, in addition to the number of accidents. In fact, there has been tremendous concern by many, many people, of the number of motor vehicle accidents, and of course, the fire service having to respond and to treat. There is a shortage of ambulances in the fire service, in addition to the equipment, and as I understand it now, the fire service is short of personnel as well. So, it is good for the Minister to come and say what he is going to do for the fire officer when he retires, but he must also tell this House that available now, they have the equipment and training. So I want to put the emphasis on training.

In addition to that, the basic item for fighting fire we all know is water and oftentimes, in fact, I do not recall in the last 24 months on a single occasion when the fire service had adequate water or access to adequate water. One observation,

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and as a responsible Opposition, we are not just to make the observation; we also suggest and make recommendations; there are a number of private and I suspect state agencies with the capacity to have water, and maybe the Minister may want to consider having them on call on different days.

So for instance, let us say at the fire stations in Port of Spain or in San Fernando, every day of the week one or two contractors could be on call, so that their water tankers, maybe 1,000 gallons or whatever size they carry, could be made available. In addition to the water availability, when fire officers retire it does not mean that they are unable to perform or to function and there should be consideration to have them perhaps on a retainer basis so that they can respond in times of emergencies. Some of it does exist, but there are no formal arrangements at this time.

In addition, a number of these fire officers having joined the service maybe at the age of 20 and retired at 55 or 60, have a number of years experience and you would not want to lose that so, you would want to have a basis for accessing it from time to time. The training opportunities must be across the board. Now, a good example of this is what we saw in Chatham a few days ago where citizens of this country protesting, rightfully, a protest that is allowed by law, were treated in a particular manner that was of concern. The Member for Diego Martin East is not aware that a protest is allowed within the law, but that is not the point. If the fire officers had responded to that, they certainly would have treated those citizens of Trinidad and Tobago in a much more humane way—and it was shown both in the print and electronic media; they were dragged and some were assaulted.

The point is that the fire service perhaps might be a good area to consider to respond to some of these calls because when police officers respond with their batons and their guns perhaps it communicates the wrong message; perhaps it leads to confrontation and we would want to reduce that. So we must encourage an expanded role for the fire officers in this context, and training would play a very important role, not only in-house trainers because in the fire service I am certain training is an ongoing basis, but we must engage the services of persons who are trained in human resource management and developing better minds.

Mr. Speaker, the Minister made reference to the Fire Service Act, Chap. 35:50, the laws of Trinidad of Trinidad and Tobago which empower fire officers to enter any or all buildings to which the public has access, whether on payment or otherwise for the purpose of determining the conditions of same premises. Now lately, we have seen many recommendations of the fire department, which is the

sole authority for this purpose, where the recommendations are not being considered. In fact, you have many buildings that have been condemned by a number of agencies, including the fire service, which is perhaps the more critical one, in state buildings that they continue to occupy, putting those lives at risk. So, when a disaster takes place, the building is really not fit for use by human beings.

In fact, I know in some of the housing developments we have seen where the fire service has made recommendations that they are not fit for occupancy. In San Fernando Circular Road, I know there was a report by the fire service that the fire escape was not meeting the requirements. So one has to be careful that the Government does not treat with the recommendations of the fire service and for political reasons, put persons in those houses to obtain votes and put their lives at risk.

So, when you want to develop the fire service; when you want to treat with the fire officers, you cannot mistreat them in the process of wanting to treat with them. One has to be very careful that the Government is not using—because I started off by saying that while this legislation is good, it is too long in coming. Is it because an election is in the air and the Government needs the fire services to give the approval for those housing estates and many of those high-rise buildings; and is it an attempt to bribe the fire officers? I am certain one may not want to go there, but that is how— [*Interruption and crosstalk*]

Mrs. Robinson-Regis: Retirees.

Mr. C. Sharma: Hold on. You see the argument is that this is for retirees, so those who are in the service certainly have to benefit from it. The point is one has to be careful; this is how this Government operates all the time. So, Mr. Speaker, let us look at some of the concerns.

In these NHA high-rise buildings in particular, the means of escape in case of fires were not satisfactory. In many of those NHA estates, the water supply is lacking and in many areas where fire fighting equipment is required in those buildings, they do not exist as we speak here today. There is no method of warning persons in the case of fires. Have you ever thought of what happens in an area like a NHA housing development where there are lots of people living in small areas and there is no method to warn them of a disaster? Absolutely none!

In addition to fire detection in government buildings, in the private sector they are responsible to take it on their own, but in many, many government buildings—in fact, in this very Parliament that we are in today, I am not sure if there are any methods of detecting fires. So can you imagine we are sitting here

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and a fire taking place in some other part of this building and we have no method of detecting same? Certainly, looking at some of these government buildings too, I have noticed that advisory signs are oftentimes absent, for instance, ex-signs, where to escape; where to assemble in the case of a fire. In many instances where sometimes you see no smoking signs, it is not observed for one reason or the other.

Mr. Speaker, since the Minister raised the question about pensions with which I want to treat for a few minutes, we on this side and many, many citizens of Trinidad and Tobago agree that the pensions are too low in Trinidad and Tobago and are not tied to the inflation rate. If you look at the example of the fire officer, what is he going to receive at the end of the month? What does it do for him? Certainly, it does not meet any standard of living for that fire officer. Let us look at some of the considerations now.

A pension of \$1,500 or \$ 2,000 which is, in the first instance, if it is \$1,500 is \$500 above that of the old age pensioner. So here you have a fire officer in some instances, who would be receiving \$1,500 and the Minister has not given us any indication what would be the quantum; how it was arrived at; and what is the formula. That is the difficulty with the Government; they seem not to know what is required. They come to the Parliament and say, "Look we are moving 35:50 and it is to consider fire officers with five or more years and about the pension", but no details are given. No details are given. So the time has come for Government to review the pension, in terms of, does it meet the living standards of the pensioner.

Mr. Speaker, you would appreciate that if you are receiving government pension which I think is \$1,000, you do not qualify, so, it means to say that a fire officer would not qualify for any other pension—the Minister would have to correct me if that is so and what is being proposed. For instance, can a fire officer access the NIS pension, can he access the government pension? When you talk about the retirees and getting the pension, you have to look at it on a larger scale. What are the other support services? Can a fire officer obtain medical care for surgery, for instance, the long wait? So again, there is absolutely nothing in place for that retiree. He has to go to the hospital, join the lines and again this is somebody that you are saying have served very well, in some instances for 30/40 years and there are no follow-ups.

One is very much aware as we speak that in the pharmacies under the CDAP programme, many, many of the medications identified are not available. Here you have a doctor writing a prescription, but oftentimes that tablet or medication is not

available. So it is very, very unfair to all the citizens who have to access that, but today the focus is on the retirees who have served.

What other facilities are there for these retirees? The Minister wants to give the impression that this is a caring Government; very concerned about those who have retired and who have given invaluable service; very nice words but very empty; which say absolutely nothing. The Government must come and say what is in store for this pensioner. Certainly, he is going to get X amount of dollars, but in addition to that X amount of dollars, these are the other services and I am giving the Minister notice to come up with a few ideas.

Mr. Speaker, pension is a right, pension is not a favour and I want to make a few proposals. Perhaps the first thing we need to do is to look at the definition of pension—very soon many of us would qualify; I know some of us would not need it, like the Member for Port of Spain North—but a definition of pension suggests a regular payment to a person that is intended to allow them to subsist without working. That is why I made the point that you cannot look at the pension in isolation, you have to look at what support services are available.

The pension is a retirement plan intended to provide a person with a secure income for life and now that the age of living seems to be extending every year because of improvements in the world over, we have to make sure that if someone retires at age 55 or 60 and that person is expected to live to 75; for 20 years, is the money he or she is getting and the support services enough to carry him or her through? I want to suggest that at this time the answer is no. Now, in some instances, there is a lump sum available and the Minister did not indicate whether a lump sum would be considered on this occasion. Although he indicated under 14(1), there was a one time benefit and it would be interesting for him to tell this House if he has the figures, what was that lump sum and whether it was encouraged, whether the savings—

Perhaps, it is a good time to establish that the pensions are very important and for the Government to explore the possibility of putting some moneys into a pension fund, and to make sure those can be invested wisely so that the pension benefits can keep growing, because you do not want somebody on a fixed pension of \$1,000 or \$2,000 and it is not tied in with inflation. In the United Kingdom for instance, a number of the pension funds are invested into real estate, into research and so, so that the fund itself keeps growing and those who have to benefit from it always get a bit more.

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The intention of the pension is to make sure a retiree can enjoy a comfortable retirement. The Minister did not indicate if there would be in this instance where the officer may have contributed and I want to generalize it at this point, what is the Government's input into it and is the Government's input tied in to the cost of living as it obtains. We know the basic requirements, necessities for everyday living, many, many persons cannot afford them. So you do not want to put a retiree in a position where he is no better off today and that is very important.

Mr. Ramnath: Mr. Imbert wants his pension.

Mr. C. Sharma: A pension plan is one type of savings that the Government is so eager for us to contribute to, because all public servants have to contribute and it is a good time to look at pensions in a holistic way. One of the complaints we have from all the trade unions in this country and rightfully so, from a number of persons who are on retirement, is that they are not getting sufficient funds. One can measure that and say, is this a fair claim? And the answer to this is yes, because what is the pensioner required to do? There is a culture in Trinidad and Tobago where many pensioners take care of their grandchildren for one reason or the other. Many, many grandmothers for instance on \$1,000 often would have to tell you, look we are taking care of three or four grandchildren, and I am certain in the case of the retired fire officers it would be no different. So again, one has to take into consideration the cultural practices that obtain in this country.

On the question of funding the pensions, if the Government puts approximately \$100 million into a pension fund, which I want to propose, for all those persons who may have to benefit later down the road, I want to suggest that this fund—and I am looking at what obtains in the United Kingdom—goes into a management company where all the intended beneficiaries can participate. What it allows is for some kind of investment. In the UK while some of it goes into the stock exchange, of late, they have been moving away from the stock exchange and going into more real estate. It allows for that fund to keep growing. So it reduces the Government's input from time to time, but of course when things are good, when there is a high amount of income in the country the Government can again put in. What it does, it encourages the public servant and those persons who would benefit, knowing that there is going to be a good pension to give more of themselves to their work. So some of them do not have to go and run "PH" as a side or leave work early to go and do something that would generate some income or save on some income because they know the Government is going to take care of them.

I want to make that point that the Government needs to look at the entire situation of pensions. In fact, as we approach the period of the national budget, I hope the Government would consider the recommendations made by many Members, including the Opposition to raise the old age pension to \$2,000 and to also lift the ceiling on the NIS pension to a minimum of \$2,000 and to consider where persons can benefit from both, maybe to a ceiling. I know of a case where somebody is obtaining \$1,089 from NIS and that person cannot qualify for the old age pension because he is getting \$89 more. Maybe the time has come where that person could say to the NIS, "Well listen, pay me \$100 less per month so that I can qualify for the old age pension."

When you look at it, a citizen contributing to this country, the money is going to come back into the system in any case because he is going to use that money to pay for goods and services; he is going to assist in taking care of his grandchildren; he is going to pay his WASA and T&TEC bills; he is going to buy goods and VAT would be charged, so the State is getting it. But of course, with the high cost of living he needs the extra income, so I want to suggest that the Government give serious consideration to a meaningful and a measurable pension fund.

We cannot talk of pension without talking about the aging population. Many of us are growing older; many of us are going to live longer and, certainly, our space is getting smaller and because we live in a service-oriented society, we would be paying for more and more things. There was a time when we would do our clothes and do our own cooking and so on, today, that is changing and with the gas shortages you may not be able to do it, you would have to pay for almost everything.

Mr. Ramnath: We have enough gas for a few days.

Mr. C. Sharma: For a few days.

Mr. Ramnath: Yes.

Mr. C. Sharma: Mr. Speaker, when you look at developing countries and public sector pensions, there is always that fear of Government interference. I am not suggesting that obtains now, but what I want to suggest is that there must be a partnership with Government and the private sector in terms of management of the pension funds.

Mr. Ramnath: All the plans are done. All!

Mr. C. Sharma: In some countries they have found it very effective to do two things: to lower the pension age; and to increase the retirement age. In increasing

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the retirement age, it allows people to work for longer periods and I know it obtains in Canada and Australia. In Canada for instance, their annual payments for pension was increased by approximately 70 per cent in 1998. Why was this so? It was to make sure that those same pensioners did not become totally dependent on the provision of State services, it allowed them to live independent lives—

Mr. Ramnath: And it is indexed with the cost of living.

Mr. C. Sharma:—and certainly indexed with the cost of living which we have argued on many occasions from this side of the House.

Mr. Speaker, the purpose of a pension is to encourage us to save enough for our retirement and for that to happen the Government must assist. I made a case on the last occasion when the Minister of Finance moved a particular Bill and I want to suggest that we find a way. For instance, those persons who work in CEPEP and URP and generally persons who are earning less than \$2,000 or \$3,000 a month, the Government would have to agree on a ceiling perhaps after consultation with the different stakeholders, to make sure that we start securing a pension for such persons. There are many, many people—

Mr. Ramnath: Or the Speaker of the House.

Mr. C. Sharma: Let us not get the Speaker involved in this debate, but his pension is taken care of.

Mr. Ramnath: How do you know that?

Mr. C. Sharma: So criteria must be established, but it is important that persons from the time they start to work at whatever age, 20, 21, 22 must be very conversant and comfortable at whatever age they work, wherever they work, public, private, for themselves that they would benefit from a pension of some kind. A pension that would allow them to contribute and for the Government to contribute because at the end of the day the Government is responsible for all its citizens and when they cannot afford living then they become a burden to the State. Not only a burden in the sense that if they have poor hygiene because of lack of income then they become sick and end up in the hospitals, even if they continue working and they are not compensated adequately, then they run the risk of not being prepared for the work sites. Industrial accidents and so would increase, which evidence has shown on many occasions.

Now, looking at the Australian and the Canadian experiences, as the employee grows older, he has more disposable income in many instances. For instance, if somebody starts to work at the age of 20, like my friend from La Brea—

Mr. Bereaux: No, 17.

Mr. C. Sharma:—17, but officially at age 20, what happens is that every year that he grows in his work, after marriage he goes into his mortgage so if he obtains a mortgage at age 22 and it is a 20-year mortgage, then at 42 the mortgage is paid off. And at age 42 if his first kid was born when he was 22, his child is now ready for university, so three years later the child graduates from university. So for the next 15 years he has more disposable income. He has no mortgage to pay for; the kids have finished university; he can contribute more to the pension, but there is no provision that allows for that. That is one of the considerations we must do. So, at the end of the day, he would be able to qualify for a larger pension but, more than that, if that pension is allowed to be invested—presently there is no provision for investment of that kind—then it would earn more so there would be even more benefits; again it would be reducing the demands on the State.

Mr. Speaker, one of the challenges we have, it is often said that most of us do not put enough into our pensions and that might be so, but that is only part of the truth. What is really meant by this is that most people do not invest enough for their retirement— *[Interruption]*

Mr. Ramnath: Good point.

Mr. C. Sharma:—and the Government has a responsibility to advise persons what opportunities obtain for investment for their pension. Again, looking at the UK experience, the area of real estate; stocks to some extent; government bonds is very encouraging. Of course, the pension is only one way of investing for retirement, like all investment decisions you need to balance the pros and cons and compare various options, and again, Government education for this programme is required.

Some of the benefits: We have here the tax break which is not sufficient as we reduce time and again in terms of mortgage, between the mortgage and the annuity I think the limit is \$19,000 and perhaps the Government in this upcoming budget needs to revisit it—\$19,000 for a couple with a mortgage of \$400,000 or \$500,000 which is the average mortgage today; the average house in this country is close to \$400,000 to \$500,000 in the private sector and certainly, the interest in that would be a lot more than \$19,000 but as I indicated the \$19,000 is tied in to if you have an annuity as well, you are allowed a maximum of \$19,000.

In the first quarter of 2006, when we look at what the investors have indicated, the Trinidad and Tobago index experienced a fall of 11.54 per cent which went from \$13.22 to \$11.70. Although these downward movements are worrying to

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many, it is noted that this movement was not exclusive to Trinidad and Tobago, so I want to make sure that I make that point because the same thing obtained in Jamaica and Barbados. But for the pensioner in Trinidad and Tobago, he had nothing to benefit from this because the pensioner found himself getting less money because the buying power of the dollar dropped significantly, so where he was able to obtain groceries for a family of four or for a week for X amount of money, after a period that was reduced to as low as four days, the same dollar value.

2.35 p.m.

Mr. Speaker, the other point I would raise, as it relates to pensions, is one that I know my colleague, the Member for Laventille East/Morvant, would be willing to treat with, but I am certain he does not have the information. When we look at the pension situation in Trinidad and Tobago, one can safely say that it is in crisis. Today, becoming old and pensionable are not enough to live in Trinidad and Tobago. Pensioners are living in poverty; it is a very frightening development.

Mr. Ramnath: Right here in this Parliament. [*Laughter*]

Mr. C. Sharma: Not just in terms of financial benefits, but across the board. Many people do not believe that the Government has a commitment to treat with pensioners. In fact, they do not think the Government has a commitment to treat with citizens, more so the pensioners who have given their lives to this country. In recent times, we have seen pension funds being abused both in the State and private sector. In many instances, persons lost out where there was government involvement. So the question of a proper management outfit, from both the Government and private sector, coming into pension management is very, very critical.

The Government must recognize what is the root cause of this pension crisis; what is their role in it or what they are doing to correct or reduce the challenges faced. The Government must promote adequate remedies to this pension crisis. One of the suggestions made on this side was the question of a people's pension fund, if I could call it that, with an initial investment of \$100 million. This must go into a joint management team with the Government and private sector, with the aim of investing that money.

We have seen Members opposite doing investments in real estate and coming back with returns of 300 and 400 per cent; that is good; nothing is wrong with that. I hope they declare it at the place that they have to. The point is, those pension funds could go there as well and the pensioners would benefit. We must

do things that would benefit more and more of the society. Most of the Government's policies seem to benefit a selected few.

The financial services industry, including the stock markets, must also get involved in pensions. The industry must tell the national community, based on the Government's recommendations and its lending assistance, that it is interested in developing this pension area for all citizens who would, eventually, get there. It was clear, from what the Minister indicated, that under section 14(1) there is a small, one-time benefit. We must enter into new arrangements for pension savings for those who receive them. It is very unkind for a government, having acknowledged and recognized that it made a small one-time benefit, to do nothing about it. What prevented the Government from treating with those people? But election is around the corner, so they are beginning to look at sectors and markets. [*Crosstalk*] Thank you, Member for Tunapuna for confirming it. You told me December 11, did you not?

Mr. Ramnath: He is an insider, you know. [*Laughter*]

Mr. C. Sharma: The country has enough money to start investing in its citizens. If you look at the Singapore experience, from the time a baby is born, some savings start in that baby's name. [*Interruption*] Well, we have two Chief Whips; so the Front Bench Chief Whip reminded me that was in the UNC manifesto. I am not sure if it is the Member for St. Joseph in the back, but we would find out that later. [*Laughter*]

One of the challenges we face as Members of Parliament, is that when people come to us from across the board: housewives, self-employed people, taxi drivers, street vendors, et cetera, et cetera; they raise with us the question of pensions. There is very little we could tell them. "We hope you reach age 65 and get your pension." One of the suggestions we made, and I think it was in the UNC manifesto, was to lower the age of pension in this country to age 60. I suggest that the Government looks at dropping the age to 60 and moving the amount to \$2,000 in the upcoming budget.

We look at how some people are treated after retirement. We saw former President, ANR Robinson, receiving a golden handshake from the Government, certainly for favours granted. We saw another President, may his soul rest in peace, the late Noor Hassanali, being treated opposite. That disturbed citizens across the board. When they come to our offices, they say, "Listen, look how your Government treated with President Robinson and look how they treated Noor Hassanali; where do we stand?" They are hoping that the change of government

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would treat with that, but there must be a policy available to all of them. [Interruption] You would have an opportunity to speak, Member for Arouca North; most times you have nothing to say.

Mr. Narine: You have said nothing up to now.

Mr. C. Sharma: There must be meaningful choice. If there are private pension funds, investment wise, and Government funds, and citizens feel that they could benefit more from the private funds, then they must have the ability to invest and be able to get the tax incentives as well, because the choice would increase competition and returns as well. To get the business of "X" or "Y", they would have to make sure that it considers all those things. There are a number of people who are not on any official payroll in this country, for one reason or another. They work part-time; some work on cruise lines; in the Unemployment Relief Programme (URP); some work as seasonal vendors or they sell at schools, for instance. Schools are closed for 10 to 12 weeks per year, yet they provide a service; but they have no pension benefits. The Government needs to look at those informal sectors. I give the assurance that a UNC government would so do. [Laughter]

Hon. Member: Which one?

Mr. Narine: "De commess government?" [Crosstalk]

Mr. C. Sharma: I spoke about establishing a people's pension fund. Of course, the question might be asked: How would we get this up and running? We are very blessed in this country to have an oil windfall; the question of \$100 million to go into this people's pension fund would be a good place to start. Certainly, that would require legislation for which this loyal Opposition of Trinidad and Tobago would lend support.

Hon. Member: Which one?

Mr. C. Sharma: There is only one Opposition to the Government of Trinidad and Tobago. We may be on two Benches, but there is only one.

Hon. Member: "Yuh cross over?"

Mr. C. Sharma: Such a fund could also attract private sector investment, so it would not only be a question of the Government having to put money. The private sector might be interested, because that fund could go into investments, so the Government would not have to feel pressure to put money; it would be a fixed amount. The country is ripe for investment, not only in real estate, but in the oil and energy sector as well. As we attract investments into the country from abroad,

we could always say that there are local agencies, perhaps like the suggested people's pension fund, that would be willing to put 20 or 30 per cent in any plant here, so the national community could feel a part of it. One of the difficulties is that we feel citizens do not feel a part of the process in the country in terms of investments. Everybody has to be certain, because they have been told that they have to save for a rainy day. They must be given opportunities to save for that rainy day.

When you look at the existing legislation for pensions in this country, we know that there is some work to be done in that area. I want to give the assurance that the Opposition would, certainly, lend its support. [*Crosstalk*] We know that we need legislation to establish such a fund. Such legislation would consider rules to ensure the people's pension funds are truly independent. That is one of the challenges we have had in the past. These funds must be independent and once established, they must be run by persons who have a vested interest from across the board.

Mr. Ramnath: There would be a lot of people retiring at the end of this term.

Mr. C. Sharma: When you look at the history of the management of pension funds, it is really a tale of mismanagement as well as success. We have to make sure that we allow the widest participation into it. We have to be certain that those managing the pension funds are truly independent, to make the right decisions and to make sure that those decisions are based on information. We also have to be certain that the national community or the stakeholders of those pension funds are advised, so they would know what they are participating in and would be encouraged to make or not make contributions at any given time.

Pension fund management is a challenge all over the world. In the United Kingdom, Australia, Canada and elsewhere, they have done the work so, in many instances, we could borrow from their learning. In the countries I have identified, a number of retired executives have gotten involved in such pension funds. Charitable organizations have also gotten involved. A number of charitable organizations have to assist pensioners when their income from their pensions does not meet their requirements. These persons find themselves collecting their pensions, but living in senior citizen homes. We have many instances of that.

If you go to a lot of senior citizens homes, you would find pensioners there because they cannot afford to live on their present pension. So the St. Vincent de Paul and the Mc Donald's homes and a few others that I do not recall now, are subsidizing. It would be very sad that in 10 or 15 years the next group of Members of

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Parliament has to visit a home for the aged. [*Laughter*] We are not very far from there. That is frightening, after having worked so hard, waiting to eat bread and butter. As a vegetarian you would have difficulty.

It would be worth our time, as Members of Parliament, to visit some senior citizen homes and see the conditions. They are not very good; it could be very, very disturbing. Of late, you have to negotiate to get a place in a senior citizens' home. Again, one of the ways of avoiding or reducing that situation is to make sure that we take care of our pensioners. [*Interruption*]

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

Mr. Ramnath: A brilliant speech so far.

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

Question put and agreed to.

Mr. C. Sharma: Let me thank Members on both sides. I must thank the Member for San Fernando East for being here, because if he was not, I would be on my seat. [*Laughter*]

Mr. Imbert: That is true.

Mr. C. Sharma: Mr. Speaker, as we are on pensions, you would forgive me for raising the question of persons in public life, particularly Members of Parliament in both Houses and those who function as local government practitioners at the regional corporations. The question of pensions for MPs must be treated with at the appropriate time. Persons who serve as MPs would often find it difficult to return to the private sector, for one reason or the other: In many instances, once you are an MP, the services that you provide now, you would be called upon to provide even after you leave this House. You would be called upon to lend support to charitable causes, so you would have to continue signing passport forms; doing recommendations; visiting the sick, et cetera, et cetera. So you would find it very, very difficult to return to private sector employment or employment of any kind. Many of us would not be qualified in terms of our age to go look for employment. So the pensions must be reflective. I suggest that the Government, since we are dealing with pensions, look at a number of areas.

Certainly, one could argue that some of them could be forwarded to the House Committee, but it seems as if the public has to buy into this as well. An MP continues to serve. Very few of us would have the distinguished opportunity like the Member for San Fernando East to serve for such a number of years. I do not

think that the lifespan of an MP, in the future, would be more than three or four terms. We are very fortunate, in this instance, to have the hon. Prime Minister doing 35 years. Some of the considerations for Members of Parliament would be to make sure they are encouraged to serve. *[Interruption]*

Mr. Speaker: I think you should establish the basis that MPs who retire could first make themselves available as auxiliary firemen, before you proceed further. *[Laughter]*

Mr. C. Sharma: Mr. Speaker, the role of the auxiliary firemen, as you know, is to out fires and keep the heat down. So the MP has to keep the fires down. He would have to keep the heat down as well and not throw any fuel into it.

I was making a point on the question of pensions as well. When you look at the existing rules that govern pension funds in this country, we have to make sure they allow for easy transfer of money to funds with tax benefits. The contributor must be given the right to move those funds as he sees fit. If he discovers that there is an investment which allows him to earn a higher income, he must not have difficulty to remove some of that money to such a fund. Again, the Government would have the input to ensure that the legislation meets the requirements, et cetera.

Mr. Speaker, the Minister only touched on what obtained under 35:50, but a people's pension fund investment should allow the investments to meet the particular purpose. For instance, if a retiree thinks that he would like to live his life and obtain his pension for a period of 10 years, so he retires at 55. Then he says, "Listen, I would like to go up to 65 from this fund," and he could justify his reasons or there may be rules that allow it, this must be encouraged, because he may have needs at that time. He may need to go for an operation or he may be suffering from a heart ailment which suggests that he has 10 years of valuable time; he may want to treat with it in that particular way.

We need to revisit the rules of how pensioners get their money. For instance, when somebody reaches age 65 and they qualify, hopefully, to get old age pension, across the board it is a fixed amount. It is \$1,000 or maybe a little more, I am not sure, but pensioners' needs may be a lot different. Yesterday I saw a 72-year-old lady who was taking care of four grandchildren; one goes to a private school for which she has to pay. The pension is the only income this person has. The parents of the four kids are not with them; they do not have any other source of income, so she has to take care of them with \$1,000 a month. She was

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interviewed by the Social Welfare Department, but that is the limit and they have no flexibility. The time has come where you need to revisit that and say, "Your case is slightly different from someone who does not have that same situation." [Interruption] I am not sure if she has a smart card. I am making the case that there must be provisions for special arrangements and special considerations in such instances.

For somebody living in a rural community versus a town area, there must be consideration for those things. For instance, somebody who lives in Port of Spain and gets a \$1,000 pension could access everything within walking distance, including the health centres, public hospitals, supermarkets, et cetera. The same person living in Cedros does not have that benefit, because to obtain any of the services he has to leave Cedros and come into Point Fortin or San Fernando. If he has to go to the doctor once or twice a month, the bank or wherever, the cost is much higher.

With the current situation of the tax break, which I think is a \$12,000 annuity, the time has come to increase that to allow for the maximum. We should also make sure that if the person wants to invest \$15,000 or \$20,000, that it be allowed and the tax incentives would be provided as well. From time to time, pensioners may have other needs that they do not have money for and they cannot be left unattended. They cannot be told, "Sorry, we cannot do anything for you." The Government must have a broad open policy to say to pensioners, "These are the provisions of services that would be available to you; failure of the State to provide that through a state agency, would be picked up by another agency."

A lot of pensioners have to go for cataract operations; most times it has to be done on both eyes. That costs about \$7,000 per eye; so that would be about \$14,000 for both eyes. If you look at a pensioner who gets \$1,000, he would have to spend his entire year's pension to have that operation. So the State must say, "In such a case, we would assist to the tune of 100 per cent, in the first instance, or a percentage." The pensioner may have friends and relatives who may want to lend some assistance, in that regard, but we have to make sure that pensioner is not left alone.

I made a point which I need to expand, because I think it is very important. I do not want the Minister to miss the importance of it. What incentives are there for persons who are self-employed or under employed, to be certain of a pension down the road, a pension to which they can contribute, in the first instance, and a pension that would be tied in to the cost of living? One of the arguments from the Government would be, "Well, when you reach 65, you would be considered for a

pension full stop." That is not good enough; that does not take care of the needs of the person. There must be ownership of pensions by all persons who wish to participate in it.

In some instances, you would need pensions to be localized based on the needs of the particular person for the area or job market from which he or she came. There must be sustainable investments for all pensioners. Persons must be able to say, "Look, if I invest a dollar every day in my pension, I would get a minimum return of 'X' or 'Y'." So he is encouraged to invest, to save and to reduce waste.

In Trinidad and Tobago and in many places, we have seen persons who were in pension schemes or plans and have lost money when the stock market fell. It was for that reason I suggested that investments must be looked at very closely, including real estate and, perhaps, in the energy sector, et cetera, et cetera.

Misuse of government finance used by pension funds is something we have to be careful about. I think this happened in the private sector. There was a classic case with the Trinidad and Tobago Electricity Commission (T&TEC) pension fund. There may have been a similar challenge in the Republic Bank pension fund at an earlier time. The Minister raised the point that there must be security for the pensioner. We must make sure that the pension is taken care of in that area so the pensioner has security of earning.

In some instances, the pensioner has to provide something called a life certificate; we need to revisit how that is done. The office of an MP is a public one. If a pensioner comes to a constituency office or is visited by an MP, that MP should be able to certify that the person is alive and use his MP stamp, as he does when he signs a passport form. The pensioner should be able to take that form to the pension office; but that is not allowed. The person has to find himself in the pension office; sometimes at great cost and inconvenience; rain might be falling or the person may be sick. We must be pensioner-friendly in terms of extending services. That service could be done by a local school principal in an area; he could certify that such and such person was seen by him on such and such a date and is alive, so that certificate could be presented. That would save the inconvenience that creates a lot of disgust by people who have to go through the process.

The Government has also raised concerns about the cost of living. It does not make sense that the Government recognizes that many persons cannot treat with the high cost of living, but when it has an opportunity to treat with pensioners, it

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does nothing about it. I suggest to the Minister that in his response he indicates to this House how he is going to advise pensioners who he knows are finding it difficult, based on his own information, that the cost of living is beyond their ability to purchase goods and services. He should indicate what is available.

Some pensioners recently received the smart card and there have been many, many complaints about how they were distributed. What are the qualifications? How are persons considered to receive them? I do not know if the Minister or some Member of the Government would be kind enough to tell us on this side of the House how to advise our constituents on the question of the smart cards. Are they for a selected few? These cards were given out and not a single Member of Parliament on these Benches could say what the criterion was, how it was done and how future applications would be considered. I thank the Member for Tobago East for agreeing with me. That is a very admirable quality.

Mr. Ramnath: London got a smart card, not "she".

Mr. C. Sharma: I cannot talk about the people's pension fund that is being proposed, without talking about the economic benefits. In a nutshell, this would benefit the entire country. It has been looked at in other countries. It would increase investments; increase scope and lift standards. One of the things a citizen must be assured of is that at the end of the day there would be something meaningful and measurable for him. At this point in time, such does not obtain.

Mr. Speaker, I am sure you would agree with me, since you did not have to rise for all of the 60-plus minutes, that the contribution was well thought out, [Laughter] very well researched and, certainly, would benefit all of us.

Thank you.

Mr. Manohar Ramsaran: (*Chaguanas*): Mr. Speaker, let me congratulate the Ministry of National Security for coming forward with this Bill to include service that was done before by an auxiliary fireman when he becomes a full-fledged fireman. I congratulate and I concur, but for a government to come to this Parliament to deal with one specific area, I would have liked it to be across the board. We have many such instances, for example, the customs extra guards. They work for a long period, then they are promoted as guards and their service is not included for pension. This is something you have to look at. There are many instances that I know about working in the public service myself. Some daily-paid workers eventually become monthly-paid officers; computing their pension is really a Herculean task. It takes the officers months, sometimes three years to finalize the pension.

When this Bill came, I thought it would have been across the board. I know about this Bill; it had been in the making. I was also a person affected by this sort of thing; leaving the public service and moving to another arm; we had problems with that.

I also would have liked to see this Bill being thought out correctly to come to this Parliament with meaningful legislation to include all the arms of public servants who would be so affected. I want to congratulate you for dealing with the firemen, but I am sure there are many others, including police officers. I do not know; maybe you could answer, but are Special Reserve Police (SRP) who join the mainstream police treated like this? How are their services computed? I know, for example, that SRPs come to me and tell me that their service is not being counted. I do not know if this has been done and rectified. If so, you could tell us, but from what I know, that does not happen. I would love the Government to come to this House and deal with this across the public service, so that persons would not be let down, and when they retire at age 60 or 65, they would not be sure what pension they are going to receive.

My second point is that as we are in the build up to the budget, I would like to make a plea on behalf of public servants who have retired. I met a senior customs officer this week who retired about 20 years ago. He was looking well for his age, but he told me that his pension was about \$500 and he had to live on that. In those days, when he retired, that \$500 might have been a lot of money, so he retired feeling good, but not in today's world.

I talked about inflation last week and the increase in the cost of living. His retiree benefit pension, so to speak, is about \$500 a month, which also puts him out of the loop. He cannot even receive an old age pension. Now he is poorer. If I remember correctly, he was a deputy comptroller of customs and now he is living under worse conditions than an old aged pensioner. An old age pensioner could receive \$1,000 old age pension and \$1,000 national insurance, so he would be living with \$2,000. This former deputy comptroller of customs, who had a good life, now has to go down and live the life of a pauper. I think we should really look at that.

I am appealing to the Government, let us increase pensions to public servants; especially if you want to go back and bring people on par with old age pension; maybe that would help. I believe they should go back and look at the years and see when these officers retired. They might not even be many alive, but those who are, let us treat them with some dignity and increase their pensions, so to speak, so that they could live a comfortable life.

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I make a plea, because I know. I worked in the civil service for 26 years and there were officers then who were persons to be admired and looked up to; persons who worked with distinction. I am sure nobody here could argue with that. The public servants of old were men and women of stature. Now that they have retired, to live on \$300, \$400 or \$500 a month is not really what is recommended for them. Maybe the Minister would not be able to answer that, but I am asking the hon. Prime Minister and the Ministers in the Ministry of Finance to look at increasing the retiree benefits for our former public officers. I thought I would make that plain. [*Desk thumping*]

I do not want to really debate too long, but again, as I am on my legs and we are talking about pensions, I want to repeat this point; this is the third time I am saying it; so persons who have ears, listen to me. Please increase the take home at the end of the month for people with disabilities; I recommend nothing less than \$2,000 per month; old age pensioners the same. I am not talking about the people in the middle who could be made employable, who could be trained or who could become better citizens. I am not talking about handouts. I am talking about the people who really need the money in this country at this time; the old age pensioners, the people with disabilities, government retirees and so on. Let us make these people live a good life.

Even persons who become Members of Parliament after working in a particular job, their service should also be included; this is something we have to look at, so that when you retire at 60 or 65, you too could get something. I do not want to bring this into the debate, but I see that some persons who want to enter politics are enriching themselves first, so when they come into politics everything would be okay. I am sure you would get hold of this soon, Mr. Speaker. [*Mr. Ramsaran shows document*] It is the article:

“FIFA’s Chief World Cup Ticket Scam”

I do not want to go into details; it is available to our friend opposite. Those who are not enriched before they come here should be taken care of.

Dr. Hamza Rafeeq (*Caroni Central*): Mr. Speaker, just a very brief intervention. We on this side have spoken a lot about pensions, because that is something that really concerns us. As the other two Members on this side who have already spoken, we are in support of the measures being debated here today. In addition to what the other speakers have said, it is true that we have an aging population, particularly in the public service. We are worried that at some point in the future a lot of our gross domestic product (GDP) would go towards paying pensions.

There has been a lot of talk for many years on the question of pension reform. We know that when the UNC was in office, we talked about pension reform and looking at the Chilean model. I know that this Government has also been talking about pension reform, but so far nothing has been done.

When we were in government, we introduced the pension for the Regional Health Authorities. The Minister of Health is not here, but I am sure that he would tell you that is something which has been functioning quite well so far. It is a contributory pension. The Government contributes quite a percentage of the contribution and the employees contribute a little portion. That pension is doing quite well. I think the time would come, in the not too distant future, when the Government would seriously have to look at the issue of contributory pensions, if we have to sustain payments for pensions in the future.

There is another issue with regard to pensions. I think there is a law that says no individual could receive a pension more than two-thirds of his salary. Even if that person belongs to a pension fund, even if the pension fund is doing well, even if the pension fund has excess money, the law does not allow that pension fund to pay to the contributors anything more than two-thirds of their salary. This is something that needs to be looked at. For those pension funds that are performing well, the contributors need to reap the benefit.

There was another issue mentioned on this side, but I want to emphasize it. The national insurance pension is \$1,000 for most people; the ceiling for old age pension is \$12,000 a year; so it means a person receiving anything more than \$1,000 per month is not entitled to old age pension. We have a number of people in this country who would not qualify for old age pension because of this. Almost all the daily-paid Caroni workers get a pension of \$500 or \$600 a month; once they get that, they are not entitled to old age pension. They are in a worse position by getting that \$500 pension. If Caroni (1975) Limited had told them that they were getting no pension, they would have been in a better position. They would have been able to get old age pension. I am not certain whether the fire service officers would be receiving a pension of less than \$1,000 a month. If they are, then they also would be in a worse position than if they did not get any pension at all, because then they would have been entitled to old age pension and the national insurance pension.

We hope that the Government in this year's budget would reduce the age for persons to get old age pension from 65 to 60, because the country can afford it now. We hope they would also reduce the quantum of old age pension and increase the ceiling by which people could qualify to get pension.

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The final thing I want to say was already mentioned, but I want to repeat it. As far as government pensions are concerned, there should be some indexation. Now you can retire at 55 years, in some places, and get a pension. By the time you are 75 years, the pension you were getting would be very, very small because of inflation. There should be some indexation with the cost of living.

Thank you, Mr. Speaker.

The Minister of State in the Ministry of National Security and Minister of State in the Ministry of Trade and Industry (Hon. Fitzgerald Hinds): Mr. Speaker, I begin my winding up by thanking Members on the other side for lending their support to what we consider to be a very simple and sensible measure, following on the absorption of auxiliary fire officers into the full-time fire service.

I must say as well that the Member for Caroni Central and the Member for Chaguanas made some potent points in relation to the issue of pensions. However, I would want to confine myself to the issue of relevance to this particular debate. While the question of pension in general is not wholly irrelevant, the points that were made might very well be considered that, so we would leave that for another time and the appropriate persons on this side would address those.

As for the Member for Fyzabad, he was neither relevant nor potent. [*Laughter*] The Member imputed a very convoluted motive on this simple and sensible measure. I do not know where he got the strange idea that the Government was introducing this measure because elections are impending next year and we are trying to win the support of the Fire Service through the retirees. I mean, it was convoluted in the extreme, but he is known for that. He is very capable of producing those kinds of arguments.

I thought that he would have made a more useful contribution, because I am told that the Member for Fyzabad was, in fact, a member of the Fire Service for a brief period. I am also told that he was exempted, as they say in those services, from wearing a uniform. So you could imagine the kind of service that ensued. He was also exempted from fire drills. I understand that he was exempted from holding hoses and he was allergic to water. [*Laughter*] So I have no idea what sort of contribution he made. That was why his stay was mercifully, and for the benefit of the people of this country, very, very short. [*Crosstalk*] In short, Mr. Speaker, the reports I had was that he was completely useless as a fireman. [*Laughter*] I hope that he does not cause himself to be seen in similar terms in this wonderful, honourable place.

We are talking about pensions. The Member for Caroni Central correctly pointed out that a large chunk of the National Security budget goes toward pensions. That caused me to consider that, in fact, it would not surprise me if some 64 per cent of the national budget is directed to salaries and emoluments; if I am wrong, it would not be very far from that. Therefore, I thought I would have heard from the Member for Fyzabad; well, certainly not; he is not in a position to talk on issues of productivity. Even as we debate these issues, we should focus on the question of productivity, particularly on the part of public servants, like we are. As we seek to improve salaries and ensure that the service of auxiliary officers are reckonable for pensions, I think all of us must pay close attention to the question of productivity and how we increase the national income, having focused on those.

The Member for Chaguanas raised the question of the Special Reserve Police (SRP) and other elements of the public service. What we are doing today is really tidying a process of absorption from an auxiliary service, part-time service, to regular service. It happened before with SRPS, in relation to the Trinidad and Tobago Police Service; once that happens, then this procedure follows. It could only come as a result of that, because for the other officers who would have joined on a full-time basis into the regular Police or Fire Service, this issue would not arise.

I think it would be, in the circumstances, fitting for me to thank Members again on the other side. I conclude by saying that I beg to move.

Question put and agreed to.

Bill accordingly read a second time.

Bill committed to a committee of the whole House.

House in committee.

Clauses 1 and 2 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.

FIREARMS (AMDT.) BILL

Order for second reading read.

The Minister of State in the Ministry of National Security and Minister of State in the Ministry of Trade and Industry (Hon. Fitzgerald Hinds): Mr. Speaker, I beg to move,

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That a bill to amend the Firearms Act, Chap. 16:01, be now read a second time.

The Customs and Excise Division of the Ministry of Finance has, over the last three years, adjusted its primary focus from one of revenue collection to a broader security and trade facilitation function or responsibility. This is in keeping with Government's policy, as it relates to that division.

This strategy places greater emphasis on free trade, cross border safety and more thorough security issues. In keeping with this mandate, the Customs and Excise Division, through its specialized units, have been very active in anti-smuggling operation, fraud detection, money laundering tampering with documents, of course, and suppression of illicit traffic in arms and ammunition and dangerous drugs. More recently, they have been engaged in counter-terrorism activities in an attempt to prevent or avert those, in conjunction with other arms of the law enforcement fraternity. This new activity, places customs officers in the forefront and, therefore, as an organization and as individual officers, subject to greater attention from those who are the enemies of law and order and makes them susceptible to greater threat.

You would recall, in the not too distant past, that a very valued and fairly senior member of that division lost his life in Tunapuna, in circumstances that gave great concern to the security forces and all the people of Trinidad and Tobago. The recent successes of the Customs and Excise Division demonstrate not only the commitment and capability of the officers, but also the need for more modern legislation to govern their operation and protect them; up-to-date law enforcement equipment and accessories, particularly for their personal protection, the protection of court exhibits and cash export; security and custody of retrieved or seized detained items, including arms and ammunition, and for engaging the criminal element during some of their interdiction operations.

I would share with you very briefly some of the successes of the officers of the Customs Division in the recent past. Under the provisions of section 2(24) of the Customs Act, Chap. 78:01, the Comptroller of Customs and Excise is empowered to impose penalties when persons admit to breaches of the Customs and Excise laws. As a consequence of that, in 2004 the Comptroller of Customs administered 111 cases and imposed fines on those who admitted breaches totalling almost \$3 million. In 2005, he administered 54 such cases and imposed fines of \$1.9 million. In 2006, as at June 30, he dealt with 110 cases and imposed fines of \$451,995.

Successes in narcotic interdiction at the major ports and, in some cases, other parts of the borders of Trinidad and Tobago, for the period January 01, 2003 to April 30, 2006, reflect both independent and joint efforts with other arms of law enforcement, including the Organized Crime and Narcotics and Firearms Bureau, the Special Anti-Crime Unit of Trinidad and Tobago, commonly known as SAUTT, and, of course, the Trinidad and Tobago Coast Guard, who has been recording some significant successes in drug interdiction within recent times.

The customs, acting either on its own or in conjunction with these units, arrested or prosecuted 125 persons. The quantity of narcotics seized included heroin, 30.12 kilograms; cocaine, 221.3 kilograms and marijuana, 64.97 kilograms, a total approximate street value of \$109 million. There have been a lot of other seizures outside of this. The specialized operations of both the Marine Interdiction Unit and the Customs and Excise Canine Unit are, in fact, part of the new thrust of that division.

Section 62(b) of the Firearms Act provide for customs officers to lawfully possess arms and ammunition while patrolling the territorial sea. Regulation 21 of the Firearms Act requires customs officers to escort firearms and ammunition detained from vessels under section 32 of that Act to the nearest police station to be lodged and for safe keeping. A cursory glance at that responsibility demonstrates that if they capture arms on the sea, as they are mandated to do, they now have to take it to the nearest police station; they have to travel on land.

The fact that they are only now permitted to carry arms while patrolling the territorial seas and having to take these arms and ammunition from where they would have retrieved them to the nearest police station on land, makes these two responsibilities or, at least, the provision that governs them, appear to be inconsistent. According to the Act, they are not expected to be armed. In fact, the law, as it now stands, does not permit them to be armed while they are escorting the arms and ammunition to the nearest police station.

Clearly, Mr. Speaker, there is a lacuna in the law and, as such, we propose that the Firearms Act be amended by deleting the words, "while patrolling the territorial sea". Once that amendment is passed, it means that the customs officers operating in the lawful exercise of their duties would no longer be bound by that restriction while patrolling the territorial sea and will now be lawfully able to carry firearms, even while not actually patrolling the territorial seas.

Part IV of the Firearms Act requires that both customs officers and police officers work closely together. In respect of importation and exportation of lawfully purchased or acquired arms and ammunition, customs officers are

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charged with controlling the business of import and exporting goods. Consequently, and in order to enhance the division's operational effectiveness in this area, it is proposed that for the purposes of Part IV of the Firearms Act, a new provision should be introduced to give custom officers similar powers as police officers in relation to that part of the Act only.

Mr. Speaker, the Bill proposes an amendment at clause 3 to section 33 of the Act, by inserting after section 2 the following new subsections. I should read them, although they are before Members. It proposes a new subsection (3) which reads:

“No person may export from Trinidad and Tobago any firearm or ammunition except—

(a) under and in accordance with the terms of a written permit issued under subsection (2);”

And we know the Commissioner has to grant that permit.

3.30 p.m.

“(b) firearms or ammunition, that is, cargo properly manifested to a consignee elsewhere than in Trinidad and Tobago or that are the *bona fide* stores of any aircraft or vessel in the custody of the proper officer authorized for that purpose.”

The amendment proposes a new subsection (4) as well which reads as follows:

“(4) Every person who is about to board any aircraft or vessel destined to leave Trinidad and Tobago shall, whether or not required to do so by any Customs Officer, declare to a Customs Officer whether he has any and, if so, what firearms and ammunition in his possession or under his control.”

What it means simply is that it imposes a responsibility on the person who has arms or ammunition destined for some place outside to declare them to a customs officer. And, of course, new subsection (5) states:

“(5) A person who commits an offence under this section is liable on summary conviction to a fine of fifty thousand dollars and to imprisonment for ten years and on conviction on indictment to a fine of one hundred and fifty thousand dollars and to imprisonment for fifteen years.”

Mr. Speaker, we are also proposing an amendment to section 34 of the Act, and the amendment in clause 4 suggests:

“4. Section 34 of the Act is amended by inserting in subsection (5)... ‘Police officer includes Customs Officer’ .”

With these amendments we would have put the customs officer on solid, lawful, footing to carry out his duty in the way that the new policy which governs the operation of the customs services envisages as we move from the revenue collection focus to greater issues of border security in keeping with modern security approaches.

This is not entirely unique, we are not going the full distance, at least not yet, but in the United States of America, for example, the Homeland Security which is an organization and institution that evolved after the events of 9/11 included the customs and many other arms of law enforcement and indeed, that was not the case before.

Close to home in Jamaica, they have recently put the customs officers under the aegis of the Ministry of National Security from where it was formerly under the Ministry of Finance as now is the case in Trinidad and Tobago.

Mr. Speaker, I propose these simple amendments for the consideration of Members. I beg to move.

Question proposed.

Dr. Adesh Nanan (*Tabaquite*): Mr. Speaker, the Member for Laventille East/Morvant, the Minister of State in the Ministry of National Security, read from a prepared text this evening, it shows quite clearly that he does not understand the concept of this piece of legislation before the House.

Dr. Rowley: Oh what a logic!

Mrs. Robinson-Regis: You know they have convoluted logic.

Dr. A. Nanan: Mr. Speaker, I will demonstrate to you because it is important to understand when I hear asides on how this legislation is supposed to operate. It deals with the territorial sea and there is an amendment to remove that particular section of the Act and territorial sea, and when we speak of territorial sea, we are speaking of a 12-mile limit.

Mrs. Robinson-Regis: Give us the history.

Dr. A. Nanan: Mr. Speaker, I will not be distracted this evening, I want to give them the assurance of that because it is important for the country to understand.

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Maybe they do not want to hear, but the country wants to hear about this particular piece of legislation.

Mr. Speaker, I want to start off very clinically and say that this Bill before the House should be passed with a special majority.

Mr. Imbert: What!

Dr. A. Nanan: Yes, because as the Minister mentioned, we are now giving arms to customs officers, so a customs officer at present has more power than a police officer and I am sure they agree with that because under the Customs Officers Act, a customs officer can search without a warrant any building where he suspects contraband goods may be.

Under the Firearms Act, a police officer must acquire a warrant before he can enter any premises to search for arms and ammunition. So in one way you are now giving the customs officer—and I am hearing asides that he always had that power—but what we are saying is while the customs officer can ask for assistance from the police, he, on his own, will now be going in with firearms to search premises without a warrant and that is why this Bill should be passed with a special majority just like the Police Service Act as well as the Customs Act.

Mr. Speaker, if you follow the Customs Act, you will see that a customs officer has enormous power in terms of boarding any ship in Trinidad and Tobago if he suspects that there are goods on that ship that may not be in accordance with documentation, or if he suspects that the duties have not been paid on excisable goods. And those are the areas where the customs officer boarding a ship can spend as long as he wants, the captain has to give the customs officer free reign in terms of getting to various parts of the ship to look for any suspected contraband, or any goods that may be hidden. In the same area we are dealing with the arms and ammunition aspect; ships that are coming in with arms and ammunition and, in fact, if the Minister had taken some time to read the Customs Act—

Hon. Member: Shot boy!

Dr. A. Nanan: It is quite clear in terms of the role and function of the President as outlined in the Act and what can or cannot be imported and from time to time, the President, as defined in the Act, can revoke an Order and change what can or cannot be imported.

The Act says that arms and ammunition cannot be imported except on a permit granted by the Commissioner of Police, which he did say. So there is that allowance where from time to time, you can have an order placed to revoke what can or cannot be imported.

Mr. Speaker, this particular amendment before the House traverses the Customs Act and the Firearms Act, and now we have the Firearms (Amdt.) Bill and it goes into various areas. The Minister outlined initially the importance of removing that particular section, patrolling the territorial sea, but what he left out is the Firearms Regulations under section 21 of the Firearms Regulations which I will read because that is important if we go back to the Firearms Act.

“21. Every firearm or ammunition received by any officer of customs pursuant to section 32 of the Act shall be placed and retained in a sealed packet and delivered to the Commissioner of Police who shall keep the same until either—”

The Member spoke about the customs officers having to leave the environment of the sea and get onto land with the firearms and ammunition which have to be lodged at the nearest police station, but it is the Regulations which define that area and if one goes to section 32 of the Act which points out that area, section 32(1) says:

“32(1) Every person who disembarks from any ship, vessel or aircraft which come into Trinidad and Tobago from any port or place outside Trinidad and Tobago shall, whether or not required so to do by any officer of customs, declare to a customs officer whether he has any, and, if so, what firearms or ammunition in his possession or under his control.

(2) A person referred to in subsection (1) who has any firearm or ammunition in his possession or under his control unless he is the holder of a Firearm Import Permit, shall either—

(a) cause such firearm or ammunition to be retained upon the vessel or aircraft upon which he came into Trinidad and Tobago until after such vessel or aircraft departs from Trinidad and Tobago; or”

Mr. Speaker, this Bill also deals not only with ships but aircraft and later in my contribution I will deal with certain areas in aircraft technology because the Prime Minister may want to hear something on that issue.

It continues:

“(b) deliver such firearm or ammunition to an officer of customs to be dealt with in accordance with the Regulations.”

That is why I made reference to the Regulations because if the person is lodging his firearm or ammunition with customs, the customs officer now has to deliver it

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to the nearest police station and that is why it is important to understand the relevance of the Firearms Regulations and that particular amendment.

Mr. Speaker, the Minister in his contribution mentioned some important areas to which I would like to make reference in my contribution; that is anti-smuggling, money laundering, counter-terrorism activities, equipment, personnel, and port exhibits and he also spoke about penalties.

Mr. Speaker, when a Minister says “to capture arms and then take them on land”, we have to question those statements. How can you capture arms? You are to capture the person carrying the arms, you just cannot capture arms. [*Interruption*] He said that, he can deny it if he wants.

With respect to counter-terrorism activities, the Customs Act also points out specifically in the following areas which I will read again.

Dr. Rowley: Again?

Dr. A. Nanan: A section of the Act. Mr. Speaker, if the Minister had explained this properly I would not have to go into the debate in such length, but he had an opportunity to do it and he did not.

Hon. Member: Teach him, teach him.

Mrs. Robinson-Regis: Brilliant contribution.

Mr. Ramnath: Do not let them distract you; you are making a valid contribution.

Dr. A. Nanan: Section 46 of the Customs Act says:

“Until revoked by Order under section 44, the following goods are prohibited to be exported;

(a) arms, ammunition and military and naval stores, except with the written permission of the Commissioner of Police;”

Mr. Speaker, it makes reference to arms, ammunition, military and naval stores and it takes me back to the situation when reported allegations by one Vernon Paul to this House because it deals with arms, ammunition, military and naval stores.

Hon. Member: “What wrong with you?”

Dr. A. Nanan: The allegations of Vernon Paul stated—

Mr. Ramnath: You see how you unnerve them?

Dr. A. Nanan: The allegations of Vernon Paul revolved around the planting of cocaine in the water tank of former Senator Sadiq Baksh.

Mrs. Robinson-Regis: Former UNC.

Dr. A. Nanan: It is with respect to this particular area of cocaine and ammunition, and you had the continuing saga where the loyal Opposition—

Dr. Rowley: Which one?

Dr. A. Nanan:—wrote the various ambassadors and consulates, and the Prime Ministers of Caricom were also written to with respect to this particular incident. I have it all in my head so I do not intend to waste time to tell them everything. *[Interruption]*

Mr. Ramnath: He could call out all the names of the—*[Inaudible]*

Dr. A. Nanan: Mr. Speaker, I just wanted to reflect on that particular incident with respect to the cocaine and missile situation because we are dealing with arms and ammunition and it hurts me that the Member for Laventille East/Morvant comes to this House and wants to take plaudits for drug interdiction when only yesterday, a poor lady, a cafeteria operator leaving the Tabaquite Composite School was robbed on her way home by two masked men carrying guns—arms and ammunition. They came out of the bushes, attacked the lady and took away her money. Only the day before I was in a protest in Mayo; meeting with the residents.

Hon. Member: You were lighting fire.

Mr. Narine: “Yuh shoulda get lock up.”

Dr. A. Nanan: When I left that meeting, I was unaware that a robbery was taking place lower down on the Guaracara/Tabaquite Road.

Mr. Hinds: You organized it.

Dr. A. Nanan: People were being robbed, tied up and beaten, Mr. Speaker.

Mr. Ramnath: “Don’t take them on; they are trying to distract you.”

Dr. A. Nanan: They have to know that, they come with a Firearms (Amdt.) Bill with arms and ammunition, they opened up the debate and now they cannot take the blows they are getting. *[Laughter]* The Minister of National Security should have been here, he is afraid to come to the House because he knows of his non-performance. In fact, I would say today that they should move some parts of that ministry and put in the Ministry of Works and Transport.

Hon. Member: Why?

Dr. A. Nanan: Because we are seeing a certain level of performance by the Minister of Works and Transport, the Minister of National Security is not performing. [*Desk thumping*]

Dr. Rowley: “Yuh could sit down now.”

Dr. A. Nanan: Mr. Speaker, I have to make the point about robberies in Gasparillo, and along the Guaracara/Tabaquite Road. Not only the one I mentioned but we continue to have violent robberies with illegal arms and ammunition.

At this point in time, with the situation at the Tabaquite constituency we are under duress because of bandits.

Dr. Rowley: This could be your last speech.

Dr. A. Nanan: And the Government of Trinidad and Tobago cannot protect the citizens of the country. We are calling again on the Government for a police post in Tabaquite.

We have come here time and time again on issues with the Gasparillo Police Station and listened to the diatribe from that side with respect to that police station. Tenders have been awarded and nothing is happening there, the morale is so low and still the officers are performing their duties, but the Tabaquite situation is too far from the Gasparillo Police Station.

We have heard of so many vehicles which they say they are putting into the police stations and when we call the Gasparillo Police Station there are no vehicles. That is the situation in this country, so I am calling for a police post to be established at Tabaquite. It is okay for you to put one at Brasso in 2020, but we want one now in the Tabaquite area because of the bandits there and the people are under siege.

Mr. Ramnath: And the Prime Minister is not doing anything.

Dr. A. Nanan: And the same customs officers who are now going to have guns and will be able to search people’s houses, will also be in the Tabaquite area searching.

Mr. Speaker, all the ships—[*Interruption*] as I am speaking about ships.

Dr. Rowley: Ships in Tabaquite?

Dr. A. Nanan: I do not know why the Member for Diego Martin West—if you want to make a contribution, do so, or keep studying the volcano in Montserrat and in Grenada.

Mr. Speaker, he wants to distract me, but he cannot because I am dealing with the territorial sea and its importance and when I speak of territorial sea and the ships in Trinidad and Tobago—

Dr. Rowley: What that has to do with it?

Dr. A. Nanan: Listen carefully, Member for Diego Martin West.

Mr. Ramnath: He is afraid of you.

Dr. A. Nanan: It can be critical, listen to me! It can be critical because there is a tropical storm in the Atlantic that is making some erratic movements.

Mr. Hinds: Link it to the Bill.

Dr. A. Nanan: I linked it already. You were not paying attention, Member for Laventille East/Morvant.

Mr. Speaker, it is making some erratic movements and it can threaten Trinidad and Tobago because it is moving erratically and it is a large system and all the ships within the territorial waters can be under threat even with arms and ammunition. [*Laughter*] And the lives of all those customs officers who will board those ships are at risk.

Mr. K. Ramnath: Good point. The Grenada Stadium could not withstand the force of Ivan; the stadium and the walls in Westmoorings, everything he has done, the Solomon Hochoy Highway too.

Mr. Imbert: I do that? That was done almost 15 years ago.

Dr. A. Nanan: Mr. Speaker, it is important but it should be a sensitive area because if that storm becomes a hurricane which it is projected to become, I know that the Organization for Disaster Preparedness and Management is under-prepared and the country can be under threat. I am not praying for that to happen.

Mr. Hinds: What that has to do with customs?

Dr. A. Nanan: I just linked it to customs.

Mr. Ramnath: You understand the brilliant contribution.

Dr. A. Nanan: Mr. Speaker, there is also a link with respect to this particular Bill that if the Member had understood the concept, he would not have asked that

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question with respect to linkage. How long are you in this Parliament? You should understand the—

Mr. Speaker, while it is important for customs officers to have protection we have to be guarded. What are we seeing in this country? Attack on the Chief Justice, there is a political appointee as the Commissioner of Police, there may be a situation where the customs officers are now another arm of the State controlled by the political directorate and going into people's homes. We saw it already it is nothing new. They went into Carlos John's home, into Duprey's home and all that under the disguise of the Firearms (and ammunition) Act. You went into the home of the former Member for Couva North, although you did not probably read it, it allows for you to go in, and even customs officers now can go into people's homes and search their computer records.

Mr. Ramnath: I better blank out mine.

Dr. A. Nanan: They can go into computers now because this particular amendment said that police officers and customs officers have the same power.

Mrs. Robinson-Regis: It does not say that.

Dr. A. Nanan: It says that.

Miss Lucky: No, only for a particular part.

Dr. A. Nanan: Okay, but that section.

Miss Lucky: Yes, but that is not in the Bill.

Mrs. Job-Davis: You have a copy of the Bill to pass for him? [*Crosstalk*]

Dr. A. Nanan: You will disagree with me when you get your chance. I am dealing with the Firearms (Amdt.) Bill, Mr. Speaker. [*Interruption*]

Mr. Speaker, I will speak to you, I would not be distracted.

Mr. Speaker: I do believe that the Hansard reporter is having a bit of difficulty, so let the hon. Member make his contribution. You will have your chance, Members on the opposite side. I must warn you of one thing though, we do have a Member who is *en votre mere* and be careful that you say or do something that would jeopardize her situation. Please continue.

Hon. Member: What?

Dr. A. Nanan: Mr. Speaker, this is an interesting debate, it may be convoluted but it shows quite clearly the various areas in which the customs

officers are getting involved. Mention was made of the wrong section. Under the Firearms Act, a police officer can do what I said. A police officer with a warrant can go into somebody's premises and confiscate their computer records and databases. That is a fact.

If you want to correct me with respect to the customs officers not having that power then you are free to do so. I want to make reference to another section in the Bill which says:

“Section 34 of the Act is amended by inserting in subsection (5) in the correct alphabetical order ‘Police officer includes Customs Officer’.”

I have to relate to section 34 of the Firearms Act, with your permission I will read it.

“34(1) A person is guilty of an offence if without lawful authority he has on his person or under his personal control any firearm, ammunition, explosive or offensive weapon—

- (a) when boarding or attempting to board or when disembarking from any aircraft; or
- (b) while on board any aircraft operated by a company registered in Trinidad and Tobago.

(2) For the purposes of this section a person shall not be deemed to be acting with lawful authority unless he is acting in his capacity as a member of the Defence Force, established under the Defence Act 1962, a police officer or a security officer employed by the operators of the aircraft, save that where the operator is a company registered in Trinidad and Tobago the security officer shall not be deemed to be acting with lawful authority, unless he is the holder of a licence or certificate.”

4.00 p.m.

It makes no reference to a customs officer. Section 34 is amended by inserting in subsection (5)—I have to read section 34(5). It states:

“In this section—

‘explosive’ has the same meaning as in the Explosives Act;

‘offensive weapon’ has the same meaning as in the Prevention of Crimes (Offensive Weapons) Act;

‘security officer’ means a person employed by the operators of an aircraft

for the protection of the aircraft and its passengers while in flight.”

In subsection (5) police officer includes customs officer. Because of this amendment a customs officer would now have lawful authority. This is a special offence relating to firearms on aircraft.

As I deal with aircraft I cannot help but reflect on the report that the Prime Minister is going to purchase a private jet. I am not going to comment on whether or not the Prime Minister should purchase a private jet. What is important here is the company. It is reported that the company is Bombardier Inc. I want to make reference to that company for a few minutes because it also produces firefighting aircraft and for the Prime Minister to be aware that Bombardier Inc. does not only make luxury jets.

A firefighting aircraft is necessary in this country especially for forest fires on the Northern Range. I know that the Member for Diego Martin West will say no or it is not necessary. We do not know what will happen on this luxury jet. This is a hypothetical situation. Let us say that the Prime Minister has purchased this luxury jet from Bombardier Inc. and while he is in this luxury jet going to a Caricom meeting in Montego Bay—it can happen because Air Force One was already attacked—a terrorist is on board. We have customs involved here and firearms and ammunition in the Bill. That particular person would have passed all the screening and ended up on the Prime Minister’s luxury jet, carrying explosives as the firearms and ammunition talked about. It is a hypothetical situation but it can be relevant. It happened.

In his presentation, the Minister talked about counter-terrorism. We are talking about a prime minister who is now thinking about moving our natural gas market to Mexico and Brazil. It could be a situation where somebody does not like that and it would affect their market. If a hostage situation develops on board that luxury jet, what are we going to do? What will the Prime Minister do? If you compare that with a situation where a plane drops 300 or 400 feet in mid air and frightens the Prime Minister what would happen in that particular situation? I am thinking about the Prime Minister's well-being. He is our Prime Minister until the electorate says otherwise.

I am showing the link with the firearms, ammunition and the explosives. It is important to understand that. The Member said that customs officers are now involved in counter-terrorism activities. This is a fact. We have much US investment in this country. This situation can be explosive. We do not know what is being planned and why this Bill is before us today. The Minister never said

anything. We do not know if there is an urgent situation with respect to national security issues in this country. We are suggesting. We are not aware. We heard of Vernon Paul's allegations. We wrote and heard nothing. We got no response. The ambassador said that they are not responsible.

Prime Minister, yes, you may purchase a luxury jet and have all your security personnel but there is a possibility somebody can get on that jet.

Dr. Rowley: "Yuh could run, but yuh cyar hide."

Dr. A. Nanan: Exactly. We have to guard against that situation. I brought up that in a hypothetical situation to show you in terms of hypothetical and realism.

We are seeing a situation where our aircraft, not only the Prime Minister's jet can be targeted. Somebody can come on his or her aircraft and fly to the Petrotrin refinery. We have already heard and seen that the blimp the Government purchased is flying over the Petrotrin refinery's airbase. A dangerous situation. I do not know if the Government is aware of the dangers of that situation. In terms of aircraft and boarding of aircraft we have to ensure that customs officers are equipped when they board these aircraft.

In connection with customs officers in the United States there are marshals on flights. We might have to consider marshals on our planes. You might have to employ marshals on that luxury jet and bring another amendment to put marshals on it. It may be hypothetical but it is something to consider. I am not too sure if a Bill with respect to air marshals is not on the way.

I want to get back to that firefighting exercise. I gave the situation with that luxury jet but in the report it is \$50 million. [*Interruption*] The one that you did not order. I want to remind the Member for Diego Martin East that there is off-budgeting. It does not have to come to Parliament. It can be off-budget. That so-called luxury jet is US \$50 million.

This firefighting plane is US \$10 million to US \$12 million. It is of great benefit to the country. I gave the Member for Arima a video on the firefighting capability of that Bombardier aircraft. I am aware that the Ministry of National Security and the Ministry of Public Utilities and the Environment would have had discussions. I do not think that it ever reached the daylight of the Cabinet. I propose to the Prime Minister to get involved to see if it is a worthwhile venture.

Mr. Imbert: Are you an agent?

Dr. A. Nanan: I am not an agent. I am trying to get benefit for the country. I

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am sharing information. Whenever I speak in Parliament I try to give you information for the benefit of all the citizens. I will answer that question. When I was Minister of the Environment I went to a conference in Montreal, not like the Member for Laventille East/Morvant who went to a conference and they never saw him. I went to a conference and participated so I could get the benefit for the country. When I went to that conference which dealt with the environment this aircraft capability was brought to my attention. Just like the Prime Minister, I was given a tour of the facility to see the manufacture of that particular aircraft.

Miss. Beckles: And you did not buy it?

Dr. A. Nanan: Mr. Speaker, I was a lowly Cabinet Minister of the Environment. I still had to go to the Minister of Finance for the proposal. I brought that up to show—we did not have US \$72 a barrel at that time. That is how Bombardier got involved. If I am not mistaken they are the only manufacturers of that particular firefighting aircraft. They gave the dimensions in terms of the wing-span where they can collect water on the tanks for the aircraft and how long it has to be in the air.

Dr. Rowley: What kind of water?

Dr. A. Nanan: Fresh water. I know that you are trying to distract me but I know the dimensions and speed of the aircraft. I am not a commercial agent. I was involved because the Northern Range was being destroyed and you saw the damage done to people's properties when a small thundershower passed through that area. An entire house was flooded and debris from the range went into the people's house.

The Member for Diego Martin East said that he is addressing the flooding problem so it is relevant. He said that he had some short-term measures to put in place. The Member for Diego Martin West is responsible. He was the Minister of Agriculture, Land and Marine Affairs. He should have taken steps. Every year he was going to the Northern Range to plant trees, that is the reforestation of the Northern Range. Every time there was a fire it was destroyed. It was an exercise in futility. The Member for Diego Martin West should be aware. He had gone to so many conferences I am sure that he made his linkages. *[Interruption]* While he is playing golf in Chaguaramas he should look at the Northern Range to see the kind of destruction that is taking place there.

Mr. Hinds: Link it to the Bill.

Dr. A. Nanan: You link anything to the Bill?

Mr. Speaker: Is the hon. Member suggesting that [*Inaudible*] a firefighting aircraft that you are talking about, then, you would be relevant. So please, go ahead. [*Laughter*]

Dr. A. Nanan: When that aircraft enters our air space a customs officer would have to go on board that aircraft. I do not want to go to those little tendrils and filaments to make a link in this debate. I think it is relevant that is why I introduced it for the benefit of the country. I linked it in such a way with respect to aircraft and air marshals. I will leave that and go into another area of the Bill.

You cannot make an amendment to the Act and not make reference to the parent Act. I beg your indulgence to read section 33. It states:

- “(1) Where the holder of a Firearm User’s Licence is about to go outside Trinidad and Tobago and desires to take with him the firearm or ammunition to which such licence relates, he may apply to the Commissioner of Police in the prescribed form for a permit to do so.
- (2) The Commissioner may if he thinks fit grant a written permit to any such licensee to take the firearm and ammunition with him, and where such permission is granted, nothing in section 31(1) shall be construed so as to cause such a licensee to be guilty of an offence thereunder by reason only of his bringing the firearm and ammunition back into Trinidad and Tobago on the occasion of his return, save that nothing in this subsection shall affect the operation of section 32 in relation to such firearm or ammunition.”

The amendment is to include after section 33(2) a new subsection (3) which states:

“No person may export from Trinidad and Tobago...”

I make reference to export because if you recall, the Firearms Act speaks about import. This particular clause is with respect to export. Section 32(1) speaks about import or persons coming in or disembarking from a ship, a vessel or aircraft. With respect to the declaration to the customs officer, under the regulations the customs officer will take it to the nearest police station.

This particular clause states:

“No person may export from Trinidad and Tobago any firearm or ammunition except—

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- (a) under and in accordance with the terms of a written permit issued under subsection (2);
- (b) firearms or ammunition, that is, cargo properly manifested to a consignee elsewhere than in Trinidad and Tobago or that are the bona fide stores of any aircraft or vessel in the custody of the proper officer authorized for that purpose.”

We are now seeing a provision with respect to the export from Trinidad and Tobago. You will recall that many persons leave Trinidad and Tobago to go within Caricom for sporting activities as the shooting competitions. When they go on those competitions they have to get import and export permits because they are taking the firearms out of the country and then bringing them back in. This section makes reference to a person who wants to take his firearm with him and he has to get permission from the Commissioner of Police.

This section also makes reference to the actual arms or stocks on a vessel. Once a vessel comes in—I want to make reference to that because we need to understand what happens when the vessel is coming in with arms. I made reference to a particular section in the Customs Act which talks about the President and the tonnage of a ship.

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

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

Question put and agreed to.

Dr. A. Nanan: I thank all Members for extending my time.

Dr. Rowley: Do not thank me at all.

Dr. A. Nanan: I know that I heard grumbling from the Member for Diego Martin West. I know that I touched a nerve when I mentioned Chaguaramas Golf Course. I apologize, Member for Diego Martin West. I was making reference to the Customs Act. [*Interruption*] The Member for Diego Martin West is a very productive handicap. I give all plaudits to the Member for Diego Martin West in terms of his golfing capability. I do not know as a minister in terms of performance.

I am getting to section 68. It states:

“The President may from time to time make general regulations in respect of ships not exceeding one hundred tonnes burden prescribing, with reference to

the tonnage, build or general description of such ships, the limits within which they may be used or employed, the mode of navigation, the manner in which such ships shall be so used or employed, the number and description of arms and the quantity of ammunition which such ships may carry, and such other terms, particulars, conditions and restrictions as the President may think fit, and also from time to time revoke, alter or vary such regulations.”

Let us say that a ship is coming into the waters of Trinidad and Tobago, the master of any ship according to section 71 which states:

“...on board of which an Officer is stationed who neglects or refuses to provide the Officer with proper and sufficient food and suitable bedding accommodation under the deck, shall incur a penalty of eight hundred dollars.”

This is to show the importance. I do not know if there is an amendment for this particular customs section. It shows the importance and responsibility of that customs officer.

The other section in the Customs and Excise Act that deals with the aircraft and impounding says that a customs officer can impound a ship. I want to go to that section. It is pointed out that the customs officer can take the ship and bring it to the shore. If a ship is abandoned in the waters of Trinidad and Tobago, the customs officer can impound it. This is the intricacy of this particular piece of legislation. I am dealing with that particular amendment which is the bona fide stores of any aircraft or vessel. Two different Acts are being utilized, the Customs Act and the Customs and Excise Duty Act.

Just for information to show the power of a customs officer, under the Customs and Excise Act, and his receiving without certificate. Earlier, I made reference to the search by customs officers. To put it into perspective with respect to the section—I do not know if you will allow me to quote that section. Section 51 of the Customs and Excise Duty Act states:

“If any Officer has reasonable cause to suspect that any goods on which the excise duties have not been paid or secured by certificate or otherwise as required by law are harboured, kept or concealed in any house, building, yard or other place in Trinidad and Tobago, it shall be lawful for the Officer without a warrant to enter and search the house, building, yard or other place, by day or by night, and to seize and carry away any such goods on which the excise duties have not been paid or secured by certificate or otherwise as

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required by law as may be found therein; and the Officer may arrest and detain any person in whose possession or under whose control any such goods are found and convey him before a Magistrate to be dealt with according to law;...”

It goes further to say:

“and it shall be lawful for the Officer and he is hereby authorized, in case of resistance, to break open any door and to force and remove any other impediment or obstruction to the entry, search or seizure as aforesaid.”

Are we saying that the customs officer—if I am wrong I am sure you will correct me, Member for Laventille East/Morvant. We are seeing that the customs officer has power with respect to going in without a warrant for failure to pay excise duties. Are we saying that with respect to arms and ammunition, if the customs officer is working together with the police, he will be carrying a weapon while entering, breaking down the house, seizing the arms and ammunition, transporting it to the nearest police station and also arresting people? If I am wrong I know that I would be told so. If I am wrong, then there is need for a definite special majority on this particular Bill.

When I was doing some small research—I do not know if it has been amended in terms of importation of firearms and ammunition. The Customs Act says that if any toy that resembles a firearm is imported in this country it is prohibited. How come we have a proliferation of so many toy guns in this country around Christmas time? These guns are almost realistic. I do not know if there is an amendment to the Customs Act that I did not see with respect to firearms, ammunition and so many toy guns. The Act says that it is banned from being imported. Those areas show quite clearly the relevance of this particular situation with respect to this legislation, the Customs Act and the other Act.

Before I close [*Interruption*] I will go on to another section since I heard some grumbling and bleating from the other side. There is another area with offences that I want to deal with because it is under the Act. The Member for Diego Martin West started to grumble.

In section 33, I spoke about subsections (3) and (4) and there is (5) with respect to importing firearms or ammunition. It states:

“A person who contravenes this section commits an offence and is liable on summary conviction to a fine of fifty thousand dollars and to imprisonment

for ten years and on conviction on indictment to a fine of one hundred and fifty thousand dollars and imprisonment for fifteen years.”

[*Interruption*] Exactly. Do you know Member for Couva South that in this Firearms (Amdt.) Bill you can get life imprisonment? If you can get life imprisonment, why are there so many illegal firearms in this country? One would have thought that by bringing this piece of legislation with life imprisonment, people would be running to give up their firearms. There is an illegal trade with firearms. We have seen it. The murder count is unbelievable.

Mr. Speaker: Hon. Members, the sitting of the House is suspended for tea. I urge you to refresh yourselves to the fullest possible optimum in anticipation of the conclusion of the contribution of the Member for Tabaquite. [*Laughter*]

Sitting will resume at 5.00 p.m.

4.30 p.m.: *Sitting suspended.*

5.00 p.m.: *Sitting resumed.*

Dr. A. Nanan: Mr. Speaker, before we took the tea break I was making a point, with respect to section 33(5), which deals with penalties in terms of the offence. In dealing with offences and the general situation in the country now, we have the Firearms (Amdt.) Bill but we have not seen any reduction in crime. Under the United National Congress, you had definite percentages given: 25 and 33 per cent in areas. Under the PNM Government, we are talking about fractions of percentages in terms of performance. We are hearing about a projection of the increase in activity, or the reduction in crime levels in the long term. All the plans are for long term; we are not hearing anything about the reduction in crime for short term, and that is what we are dealing with.

Mr. Speaker, as we deal with counter-terrorism, narco-trafficking, cocaine and heroin—the Member made mention of heroin in his contribution—in the Caribbean environment, I have to deal with the surveillance of our waters. Mr. Speaker, for interdiction to take place; for our coastguards, custom officers and police officers to be efficient, we must have an efficient and functioning surveillance system.

We have heard about a 360-degree radar coverage for both islands, Trinidad and Tobago, we do not know if it is functioning. We know that the radar in Tobago is non-functional. We are aware that there is very little radar coverage with respect to Trinidad. There was a project to establish an entire operating radar system for the Eastern Caribbean, but apparently that has stalled under the People’s National Movement Government. I want to take the opportunity, as I am

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talking about surveillance of the two islands, to deal with an issue that is not farfetched and is not hypothetical; it is with respect to the purchase of a Doppler radar. [*Interruption*] I want the Member for Diego Martin East to listen because— [*Crosstalk*] Mr. Speaker, I am recommending—they can say it is of no use, but it could be considered.

Mr. Hinds: Link it to the Bill.

Dr. A. Nanan: I have already linked it to the Bill. Mr. Speaker, the purchase of a Doppler radar would benefit the country in terms of surveillance. The way the Doppler radar would help us, apart from weather forecasting— [*Crosstalk*]— we will be able—Mr. Speaker, if we have a 360-degree radar system around our coastlines.

Dr. Rowley: 365.

Dr. A. Nanan: Okay 365. [*Laughter*] Member for Diego Martin West, you know you astound me with your contribution and your asides. You really almost put me off there with that statement.

Mr. Speaker, I am dealing with the surveillance of our coastlines, because as we are dealing with narco-trafficking and the Customs and Excise Division having more power and more responsibility, as the Minister pointed out, and moving out from the goods and services area, into the area of apprehending criminals and searching for illegal arms and ammunition, this should be a major plank in the Government's thrust with respect to surveillance equipment.

We have heard about spy equipment from Israel, I do not know if that is what they are using. We saw a blimp in the sky, we do not know if that surveillance is operational or if that is just an advertisement. I am speaking about important surveillance equipment that needs to survey our coastlines because we have unprotected coastlines.

Mr. Manning: The radar is operational.

Dr. A. Nanan: I did not say anything about the radar not being operational. I said it is an added benefit to have a Doppler radar. The Member for Diego Martin East would explain to you what a Doppler radar is and why you should purchase one.

Mr. Manning: I do not know what is a Doppler radar?

Dr. A. Nanan: Well, I do not know, because the way you spoke there—

Mr. Speaker, we have the situation where our coastlines are unprotected and we have to ask the question: Where is the illegal arms and ammunition coming from? Is it coming by boat, up the rivers? As we protect our coastlines, in terms of surveillance equipment and drug interdiction, we need sophisticated equipment.

Mr. Manning: But we have it!

Dr. A. Nanan: But we are not seeing any results!

Mr. Manning: Do not say that!

Dr. A. Nanan: Tell the people in Brasso Tamana who are being robbed on a daily basis about your surveillance equipment, Member for San Fernando East.

Mr. Manning: Mr. Speaker, I thank the hon. Member for Tabaquite for giving way. The radar system, of which so much has been said in this honourable House and elsewhere, is 90 per cent in place. One of the 10 radar sites is not yet installed and that is about to be installed. That radar site is on the east coast; it is not in an area that is critical. The other aspect of that interdiction strategy is the interdiction capability.

I think I should allow the Parliament to know that today a decision would be made as to which country is the preferred country for providing the three OPVs, and there is associated with that an interim arrangement. We have the bids for the six fast patrol boats to be opened as soon as we complete these discussions. In other words, the system is slowly being put in place and we know now much more than we knew before that radar went in and we are in a much better position to deal with much of this. [*Desk thumping*]

Dr. A Nanan: I thank the hon. Prime Minister for the clarification but it still begs the question with respect to drug interdiction in Tobago. I know the Member for Diego Martin West is familiar with that particular situation in Tobago where that island could move from a paradise to a drug haven, which is a realistic possibility because of the little coves. We need specific intervention in those areas. The Prime Minister spoke about fast boats, but we have had the experience of pirogues coming and dropping off drugs and ammunitions and we are very near to Venezuela. I welcome that input in terms of what is being done.

Mr. Speaker, I cannot recall if the hon. Prime Minister was here when I spoke about the percentages of success that the Minister of National Security spoke about in terms of the very little percentages of success in the short term. Under the United National Congress government, we had definite graphs showing realistic percentages in terms of the fall in murders. Mr. Speaker, we have no confidence

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in a government that has a relationship with community leaders and gangsters. In fact, the world has no confidence.

Mr. Manning: Is that why you expelled Sadiq?

Dr. A. Nanan: There is an advisory against Trinidad and Tobago with respect to the Government's involvement with community leaders. You are putting our country at risk! You need to carefully plan your activities! Whether you buy a luxury jet or not; you are the Prime Minister—we have heard this before—for the entire Trinidad and Tobago, and all the citizens must be protected.

Mr. Speaker, as I wind up I want to make reference to the custom officers living along the Brasso Tamana Road, in my constituency.

Mr. Imbert: Name one.

Dr. A. Nanan: They suffer on a daily basis to get to their workplace because of the state of the Brasso Tamana Road. I am pleading with the Minister of Works and Transport to repair that road before any protest action takes place by the residents because they are very frustrated.

As I end my contribution, I know we can look forward to relief in that particular area.

Thank you, Mr. Speaker.

Miss Gillian Lucky (Pointe-a-Pierre): Mr. Speaker, I know just before the tea break you had given some good advice to Members, by suggesting that we nourish ourselves so that we would be able to continue to actively listen and participate in the debate. I, however, Mr. Speaker, deliberately starved myself because I think that after hearing the 75-minute contribution from the Member for Tabaquite, I want to be as short as possible. I do not want to have any reason to go on and on and somewhere about the place and lose some of the very important points that concern me.

Let me state from the outset that I do not agree with the Member for Tabaquite, with the greatest respect, he can interrupt me anytime if I have gotten it wrong in understanding his particular substantiation for his view that this piece of legislation calls for a special majority. If I understood the Member for Tabaquite correctly, and I am in no way trying to undermine the tremendous research that I know the Member for Tabaquite always does, but when legislation is brought in the House, I know in the fore, we must be concerned about if we need a special majority, especially when we are talking about expanding powers

and giving persons rights to go into other persons houses and especially private property.

If I am to understand the justification for it, as put forward by the Member for Tabaquite, it is a concern that customs officers who are now being given power equivalent to police officers will be having an expanded power, which by virtue of abuse, could lead to an infringement of constitutional rights. I want to hasten to add—I really should not have said it as loudly as I said it when the Member was making his contribution, but I just wanted to, perhaps, put his mind at ease, I do not know if it does, that giving a customs officer the power of a police officer, in terms of the legislation before the House is in a very limited capacity. The limited capacity only relates to a particular section, which is section 34. So that it is not a case of a customs officer having some wide power that he did not have before. To be quite honest, if you are asking police officers, and in this case, customs officers to have the power to go and protect and serve, not just those persons who will be affected directly by any illegal importation or exportation of firearms and ammunitions but the wider country, you have to give them the resources that are necessary. In this limited capacity my reading of it is that a customs officer is given that level of protection as a police officer would have so that the customs officer could do that which he is being mandated to do. I really do not think that the legislation could be faulted in that regard.

However, when the Member for Laventille East/Morvant who piloted this Bill, was making reference to the customs officer, he did, in fact, alert our attention to a regulation under the Firearms Act and that is regulation 21. I know the Member for Laventille East/Morvant who finds it very difficult to give me any commendation or compliment—and that is not a problem for me—I ask him, very respectfully, through you, Mr. Speaker, to consider, in as much as he brought to the House's attention something which I had not considered before, that is regulation 21; whether regulation 21 needs to be amended or there needs to be a further regulation? When you look at regulation 21 it states and I quote:

“Every firearm or ammunition received by any officer of customs pursuant to section 32 of the Act shall be placed...”

Section 21 of the regulations deals with custody of firearms and ammunition by an officer of customs when in pursuance of section 32, which deals with importation, there had been the seizure of firearm and ammunition.

We must remember that the legislation brought before this House is not just dealing with importation now; it is dealing with exportation. Therefore you would want to ensure, by the very justification, Member for Laventille East/Morvant,

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that you used in explaining the various clauses to us, you have to make sure therefore when customs officers, whom you rightly said, would need that level of protection when they seize the items and they have to move with these items, that they must be given that level of protection to get it to the nearest police station or wherever they may have to lodge it, you would want to make sure that it is limited to importation now because the legislation today focuses, primarily, on extending the ambit from importation to exportation.

Mr. Speaker, this brings me, very quickly, to the next point that is Part IV of the Firearms Act, Chap. 16:01, which deals with the importation of firearms, et cetera. But when you look at what has been brought before the House—and I am saying rightly so—it is not just importation now, it is exportation. The legislation is dealing with the importation and exportation of firearms, et cetera, because the “et cetera” there is meant to encompass things like prohibited weapons, ammunitions, restricted goods and so on. I am asking us to bear in mind that even the naming of Part IV—I am not saying that it necessarily has to be done some time now or in committee stage—is no longer just importation of firearms, it is importation and exportation.

Mr. Speaker, this brings me hurriedly to the next point, and this is the point I must say, quite openly, concerns me the most. When the Bill was first distributed to Members and I read clause 4, which deals with an amendment to section 33—I do not know if this comes because of the legal training; I do not think it does, because when I spoke to other Members on this side they did say that the point jumped up at them also—the first thing that I noticed was that there was no penalty that was, in fact, imposed for any contravention or breach of what is the extension of section 33. But then we were given the amendments that came from the other place and when the Member for Laventille East/Morvant was piloting the Bill this afternoon, specific reference was made to clause 3(5) which deals with what we would call the penalty creating clause which says:

“A person who commits...” [*Interruption*]

Yes, but it is clause 3 new subsection (5) of the Bill and it will, in fact, be included in section 33, so you are right, Member for Tabaquite. I am not going to quote, but it says a person who commits an offence and so on. One of the offences that will now be committed under section 33 would be the exportation of arms and ammunition and that is catered for in the proposed new subsection (5) of this section.

When you look at the parent Act, Member for Laventille East/Morvant, unless there has been some revision that has revamped the section I am about to quote, which is section 31(3) of the parent Act, which says and I quote:

“A person is liable on summary conviction to a fine of two thousand dollars or to imprisonment for twelve months who, except in accordance with the permission in writing of the Commissioner under section 33, exports any firearm or ammunition from Trinidad and Tobago.”

Mr. Speaker, you already have a penalty contained in Part IV, for a person who without the commissioner's permission, as envisaged by this section 33 of the parent Act, goes ahead and exports. By virtue of this proposed penalty clause you are creating a penalty for the same offence and that is going to cause trouble. Mr. Speaker, that is why I am saying that unless this subsection (3), which I have just quoted from the parent Act, is no longer law, then I will be the first to admit you do not have a problem, but right now you do have a problem.

Mr. Speaker, that is why I am thinking and I am suggesting to the hon. Member for Laventille East/Morvant, perhaps that is the reason the Bill that was circulated without amendment from the other place, no penalty clause had been put in because there was already in the existing parent Act, a penalty clause. I am suggesting for consideration to be given to that point because we have to make sure in this House that we get the legislation right. [*Desk thumping*] Whether it comes from that side or Front Bench this side, or Congress of the People back bench this side; we have to get it right. [*Desk thumping*] We cannot have things subsisting at the same time if they are in conflict. If one group believes that politics has a morality of its own, and another person believes professional integrity must reign supreme, you cannot straddle both horses. [*Desk thumping*] [*Laughter*] And it is for that reason, perhaps, you will understand why I had to send you that letter today when I felt that there would have been unhealthy compromise. I am very sad to announce but I do so, quite openly, I had to withdraw my membership from the United National Congress. [*Desk thumping*] I consider it divine intervention because this section was not in my mind when I wrote the letter, but when I wrote the letter and I saw this I said, really, how could you have subsisting one penalty clause that will be dealing with a similar offence and another penalty clause dealing with the same evidence, so let us just get it right.

I know the Member for Laventille East/Morvant is going to have trouble admitting that I am right, so I am trying to prevent him from having the trouble; I am giving him that pathway to say, quite clearly, if the section—Member for

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Laventille East/Morvant it is sad that so late in the day, you are really showing me, publicly, how much love and respect you have for me, but it has come too little too late. [*Laughter*] So I am saying let us get that aspect right. Perhaps it is good not to be nourished during the tea time.

Mr. Speaker, I must admit that is the first thing that has me very concerned. Again, I am saying that it was very easy to miss this subsection in the parent Act because when you read the heading in Part IV, it says: "Importation of firearms, et cetera." Everything that appeared in that section 31 dealt with penalties for importation, so when in section 31(3) of the parent Act you just have this "exports" being put in, it was very easy to gloss over. I blame no one; I ask that we get it right and if this be the case, then we should have no problem deleting this subsection (3) from the parent Act so we would have operating what is clearly a stiffer penalty and, I think, a more realistic penalty for people who do not take seriously when they have to declare that they have weaponry, arms or ammunition of any kind.

There is another concern that I have, Mr. Speaker, which came from an experience I had, quite recently, when I was fortunate enough to represent the State in magisterial appeals, and the analogy as opposed to the hypostasis that I used is an analogy with respect to possession of dangerous drugs. When there is law in the country in which similar facts or evidence would be an offence in different pieces of legislation, when a person is being charged, it is not correct to charge them under the all offence creating sections of the different pieces of legislation. Even if that is done, there has been an election when the person is put before the court. This particular magisterial appeal dealt with an appellant who had been convicted in the Magistrates' Court for possession, for the purpose trafficking, of a dangerous drug, and the person had been convicted and sentences were imposed for two offences, for which he had been convicted, based on the same evidence. He had, in fact, been at the airport and was going to board a flight, so he was charged under the Dangerous Drugs Act for being in possession for the purposes of trafficking, but he was also charged under the Customs Act for an offence that deals with when you are attempting to export restricted goods. He was convicted for both and the matter went before the Appeal Court and the State conceded on the point because when you look at section 62 of the Interpretation Act of Trinidad and Tobago, which says, and I quote:

"Where an act constitutes an offence under two or more laws the offender is liable to be prosecuted and punished under either or any of those laws but a conviction or an acquittal upon a prosecution is a bar to

prosecution for the same offence or for an offence which is substantially the same offence under any other of those laws.”

Mr. Speaker, put very simply, what section 62 is saying is, a person is in possession of narcotics for the purposes of trafficking, the evidence is able to substantiate it. If you want to charge the person for attempting to export or if the evidence suggests exporting, you cannot merely charge the person for several offences and then convict on all; an election has to be made. The concern that I have, and it can be easily reconciled as long as one has that level of comprehensive interaction, the reason I say comprehensive interaction is that there is no room for turf war. Even in the police service there have been instances when we have heard of reports being made—gladly these things are in the minority because I always say that the police service is a necessary department and we do have more good cops than we have bad cops. It is just our inability to pull out the rogue element; that remains our challenge.

We have had an instance, I think it happened in South, in which you had police officers from two stations nearby to an incident and while the criminal offence was being executed and people were being traumatized, police officers were more concerned about who should have been there and who should not have been there; it was a turf war. We have to make sure that we do not have this kind of turf war between customs officers, who are going to be playing a critical role, and police officers. In other words, when one looks at the proposed sections—what exists right now in the law, Mr. Speaker, there is also an intersection with what exists in the Customs and Excise Act. When you look at section 154 at the Customs Act, I will not read it, that section deals with exportation and attempting to export what would be described as prohibited goods, and there is a definition of prohibited goods.

Mr. Speaker, what I am saying, and I go back to the analogy that I used in that matter in the Court of Appeal, is that this cannot be a recipe for confusion and disaster. If it is that the legislation is geared towards, specifically as it is, dealing with persons who are seeking to export firearms and ammunition, then there must be some kind or prioritization as to when somebody, evidentially, commits the offence, under which section of which Act they would be charged. It is either that the person is going to be charged—I would think this is the better place now that we have this legislation being debated—under the firearm legislation which deals specifically with firearms, as opposed to the customs legislation. Under section 154 a charge can be crafted that could come within the ambit of section 154. I think that is also wise from the point of view, you have to look at the exhibits.

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When one is talking about convictions—far too often in this country we get carried away with charges being laid and we feel that when charges are laid we have enough to celebrate; we must open bottles of Champagne and we must say, right, great job, well done. No, it is the ability to go to courtroom, whether the Magistrates' Court or the High Court, and get a successful conviction, not based on fabrication and manipulation of evidence but based on cogent compelling and convincing evidence. Critical in the firearms legislation, when somebody is charged for a firearms offence, just like a dangerous drug offence, is the exhibit, and very important, Mr. Speaker, the integrity of the exhibit. [*Desk thumping*]

5.30 p.m.

Therefore, if customs officers are the persons who are on the front line in a particular situation taking first possession so to speak of the firearm, of the ammunition or the prohibited weapon, there must be no kink in that chain of custody. I think that is what regulation 21 was looking at, to ensure in the case of regulation 21, that as soon as the customs officer took possession—but that dealt with importation of an item of firearm—it was handed over in a sealed plastic bag to the Commissioner of Police. And that is what has to be done in this instance. Whether it is customs officers or police officers who would be there first on the scene, there must be no contamination of the exhibit.

Mr. Speaker, I think that is something that we gloss over far too often in our country. When one looks at programmes like *Law and Order*, special victims unit, a programme which I particularly like to look at and one recognizes it is about fact and not fiction, one sees the level of science that is used in terms of criminal character profiling, and in terms of doing the entire investigation, the role of the prosecution and the role of the investigating officers, and how exhibits are taken and kept. The exhibits themselves are analyzed in a really true comprehensive forensic style. I really wish one day, and I hope it comes soon, that we reach that stage here in Trinidad and Tobago because I believe that science has a critical role to play in terms of successful convictions.

Mr. Speaker, I had taken us to the matter in the Court of Appeal and I had not said the results. I must say that the result in that particular instance was the recognition that the appellant could not have been rightly convicted on both those offences. And, because the penalties were fundamentally different, the prosecution, of course, would have wanted to go the way of the offence that had the greater penalty and the defence, no doubt, would have wanted to go the way of the offence that had the lesser penalty. It was too late by then to have done an election but the matter was resolved in making the point that you cannot have a person

before a court for two offences from two different places or two different pieces of legislation and even if there is a conviction, there ought to have been first an election.

My concern with respect to the penalty—and I deliberately opened the door and now I return to point. The pieces of legislation we have to be concerned about is section 154 of the Customs Act—in no way am I suggesting that we remove section 154 because it does not only deal with firearms and ammunition, it deals with the attempt to export prohibited goods. But now there would be a specific provision and that would be section 33—in other words, what is being brought before this House, dealing with the offence creating statutes. Also, I make this point that section 6 of the Firearms Act does create the offence of being in possession of a firearm. The simple point is, evidentially, if someone is in possession of a firearm and is exporting or attempting to export and whether the evidence suggests an attempt or exporting—actually the Interpretation Act makes it clear that every section that creates an offence substantively includes an attempt to create the offence also.

I am saying that a police officer or customs officer now has a choice, where do I charge? Because the person has a firearm or firearms as the case may be, ammunition, he could be charged under section 6 because he is in possession, he could be charged under section 33 when the Bill becomes the law and that is because if there is evidence to suggest he was going to export and, therefore, there has to be an appreciation when one is looking at legislation to look at all the possible charges. The law does not allow us charging a person for every single imaginable offence, but taking the one which is most applicable and most importantly, can be proven by the evidence that is brought.

In preparation for this particular debate, I asked some persons who do much more travelling abroad than I do, what were some of the concerns with respect to firearms and ammunition. One of the points raised with me is that there are persons in the country who are the legitimate holders of firearms and they adhere to the law. When they are leaving the jurisdiction, they do go to a police station, there is a form they fill out and they give in their firearm.

Mr. Speaker, I am sure you would remember reading either last year or earlier this year, that there was a complaint that in some police stations, if I am not mistaken I think it was in South, firearms that went missing were used to commit crimes and then returned. I am making the point and legislation cannot provide for this, but we have to make sure that when a power is being given; a power to seize, forfeit or to keep in safe care and control, that there are proper registers, that there

are proper records. I think that is something that is sorely lacking in Trinidad and Tobago, not just with respect to police stations but in terms of keeping a proper filing systems. One does not want to leave something as important as a firearm, knowing that it is not going to be properly kept and when you return and receive it, unknown to you there are some strange fingerprints and that particular piece of firearm might have been used for some kind of crime.

I just want to make the point that when we are giving powers to seize, take, keep under control and possess, to make sure that proper systems and infrastructures are in place. I am not going into the fact that there are many police stations that do not have proper property rooms—no fault of the officers. I think that is something that we take for granted and could be dealt with more effectively at another time in another debate. I am not going to talk about the ballistics department of the Forensic Science Centre where there are experts but, who, because they are just bombarded with so much work cannot churn out the level of analysis that is needed, and then there is the backlog in the courtrooms. Again, that is to be dealt with in another place in another debate. But there is going to be no gratification in merely arresting persons and taking the arms and ammunition if we cannot take it further.

Mr. Speaker, there is another concern that I have and it is in section 34 of the parent Act. I recognize that section 34 really comes into the debate by virtue of the amendment that is being made to that section and that is, to include that a police officer—the definition of police includes a customs officer. But there was something that concerns me with section 34 and it is this.

The Member for Laventille East/Morvant, rightly spoke about the enhanced role that has to be played by customs and police officers and the country as a whole in terms of drug interdiction and in terms of arresting persons who are seeking to import or export firearms and ammunition. He went on to boast about what seems to be very high detection rates in this regard. But when you look at section 34 even the side note says “Special offence relating to firearms on aircraft”, and I know the Member for Tabaquite read the entire section 34(1). I am not going to read it in whole but what I would say is that I feel if we are bringing legislation with a genuine indication that we want to ensure we have very strong laws to send a message, I am suggesting—but I must admit I am quite disappointed that there is no regard to expand the category of offence as it relates to section 34(1). Put simply, why is section 34 in its whole but as it begins with section 34(1), only dealing with persons who are unlawfully in possession of firearm, ammunition, explosive or offensive weapon when boarding or attempting

to board or when disembarking from any aircraft or while on board any aircraft? Why are we limiting it to aircraft? Why, as the Bill before us does, not expand it to aircraft or vessel?

Section 34(1) was no doubt very concerned at the time it would have been drafted and passed, maybe at that particular time that was the big problem, people were seeking to use aircraft to illegally export, but we are admitting now that a lot has happened since then. It is very much like what we did when we were debating the State Lands Act and we were saying that there was a high concentration when that Act was passed on asphalt and people who were illegally mining asphalt, but the recognition now, and I see the Member for Arouca North nodding, is that our problem is not the illegal mining of asphalt but is really the illegal mining of sand and gravel. Therefore, bearing in mind that there must be people, because it is more difficult to patrol your borders than it is to patrol your airports and known ports, clearly, people are going to be using vessels, ships and crafts on water to smuggle and illegally export and import firearms and ammunition.

My simple suggestion to section 34 is that we not limit it as the side note says, to special offence related to firearms and aircraft. I find to be consistent, to be relevant, to be appropriate and to be effective, we should do just like what is being done in the legislation brought here. In the legislation brought here we are talking about vessel or aircraft, and I know the Member for Tabaquite spoke a lot about aircraft and who went on a test ride. I wish I was invited. I would have come had I been invited. My dream once was to be a pilot and I just could not have afforded it, and had I been invited I just want the Member for San Fernando East to know even if I had to turn him down I would have done so politely. But I would have felt so honoured to be a part of the ride, to then explain why in the country, we cannot afford to give our Prime Minister, in this case yourself. Let us just make sure we are able to really enhance our transportation to the level that the Member for Diego Martin East has indicated with trains, planes and automobiles and when everybody is satisfied then and only then we would be able to think of ourselves. [*Desk thumping*] But I would not have minded going for the ride and I am sure that is where it would be limited to, just for the ride.

Mr. Speaker, getting back to the point of section 34, and I am so trying to get some of the body language that I am accustomed to getting when I speak; the body language of the Member for Laventille East/Morvant—he normally gives me by his body language whether he is agreeing or not but I am just getting a flashing smile and I do not know if that flashing smile means go or stop. The aircraft point I think is something that one can consider expanding. It would be

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with no compromise to one's pride because I am giving the Member for Laventille East/Morvant all the credit for it because if this was not brought nobody would have asked for it to be fixed. The fact that it was brought means that we are all working collectively to get it right.

Mr. Speaker, I want to point out that, and this is really going into a more technical aspect—I do not intend to stay long on it—but all that has been put before us in terms of this piece of legislation, and when I say all, it is really not in any way to undervalue what was brought. I am just saying the wording already appears in the parent Act.

When one sees in clause 3, “No person may export from Trinidad and Tobago any firearm or ammunition, except”, I am saying the wording is similar to section 31(1) except in section 31(1) of the parent Act it deals with importing and now we are dealing with exporting.

When one looks at clause 4 new subsection (4) which talks about “Every person who is about to board any aircraft or vessel destined to leave Trinidad...” and it goes on, there is already a similar section which talks about any person who is coming into Trinidad and Tobago. I would have suggested however that I feel the placement of the proposed clauses is wrong because I feel if in section 31 of the parent Act there was the restriction on the importation and exportation of firearms and ammunition, I would have thought that what is being proposed with the exportation would have been nicely placed right there.

In the same way, I feel that when we were talking about the declaration that must be made, whether you are asked or not by the customs officer when you are leaving the country if you have firearms and ammunition, the reverse is dealt with in section 32 when one is talking about importation—and I am saying it would have been nicer to place it there, but I do not think we need to necessarily make sure it is perfect in terms of the placement—as long as there is no compromise to the effect of the Act. I must admit I do not think there would be any compromise.

Mr. Speaker, I think I have tried in the short time I had given myself, because I must admit I am one of those persons who firmly believe that there should be a cutting down of the 75 minutes that Members can take. I might be in the minority, but that is my view, and I really believe that there ought to be much stronger and stricter rules and this is not an indictment against you, Mr. Speaker, I am not being disrespectful. But with respect to contribution in terms of being on point and on the ball, for one reason mainly, the reason is we talk so much about getting it right for country and we are putting country first but that phrase now to me is

almost clichéd. If we want to get it right we are now on national television, people can make decisions for themselves, and the public has a dim view of parliamentarians. They believe in here—you as the exception Mr. Speaker, you belong to the House of Representatives but I am not including you—we kicks, laugh, joke and talk and we do not get it right. I really believe we have been given a golden opportunity to get it right, not just in terms of the law but to send that message to the nation that collectively we can work together. We may have different political ideals, we may belong to different parties, some very old, some congressing very new, but at the end of day as long as we have God and country first, and integrity reigning supreme, the country would be proud of its politicians.

I thank you, Mr. Speaker.

Mr. Manohar Ramsaran (*Chaguanas*): Mr. Speaker, when preparing for this Bill I was as confused as the Member for Pointe-a-Pierre with the legal aspect, but I bow to her superior knowledge in that field and I agree with everything she said as far as the legal part is concerned.

Mr. Speaker, I would have said when I examined this Bill entitled an Act to amend the Firearms Act, Chap. 16:01, better known as the Firearms Act, that this should not be here in the first place. But after listening and trying to understand, there might be some areas we could agree.

Mr. Speaker, I sympathize with my colleague from Caroni Central, the Chief Whip, for the pack of cards he has to really shuffle. I welcome him onto the Back Bench to be on a good team.

Just to reiterate what my colleague said about section 6(2). When we look at section 7(1) there is no rule except that we are protecting the customs officer now who would seize ammunition maybe on the sea and would have to take it. I now understand what has been said and thanks to my colleague. Now, the customs officer is being protected because sometimes there are people purporting to be officers and they would have something on them and they would say they just found this—and there could be charges. I think this is something that is welcomed.

Mr. Speaker, I want to take a look at this Bill from another angle. This is very interesting to me. I am very worried when I read this subsection; 3(b):

“firearms or ammunition, that is, cargo properly manifested to a consignee elsewhere than in Trinidad and Tobago or that of a bona fide stores of any aircraft or vessel in the custody of the ...customs ... officer”.

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I get the impression that here is a Government facilitating trade in firearms. What it is saying here, and I want to go back a bit into how customs operate. When a vessel comes in, any vessel whether it is aircraft or sailing vessel comes into Trinidad and Tobago, they must present a report to the customs officer. The first thing that you put—of course, they are not allowed to bring prohibited goods and if I remember correctly drugs and honey bees, strange enough. But then you come to the second one, prohibited goods which will normally be the first one and you have to put the prohibited goods on the face of the manifest in bold letters that the importation of firearms and ammunition are on board this vessel. To come now and to tell us—and when you are exporting firearms it is the same thing. This is the content, what we call clearance of a ship or an aircraft. If you are exporting any arms and ammunition it must be boldly printed on the front page. So it is there already. Rather than facilitating trade in other areas we are not seeing that but here we are seeing we are facilitating trade in firearms. Who are we exporting firearms to? Who are the makers of firearms in this country?

When I read this Bill I was confused because it is already there in Chap. 16:01. If the Trinidad and Tobago Rifle Association—and I worked with Customs and I did some further research recently. Over the last 10 years, save and except for a former Tobago House of Assembly Secretary; he was the only person in the last 10 years to take out a firearm from Trinidad and Tobago. There is no need to do that except, of course, the army and they would have a special manner in which to do that. For the last 10 years, I have found out, only the Trinidad and Tobago Rifle Association people who deal in sports, take firearms out of the country and sometimes some ambassadors would do that when they are returning to their country of origin.

When I read this it came on me, what is happening? Are we now going to arm ourselves and leave Trinidad and Tobago? Are we preparing for some invasion because we are attacking the United States and so forth? I want a clear answer on this because there are so many problems with normal trade in Trinidad and Tobago where the bureaucracy is so thick that when you attempt to shift something especially now in the agricultural area, there is no cold storage. Nothing is happening when people want to export something; it is confusion, they end up not exporting and I am sure the Member for Arouca South would agree with me.

You are not facilitating the legal trade but as far as I am concerned the illegal trade is being facilitated and this is something I really thought I would talk about. I am worried and confused and somebody alluded to it, the guns are coming into

this country. [*Interruption*] Yes, we are giving the officers some more power that they could now seize guns and walk with them—the laws are there and that is why I am confused. And I agree with my friend from Pointe-a-Pierre, when there are so many laws dealing with the same thing it is chaos. I know, I have been there. And just to read into the record, section 46 of the Customs Act:

“...the following goods are prohibited to be exported;

- (a) arms, ammunitions and military and naval stores, except with the written permission of the Commissioner of Police,”

It is already there for legal firearms. When you come with a new piece of legislation—I am not “breaksin” for anybody, but the fines would be different. The disparity is great. In the old law it is \$20,000. That was not repealed. It is still there. So there is one law saying that if you break the law you are fined \$20,000 and now you are saying if you break that law it is \$150,000 or something like that. I would like that disparity cleared up.

Mr. Hinds: Thank you for giving way. Your submission following on the one made by my friend from Pointe-a-Pierre has merit, however, the interpretation of the Act if that were to happen, would not be a difficulty for the court. There is a principle known in law as the principle of implied repeal. If you wind up with two provisions one conflicting with the other, the court would interpret the later appeal to be the one by which it would be guided. So there would be no trouble insofar as the court’s interpretation of it is concerned, but I concur with you and, of course, the Member for Pointe-a-Pierre that it is untidy and unkempt to have both provisions in there.

Mr. M. Ramsaran: Thank you very much. I hope you can convince the lawlords as easily as you have convinced me. As a lay person I put this on the table and hope that we would get it right.

Mr. Speaker, as we are on this again, this is the second week in succession I must come to you to plead. I have heard after making my complaints before, revision of the laws, but we have to do this. It is imperative and we have got to get it together, not reprinting of the laws, revision and compacting the laws. When we look at the legal aspects we see the collision of laws so to speak and we have to deal with that.

I am asking the Member for Laventille East/Morvant, and also the Minister in the Ministry of National Security, if he could tell us how many guns, how many pieces of ammunition were seized by the Customs and Excise or the Trinidad and Tobago Coast Guard over the last year? What is driving this legislation? Why the

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necessity to do it? We know that there is an influx of firearms into this country but have the people been doing their jobs? All the time I would hear the hon. Prime Minister talking about the coast is being protected and radar is in place, but the prevalence of firearms in this country is great. What is happening? If they are saying they are succeeding—and the hon. Prime Minister would say yes, they are succeeding and yet there are so many firearms—could the Government tell us how many were actually seized so we would be comforted? If there are 1,000 out there and the Prime Minister could say we seized 3,000 then I would say we have only a quarter of the firearms that were intended for shipment to Trinidad and Tobago, I would feel relieved. But when we see firearms all over the place and you read the newspapers over the last couple weeks, about “Anti-crime units search for guns in POS”; “Form 4 student held with gun denied bail”; “Boat evidence against trio with gun, ammo”; “Couple in court for guns, ammo”; “Gun, badge stolen from cop” in South. Let me read this:

“A loaded pistol and a police identification badge were stolen when thieves broke into a police officer’s vehicle, which was parked at a beach facility.”

We go on to the other headlines. “20 years hard labour for firearm, ammo possession”; “Schoolboys in court for armed robbery”; “Nine women in court for guns in maxi”; “Firearms’ welder charged”.

They found firearms at a welder’s home. These are some of the headlines over the last couple of weeks about guns in the country. I was making the point that the success rate of police officers, customs officers and the coastguard officers in stopping guns from coming into the country; for want of a better word, what is the success rate? How many guns have the protective services in this country seized, let us say over the last year because I know and you know—I saw you on television talking about the prevalence of guns in our society and in your own words, “little bad boys with guns”, how many have been seized? What is the success rate? If you tell me the Prime Minister said it, that the success rate is great, I would like to know the number—we know the numbers out there.

Mr. Hinds: What I can tell you hon. Member for Chaguanas, as a statement of fact is that to date, the police would have seized something in the area of about 230 firearms and this would have been up to about two weeks from the last official figure I would have known about. The question of the number of illegal firearms in the country is a little more challenging because persons in possession of illegal firearms will not necessarily declare them for account but the police service and law enforcement are possessed of ways that they use and strategies

they use to have an idea as to what the state of play in that regard might be and they are dealing with that.

Mr. M. Ramsaran: That was why I was trying to stop you. I thought you missed the question, but you really did not. I was asking how many were intercepted from coming into the country? We know the number here. It is alarming but you are coming with this law to deal with custom officers giving them more powers, added responsibility.

I know the Member for Tabaquite tried to say it but customs officers have enormous power when it comes to dealing with uncustomed goods—I do not know about computer and so forth but when dealing with uncustomed goods a customs officer could go into any place, any time without a warrant to look for uncustomed goods, nothing else. He does not have the power of a police officer to look for other things and that is why most times when there is a joint raid with customs and police officers it is only for uncustomed goods. They will pick up the nearest customs officer and say let us go down the road, we have a job to do. If you wait for a warrant it might take long but on these occasions you are only looking for uncustomed goods, and you must have that knowledge. You cannot go in there and seize something that is not uncustomed. Now, you are giving them the additional responsibility of being police officers. I find this to be rather amusing.

6.00 p.m.

Coming back to the law declaring prohibited goods, whom in the world do you expect to come to a customs officer and say: Sir, I have prohibited goods? Imagine yourself a customs officer and someone tells you he has prohibited goods. You might drop dead because his intention is to smuggle. Now, we have the customs officer or the police officer finding the goods and that is different. You say they must come up to the customs officer and say they have the goods. To me, this is funny. I want you to be realistic and put it in place.

As far as prohibited goods are concerned, the pilot, the chief mate, the captain or whoever is in charge of an aircraft or vessel is responsible for any—I am sure you remember the cases where BWIA planes were almost seized at Miami Airport when drugs were found on board. That law is international. Once drugs are found on a vessel, the captain of that particular vessel is responsible, the aircraft could be seized and the company could lose the aircraft. It is the responsibility of the agent and, more specifically, the captain of the vessel. When we talk about declaring prohibited goods and so on, it is a pie in the sky. That is why I started

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by saying: Are we now going to manufacture guns in Trinidad and Tobago for export? This is in the main part of the Bill.

Mr. Speaker, that is so foolish. It is covered. We have a prescribed form, Form 16, under Chap. 16:01, where particulars of a firearm must be filled in and properly approved by the Commissioner of Police, taken to the customs and then you travel with your gun and vice versa.

What are we doing? Are we facilitating the export of guns or do we want to tighten the system? If we are tightening the system, it is much more than just passing this law. Are they going to tell a smuggler: Hey you! Declare your prohibited items to a customs officer, who is now a police officer? That does not make sense. We have to have the tools to deal with intercepting the boats and the people who are smuggling the guns into the country and putting them in the hands of our children. We have really to look at our system. Do we have intelligence to tell us where the guns are passing? Are they coming in the crates from St. Vincent, Grenada or the Caricom? Are they coming from Venezuela in the pirogues, through the channels in the Caroni Swamp? Where are they coming from?

This is about demand and supply. If the young people get guns easily, they will take them. If the source is dried up—we have a golden opportunity here. How are we going to tighten the system? Could you get up and say you wore both hats today? You were piloting a bill for the customs, which is under the Ministry of Finance, and now you are at the Ministry of National Security. You said it. We must tighten the system. Where are the guns coming from? How will we stop the importation of these guns? We have to deal with that.

I go to the question of Jamaica where customs, under the Ministry of National Security and the Ministry of Finance, made changes. There is an argument for both, because customs officers at this time in Trinidad and Tobago are seen as revenue officers. They are to protect the revenue of this country. They are not trained. You are giving them authority here now, but what training are they undergoing at this time? Are they being trained to use firearms? I was lucky to be trained to use firearms, but it is not that type of training.

Customs officers are seen as revenue officers to protect the revenue of this country. Now you are going to give them that special authority, I want to hear what training is being given and who will be trained. It is important to know this. You are talking about the Canine Unit. There are success stories there. I know that.

When you come to debate a Bill like this and you know you have a strong Back Bench, come with your evidence and tell us that you have seized so many arms, the Canine Unit did this and that, and we will applaud you. I promise you.

Mr. Imbert: Alternative bench; not Back Bench.

Mr. M. Ramsaran: Thanks for the correction. Or the real Bench.

Mr. Speaker, I am very concerned about the importation of firearms in this country and I want to ask the Minister, when next he comes here, to tell us how we are going to tighten the importation of these things.

The hon. Prime Minister talked about the Coast Guard vessels. Correct me if I am wrong, Members of Parliament. A couple days ago, the Minister of National Security went on television and said that the highest bidder was the best bidder, but things went wrong and they are now going to bid again. Mr. Speaker, I am sure you heard that yourself. Now to hear the hon. Prime Minister say that everything is okay, I wonder who is not telling us the truth. *[Interruption]* Well, how long? It must be quick. For the last year we had a whole process. *[Interruption]* Today. Thank God it is not tomorrow!

The Commissioner of Police is an extremely powerful person in Trinidad and Tobago. He is single-handedly responsible for Chap. 16:01 and many other areas in our country. Now with the new police laws in place, he has become much more powerful. I ask this question in relation to the number of applications for Firearm User's Licences. I understand that licences have been recommended from the police service across the land and that they are in the Commissioner of Police's office and it is almost, from my report, in the thousands and none has been granted. I would like the Minister to tell me why Firearm User's Licences are not being granted to bona fide applicants.

We have a situation where there are illegal firearms in the hands of, as you said, "dirty little boys" and bona fide businessmen, who would like to have the comfort of a firearm—I do not believe in the comfort of a firearm, but there are others who believe that a firearm could help them. Why is there a so-called freeze on Firearm User's Licences, except for a few? I read that the Prime Minister's son got his in 24 hours—I do not know; I read that—but the others would have to wait for three to four years. I want an answer. I think that the people deserve an answer.

When they knew this Bill was being debated, I got a call at 12.30 p.m., before I left home, from a person who told me he has had an application for a gun licence

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in the commissioner's office for two and a half years and up to then nothing has happened. These are questions I would like answered.

As I mention the Commissioner of Police—I have read that entrance into the special branch of the service—you made the point that with our police officers there are good and bad ones. Police officers work hard. There are good officers because they have no connections in Trinidad and Tobago. They are not in the paths of the police service, which are very lucrative—people get higher salaries and so on—and because they are not connected in any way with anybody with influence—there is an article in today's *TNT Mirror* about that, where police officers are losing their zeal because they are not considered for the plum places to work in the police service, the special units that have been set up over time. You know. You can announce the salary range. There is disparity, again.

There is one police service, but there are different police officers in different sections receiving the plums and you expect the others to face the bullet, without vests. Recently, my friend, the Member for Caroni East, and I went and the police officers deliberately by-passed the area of the crime and when they came back, it was because the crime had finished and they could walk in. Do we blame them? Publicly I would say, yes, blame them, but if you examine the plight of these officers, Mr. Speaker, they have a little six-shooter, an old revolver, and these fellows have all kinds of things hanging around their necks. Let us face it. I go back to my previous question: How are they being allowed to come into this country? We have to look at that very carefully.

The Minister talked earlier about admission of guilt and figures. This is an everyday occurrence in the customs. Someone comes in charged for a false declaration and they have to pay and they pay without conviction. They should have another look at that. I have been in customs for many a year and this is something about which I always worry. You break a law—it is in our law books, Chapter 78:01—you try to evade customs duties, thousands of dollars. Sometimes a container is falsely entered. A person may enter potatoes, which is free of duty, and when you open it, it is tyres, 30 per cent duties. Yet you come there, you say to the Comptroller: “Boss, I plead guilty.” He says: “Okay, we seize the container and charge you \$10,000.” This man then goes out without a conviction. That is a crime, you know. Breaking the law of a country is a crime, so we have to look at this admission of guilt.

I know that there are politicians today who belong to the Front Bench in the Opposition, who committed customs offences and signed admissions of guilt but have no convictions.

Mr. Hinds: Name them!

Mr. M. Ramsaran: I will name them if you talk to me privately. However, my friend, the Member for Couva North, has a conviction so he cannot sit in Parliament. We have those who commit financial crime and they are out there.

Mr. Hinds: Name them!

Mr. M. Ramsaran: I will name them in due course.

Mr. Speaker, I would like you to look at this. If someone wilfully commits a crime and admits guilt, it means that the person deliberately committed the offence. If we want to get the country right, we have to clean up all that. Admission of guilt is a serious offence. It means that the person deliberately committed the crime; knowingly committed the crime. It is not an accident.

Let us say my friend, the Member for Diego Martin West—I used him once and he got angry, but it is just an example—or let us say the Member for Diego Martin East or San Fernando East, or the Member for Chaguanas. We are coming through the airport. We know we can bring in only two bottles of Scotch, but we bring four. We know it is wrong, but we deliberately try to smuggle two bottles of Scotch and we are charged. That is a serious crime.

If a person did not know and passes with the four bottles, he or she can say: “Boss, I did not know.” However, when the person deliberately commits a crime, it should be dealt with. It is an admission of guilt and I think that the Minister, now that he wants to marry national security with finance—I think there is an argument for both sides—customs should be a protective service, especially with the new scheme of things—globalization.

Customs officers have to be very intelligent now. You have to look at invoicing. *[Interruption]* I always did my work very well. You can talk to the officers; they will tell you. You have to study an invoice. You have to find out who is the shipper. You have to do research, maybe go abroad, find out who are the exporters. It is a lot of work. Now you are talking about arms and ammunition, we have to deal with that.

I have a lot more to say concerning the legal aspects, but I have decided to talk about the working of the customs. It is an area that we really have to look at. Laws are there and when they are broken people must pay the price.

I concur with the Member for Fyzabad that the present comptroller is a political appointee. We have to understand why this must not be done. I believe in a customs officer who goes up the ranks and becomes the comptroller. Now we have a person who was 200th on the list promoted to Comptroller of Customs. He

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left the Customs Department for about 10 years. Maybe I can go back tomorrow and become Comptroller of Customs, but I do not think it is fair to the officers who have been there all along. We should look at that carefully and at all the appointments of the State, especially where it deals with the protection of our citizens; where it deals with what is right and wrong. If we keep putting people there because of politics, we are going nowhere.

That is why I am so happy to be in the Back Bench and I am sure when you read about me next I will be the next to resign from the UNC.

Thank you very much, Mr. Speaker.

The Minister of State in the Ministry of National Security and Minister of State in the Ministry of Trade and Industry (Hon. Fitzgerald Hinds): Thank you very much, Mr. Speaker. I apologize for my little delay. I have been advised, in the spirit of cooperation, that there would have been another speaker from the other side, so I was taken by surprise.

I start my response by complimenting our friends from the other side, with the exception, of course, of the Member for “taba quite”. Mr. Speaker, the contributions of the Member for Chaguanas and the Member for Pointe-a-Pierre could not be said to be without some merit. [*Interruption*]

Mr. Speaker, I am being invited to join the Congress. If I am seen anywhere in anything other than a PNM T-shirt, you can be assured that I am temporarily insane, especially when the alternative is to wear some Congress or some UNC or some other—no, Mr. Speaker. Mr. Speaker, it is not the Congress party; it is the “commess” party. That is not the way we do it.

The contributions of the Members for Pointe-a-Pierre and Chaguanas could not be said to be without some force, in particular their identification of the provision in subsection (3) of the parent legislation, which makes provision for a penalty in respect of the exportation of a firearm as distinct from the provisions in section 33, which deals with permission to take a firearm abroad.

The latter section deals with the question of an individual who is a bona fide holder of a firearm licence and in possession of a firearm, who wants to take his firearm on his trip to Grenada, St. Vincent, or any other country. He must first, according to the legislation, seek and obtain the permission, in writing, of the Commissioner of Police.

Section 31, however, deals with importation and subsection (3), as I said, deals with a penalty for the exportation of the firearm. The amendment proposed

here today to section 33 of the Act, in our clause 3 of the Bill, also provides for a penalty in the realm of exportation. So, in short, section 31 deals with importation and section 33 deals with exportation. In our amendment to section 33, we put in a very hefty penalty and some fines, both on summary conviction and upon indictment, by way of our proposed subsection (5). At this subsection we said that a person who commits an offence under this section, that is to say, section 33, is liable on summary conviction to a fine of \$50,000 and imprisonment for 10 years, and upon conviction on indictment, to a fine of \$150,000 and to imprisonment for 15 years—harsher penalties.

While I say that, I remind my friend, the Member for Chaguanas, that last year we came to this Parliament and amended the firearms legislation, making all the penalties therein, far more severe. This was a clear statement of the Government that we were intent on punishing those who would be illegally possessed of firearms. So, we are in the same vein with this provision, but there was already a provision in 31(3), dealing with exportation. Since it came under the side note “importation”, it may have been overlooked.

I want to say to the Members for Pointe-a-Pierre and Chaguanas that the fear that they have expressed, that if this matter comes before the courts, they would have difficulty dealing with it because you would then have two provisions dealing with penalties for exportation—I had said, by way of an intervention earlier, that that would not trouble the very experienced courts in Trinidad and Tobago. All the judges in the common law tradition and even those who are interpreting statute law, understand that there is a principle known to all lawyers as the principle of implied repeal and if that were to happen—and it has happened, because parliamentarians are mere mortals—the principle suggest that the courts will be guided by the later provision and, in this case, they would have done so quite correctly because this reflects the mood of the society and the policy of the Government to impose harsher sentences. The courts would have been guided by that.

I conclude on that point by saying that it really would not have yielded any difficulty to the court, notwithstanding that, in the interest of tidiness and drafting elegance, we concede that the earlier provision will be deleted from the Act and satisfy the fears, however unfounded, of my friends on the other side. [*Interruption*]

Mr. Speaker, the Member for Chaguanas raised a myriad of points, not specifically dealing with the Bill, but raising questions about firearms, et cetera. I simply want to say, because I do not want to detain us—the Prime Minister alluded to

it earlier—that the Government's decision to expend public moneys on a radar system that provides 360-degree coverage around Trinidad and Tobago is an indication of clear policy thinking in the light of trying circumstances, given that Trinidad and Tobago is, in metaphor, in the eye of the storm. There are drugs and ammunition coming out of some countries in South America; difficulty going through the United States since 9/11, they having tightened their security arrangements and their borders, and the success of operation King Fish in neighbouring Jamaica. All these push the drug dealers and the gun smugglers further south, making Trinidad and Tobago more attractive until, of course, in the dynamics of dealing with crime and crime management and the importation of drugs and the transshipment base that we might appear to be, when we get that radar going, as we have decided to do as a matter of policy and in that climate, we will be able to see every vessel and every aircraft entering the territorial space of Trinidad and Tobago.

As it now stands, Mr. Speaker, before the radar, which is 90 per cent operational as has been said today by the hon. Prime Minister, and proudly so, we had other techniques of identifying some of the approaching vessels and sea craft, but we did not have the capacity, having seen them, to reach out and grab them as we would want. It is in keeping with that new strategy that the Government—and the Prime Minister alluded to it today—decided that we must expend some of the taxpayers' money to purchase three offshore patrol vessels, which will be located around Trinidad and Tobago. Each will be fitted with helicopter and fast boat interceptor vessels and aircraft, so that when we see them on the radar approaching, we now have the capacity to reach them before they hit the shores of Trinidad and Tobago to deposit their nasty and horrible payloads and the death, the vagrancy, the mayhem and the corruption that flows from that.

I say to the Member for Chaguanas that the Government is mindful of the fact that we are in the eye of the storm. The Government is taking notice of the fact that, before these times, this peaceful republic had not those problems and we are now improving our systems to adjust to that new development in this dynamic. No doubt when we put these things in place life would be a lot better for us all. The Member can relax on that.

Finally, the Member for Tabaquite—I could not resist the points he made today—was insisting—but he has already been told by Members on the other side that the customs officers would now enjoy the same powers as police officers. That is as far from the truth as the east is from the west. Never! The new powers

that we envisage in these measures would be applicable to the customs only in respect of Part IV and, in particular, the amendment to section 33. I do not know how the Member for Tabaquite arrived at it, but he went hither, thither and yon.

There is precious little else to be said in respect of the contributions that were made. We take on board the point about what would now become a superfluous section in 31(3). The other point that has been made—and it was recognized by the Member for Pointe-a-Pierre; and I am glad that she recognized it—has to do with the amendment we are proposing to deal with the export of firearms. We saw the wisdom of dealing both with aircraft and vessels and the Member for Pointe-a-Pierre was saying that at the time this legislation was first debated and passed, it may very well have been that the problem with the importation of firearms was largely by air. As a consequence of that, the provision at that time dealt specifically with aircraft. It is a commonsense position that today the drug smugglers, dope merchants, importers and traffickers in firearms and ammunition use every means at their disposal.

This brings me to the Member for Chaguanas, before I continue on the point I am making about aircraft and vessels. The Member asked rather pointedly and poignantly that I provide an explanation on how they import firearms in this country. From the reports that I have had and from the knowledge that I now possess—perhaps it is even a commonsense thing—many people say to me that we have to hold the “big shots”. The big people are the ones who import the cocaine, the drugs and the guns. No little fellow in Laventille and Belmont can do that. I smile at their ignorance and I tell them sometimes that when we talk about big, we do not talk about any particular occupation. We are not talking about any particular age. We are not talking about any particular sex, religious persuasion or racial or ethnic origin. That is not how law enforcement determines who is big or small. Those factors are unimportant. When we talk about big or small, we talk about the reach of the organization; how many people are involved in the circle, in the ring; the depth and the reach of the organization; the quantum of the stock, the drugs with which you are dealing; your connections, how far and how wide they come from; who are your connections in those places. Those are some of the criteria we use to determine big or small and on those tests, we have found that we have encountered big drug dealers of all ethnicities, big drug dealers of all racial origins, big drug dealers of all religious persuasions and from different parts of Trinidad and Tobago.

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I hope the Member for Chaguanas properly understands now, the way we do business. It has nothing to do with race. It has to do with greed, a decision to make money at the nation's expense, threatening the lawful economy and the lives and future of the young people who get caught up in the nasty business of drugs and destroying families. It ends up in mayhem on the streets, even in Laventille.

We do not grow coca leaves in this country, nor do we manufacture guns in this country, but the problem originates elsewhere, through a warped, greedy, wicked and evil criminal mind, wanting to send their children to the best universities to study law, medicine and do all kinds of things, wanting to live in the nicest homes and drive the fanciest cars and wear the fanciest clothes and behind all of that is a dirty, sinister, selfish operation with no regard for anyone else in the society. I hope the Member for Chaguanas understands that the focus of national security, therefore, spreads far and wide, across Trinidad and Tobago. Because of the nature of the arms and the drug trade, it reaches regionally and internationally. As he knows full well, we collaborate with international agencies and countries around the world in order to deal with some of these issues and we will continue.

I was making the point that at that time the aircraft, I am agreeing with the Member for Pointe-a-Pierre, might have been the preferred option for bringing in stuff. Last week I read that they closed down an illegal airstrip in Jamaica. We have not discovered that as yet, perhaps, because of our size. In Jamaica and other countries where the landscape is far greater than ours they put airstrips. They just drop in, deposit their filthy cargo and out they go again. We recognize that there are problems.

People come into your country lawfully with the vessels but everyone is a suspect in that sense. No one is exempted. Quite properly, we decided to put "vessels" along with "aircraft" in our amendment. I am glad the Member for Pointe-a-Pierre gave us some credit. She recognized that we are forward-thinking in this regard. She suggested, and we agree with her once more, that we should put "vessels" next to the word "aircraft" in the parent legislation, in the interest of harmony.

As I mention the word "harmony", if you look on this side of the House you will notice that we come here all bedecked in dark suits and dark clothes and we wear the same ties, we reflect harmony. We give the country and those who look on, a sense of stability and security. From 1956, we established this great party

called the People's National Movement; the party that, no doubt, would have passed this legislation, not only the legislation that we have before us, but the party that oversaw the writing of the Constitution of Trinidad and Tobago—the passage of it through this House. We studiously observe the provisions of the Constitution over the years.

Mr. Speaker, I was talking briefly on the question of harmony; a concept that disturbs them. In fact, it is nonexistent on the other side.

Mr. Singh: Out of chaos cometh good.

Hon. F. Hinds: The Member for Caroni East is hopeful. He says out of the madness and the chaos on that side it may bring some good. The only good the chaos and the madness on the other side could possibly bring is to see the back of UNC, Congress, all of them and leave the PNM, this stable team, to continue to take this country upwards and forward through our Vision 2020 project for the benefit of the people of Trinidad and Tobago.

I want to say en passant, someone from the other side mentioned elections next year. [*Interruption*] You would have your time later. I am only responding to that. When next year comes we will beat them until we cannot see them and then beat them for hiding.

I was coming to my friend from Tabaquite who was all over the place on this Bill. He spoke about the Tabaquite Comprehensive School where a teacher was robbed. When he said that, I remembered when he was the Minister of Education. This country had him as a Minister of Education for approximately three years and on the day before a Common Entrance Examination, this would have been 1998, the then Minister of Education visited schools in his constituency, maybe to give the children a pep talk. We were informed that the Member went to a primary school in his neighbourhood and asked the children almost excitedly and gleefully to tell him, if a room is 10 feet long by 12 feet wide, “how old am I?” A Minister of Education asked the children that. They were shocked as you all are because they have never heard anything like that. This was the day before their SEA Examination. They had difficulty working it. One little guy at the back of the class indicated his eagerness and replied: “27”. The Minister of Education applauded him because, of course, he was right. He wondered how the little boy worked that out. The boy told him that he had known another Cabinet Minister at the time who was 64 years old and was completely mad and to have asked a question like that he had to be half mad and, therefore, the boy worked out that he was 27. We never forgot that. That is what the Member for Tabaquite has become known for.

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Today he went on in a Bill, a simple measure to amend the Firearms Act. We are trying to put customs officers in a position where they can better carry out their duties. He made comments about all manner of things and we had to point out to him the things we have in order to allay his misplaced fears.

We are drafting the two amendments of which I spoke a while ago and very shortly, when we go to committee stage, we are prepared to engage them in further discussion on these amendments and to pass the legislation with the tidying up that we have recognized. In those circumstances, I beg to move.

Question put and agreed to.

Bill accordingly read a second time.

Mr. Speaker: Hon. Members before the Minister move that we go into committee, there are certain amendments that he is working on and may I suggest that we suspend the sitting for approximately 20 minutes to allow the draftspeople from the appropriate department—[*Interruption*] Are you finished? We will suspend for 10 minutes to make sure that the amendments are in order.

The sitting of the House is suspended for 10 minutes and will resume at 6.50 p.m.

6.39 p.m: *Sitting suspended.*

6.50 p.m: *Sitting resumed.*

Hon. C. Imbert: Mr. Speaker, I beg to move that the committee stage of the Bill to amend the Firearms Act be taken at a later stage in the proceedings.

Question put and agreed to.

LAW REVISION (AMDT.) BILL

Order for second reading read.

The Minister of Legal Affairs (Sen. The Hon. Christine Kangaloo): Mr. Speaker, I beg to move

That a Bill to amend the Law Revision Act, Chap. 3:03, be now read a second time.

Mr. Speaker, the Bill before this House seeks to amend the Law Revision Act by replacing the definition of “Minister”. It seeks to do so in order to bring the law in line with the present governmental arrangements under which the responsibility for law revision is assigned to the Minister of Legal Affairs.

Since 2002, the responsibility for law revision has, pursuant to section 79 of the Constitution, been assigned to the Minister of Legal Affairs. Under the Law Revision Act, however, the responsibility for law revision effectively falls under the Attorney General. This Bill seeks to address this anomaly.

By section 3 of the parent Act, there is established a Law Revision Commission.

By section 4 of the Act, the Commission is charged with the responsibility to prepare, publish and maintain a revised edition of the written Laws of Trinidad and Tobago, to be called the Laws of Trinidad, in accordance with the provisions of the Act.

Section 6 of the Law Revision Act sets out the powers of the Commission, which powers are required to be exercised with the approval of the Minister.

By section 2 of the present Law Revision Act, the "Minister" is defined as meaning the Minister responsible under section 76(2) of the Constitution for the administration of legal affairs. Consequently, Mr. Speaker, the "Minister" referred to is the Attorney General.

By section 79(1) of the Constitution, the President, acting in accordance with the advice of the Prime Minister, may assign to any Minister the responsibility of any business of Government of Trinidad and Tobago. In the year 2002, the responsibility for law revision was assigned to the Minister of Legal Affairs. The result of this assignment is that the line Minister for the Law Revision Commission is now the Minister of Legal Affairs.

Mr. Speaker, although the responsibility for law revision was assigned to the Minister of Legal Affairs in 2002, the definition of the "Minister" in the present Law Revision Act was not simultaneously amended. This Bill now seeks to do so.

This Bill comes at a critical time in the Commission's present operations. In the due discharge of its responsibilities under section 6 of the Act, to prepare, publish and maintain a revised edition of the written Laws of the Republic of Trinidad and Tobago, the Commission is at present involved in publishing a new Revised Edition of the Laws of Trinidad and Tobago.

The publication of the new revised laws will require the responsible Minister to approve orders made by the Law Revision Commission under the Act, for the publication of such laws.

Mr. Speaker, this Bill, therefore, is quite timely in that respect. Every year, both in this honourable Chamber and in the other place, many amendments are

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made to existing laws. These amendments have then to be incorporated into the respective substantive laws, which have been amended, in order for these laws to be read as a coherent whole for, among other purposes, their correct interpretation. In order that such incorporation may be done systematically, it is necessary from time to time to revise the state of the laws in the country and upon completion of such revision, to publish as a coherent whole, the state of our country's laws in the form of the Revised Laws of Trinidad and Tobago.

The publication of such revised laws is of cardinal importance, not only to the administration of justice, but also to the society as a whole, and particularly to Members of Parliament, the members of the Judiciary, the Supreme Court Library, members of the legal profession, the Faculty of Law of the University of the West Indies, the Hugh Wooding Law School, the commercial banks and the wider business community.

The written laws of the Republic of Trinidad and Tobago were last revised in 1980 and subsequent to such revision, were published as the 1980 Revised Edition of the Laws of Trinidad and Tobago. This edition was updated by the publication of two supplements, namely, the first and second supplements, with the second supplement updating and revising the laws up to December 31, 1986. Since the publication of the second supplement, which revised and updated laws up to 1986, 20 years ago, there has been no further publication of this country's revised laws.

This Government recognizes the critical and urgent importance of a modern and thorough revision of the existing laws of the country and the publication of a new Revised Edition of the Laws of Trinidad and Tobago at this time. In this regard, the Law Revision Commission of the Ministry of Legal Affairs has been working assiduously to ensure that both the revision and thereafter, the publication of a new Revised Edition of the Laws of Trinidad and Tobago are completed within the shortest possible time.

I am happy to report, Mr. Speaker, that the revision exercise has been completed and that the Ministry of Legal Affairs has requested the Central Tenders Board to invite tenderers with experience in law publishing, to publish a new Revised Edition of the Laws of Trinidad and Tobago.

The complete revision of the Laws of Trinidad and Tobago is no mean accomplishment. This Government and I, as the Minister of Legal Affairs, wish to pay tribute to the staff of the Law Revision Commission for their hard work in completing the revision of the laws as efficiently as they have. [*Desk thumping*]

It is also with great pride that I inform this honourable House that for the very latest, from the end of October, the new Revised Laws of Trinidad and Tobago will be available on the Internet.

The new revised edition of the laws will be published in textual format, that is, in hard copies in volumes and also in electronic format, that is, in interactive CDs with full text search facilities, index hyperlinks and references to sections in the Acts.

The publication in electronic format will allow for printing and viewing of sections of the Acts, but will also have a built-in security system in order to prevent their alteration.

The number of laws which has been revised for inclusion in the new revised edition is 494, comprising some 22,020 pages, and these revised laws will be contained in approximately 32 volumes.

It is important, not only in order that this critical exercise of publishing the new Revised Edition of the written Laws of Trinidad and Tobago be carried out effectively, but also in order to regularize the issue of ministerial responsibility for law revision as a whole, that the amendment proposed by this Bill be given effect.

Mr. Speaker, I, therefore, beg to move.

Question proposed.

Dr. Hamza Rafeeq (*Caroni Central*): Mr. Speaker, whether the Minister who is responsible for the Law Revision Commission is the Attorney General or the Minister of Legal Affairs, does not concern us too much, but we are very happy today to hear from the Minister that the laws have been consolidated and that they will be available to us, and we hope shortly. The Minister said that it is before the Central Tenders Board but we know this, having reached that stage, can also take a very long time. We hope that process can be expedited so that the consolidated volumes can be available very shortly. It has taken an extraordinarily long time, since 1980 to now. That has caused us a lot of problems.

As you recall last week, when we debated the Pharmacy Board (Amdt.) Bill, I mentioned that we had a Pharmacy Board Act from 1980 and there were quite a few amendments after that. We had to go through a maze before we could have made a sensible contribution to the Bill that was before us. I am sure the people in the legal profession would have had the same difficulties when they go before the

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courts. We are very happy today that the Minister can announce that the consolidated versions will be with us in the not too distant future.

I am also happy—because I had been an advocate of this and I mentioned in this House and elsewhere—that the Minister has mentioned that the laws will be on the Internet as well, on the website of the Ministry of Legal Affairs. She will tell us very shortly. I am very happy that it will be available because the population needs to know and become familiar with the laws that govern them. It is a common thing that ignorance of the law is no excuse. People must be familiar with the laws that govern them, so that they would know when there are infractions to these laws. People need to know their rights and responsibilities as far as the laws that govern them are concerned. I am very happy that finally the laws would be put on the Internet so that they can be accessed by all the people of Trinidad and Tobago and whoever else.

I hope though, the Internet site will be updated on real time so that when laws are passed, assented to and become law, they can be updated simultaneously so that people who are accessing the laws on the Internet can get the updated versions of the laws from time to time.

I have a concern. I think there needs to be some mechanism by which the public and, particularly the judicial officers are informed of the changes that take place in legislation from time to time. I heard something from the other place and I had a similar experience when I was speaking to a very senior judicial officer sometime ago and he was not aware that a particular piece of legislation had been amended. I think there should be some system in place so that judicial officers can be informed. *[Interruption]* I know they need to update themselves, but I do not know what mechanism is there for that. I think some mechanism needs to be put in place, even if they get a copy of the Act. That is what some judicial officers base their judgments on—*[Interruption]* When it is placed on the Internet that would be one mechanism.

I think there also needs to be some mechanism by which members of the general public, I am not talking about judicial officers, should be educated on certain aspects of the law. It is important for members of the public to know the laws that govern them. Many of them are not aware of them.

While we are talking about law revision, there are certain pieces of legislation that are really outdated. I can make reference to many of them but the Public Health Ordinance is one piece of legislation that is really outdated. We also have the Pharmacy Board Act and the Medical Board Act. The Public Health Ordinance is

way outdated and consideration should be given as quickly as possible to updating these pieces of legislation.

Mr. Speaker, I want to crave your indulgence to ask the Minister one question as she is here. I know that in her Ministry they are dealing with the giving out of electronic birth certificates. There are people who are having extreme difficulties with this. One of the difficulties is that there are many people who have affidavits attached to their original birth certificates and when they are applying for their new electronic birth certificates and they are required to give a copy or even the original, when the new birth certificate is received that and the affidavit does not correspond because the affidavit has the number of the old certificate and they cannot get a new affidavit because most of the people who had sworn to these affidavits are dead by now. I hope you can find some way to deal with this issue at the earliest opportunity.

Mr. Speaker, with these few words, I thank you.

The Minister of Legal Affairs (Sen. The Hon. Christine Kangaloo): Thank you very much. I thank the Member for Caroni Central for the very positive comments he made with respect to the efforts of the officers of the Law Revision Commission.

The process that had to be undergone to reach to this stage was not an easy one. In fact, there are 14 stages of the law revision exercise. To get here, it has been a monumental task. What I can say is that we are putting the infrastructure in place so that this will never happen again. We are ensuring, with the infrastructure that we have in place, that the laws will be revised on a timely basis, because we recognize the importance of having the laws available in a consolidated version.

With respect to the Central Tenders Board, I share the hope that everything will go through very quickly to expedite the process. That is why we are making the effort to have the laws available on the Internet, so that you would have the revised edition on the Internet as well, free of charge. Of course, you know that the official version of the laws is really the one that would be printed in the hard copy.

With respect to the comments about judicial officers needing to be informed, that is something we heard in the other place. Of course, having the laws available on the Internet, we would go one step forward.

With respect to the question that was raised on the computer-generated birth certificates, what the Member for Caroni Central described is a situation where when the birth of a child is registered under the column “name”, no name is given

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at the time of the registration of the birth and, therefore, you now need, throughout that person's life, to have the birth certificate with a supporting declaration to say that Christine Kangaloo is the person referred to in the particular birth certificate. When it is generated by the computer, it will be what is on the database. You cannot change it. It is not as if you can incorporate it. There is a certain time frame within which you can make changes to the registration of births and once that is not done within that specific time that is what will happen.

Dr. Rafeeq: Madam Minister, I appreciate that because that is how the law is structured at this point in time. The law needs to be changed or whatever needs to be done should be done to change that process. If there is an affidavit, at some point in time it should be incorporated into the electronic birth certificate.

Sen. The Hon. C. Kangaloo: All right, I will raise it with the officers. It is either that, or to sensitize persons that at the point of registration of the births they need to, at that stage, think of the name and have it ready.

There are also situations with the computer-generated birth certificate you may get a wrong name because there may be an error. We would tell you, at the point of giving you the certificate, that you have a certain amount of time within which to contact the Registrar General to satisfy the query.

I thank the Member for Caroni Central for his very positive remarks and with those few words, I beg to move.

Question put and agreed to.

Bill accordingly read a second time.

Bill committed to a committee of the whole House.

House in committee.

Clause 1 ordered to stand part of the Bill.

Clause 2.

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

Dr. Nanan: Mr. Chairman, I had a concern with respect to putting the laws on the Internet and I did not get a chance to raise it with the Minister, I do not know if you would entertain it at this time.

Mr. Imbert: That is not here. She will talk to you after.

Mr. Chairman: Yes, I think so.

Question put and agreed to.

Clause 2 ordered to stand part of the Bill.

Clause 3 ordered to stand part of the Bill.

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

House resumed.

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

FIREARMS (AMDT.) BILL

Mr. Speaker: Hon. Members, we will now revisit the Firearms Act, Chap. 16:01. I call on the Minister.

Question put and agreed to.

Bill committed to a committee of the whole House.

House in committee.

Clauses 1 to 4 ordered to stand part of the Bill.

New clause 2A.

The Clerk: Insert after clause 2 the following new clause:

2A. Section 31 of the Act is amended by deleting subsection (3).

New clause 2A read the first time.

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

Question put and agreed to.

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

Question put and agreed to.

New clause 2A added to the Bill.

New clause 3A.

The Clerk: Insert after clause 3 the following new clause:

3A. Section 34 of the Act is amended by-

- (a) inserting after the word "aircraft" occurring in subsections (1), (2), and the second place that it occurs in subsection (4) the words "or vessel"
- (b) inserting after the word 'Tobago' occurring in subsection (4) the words 'or a vessel sailing exclusively within the territorial sea'.

New clause 3A read the first time.

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

Mr. Sharma: Can the Minister advise why the use of the word “exclusively”? Is it necessary?

Mr. Imbert: I would think that once you are outside the territorial sea, we would have no authority over such a vessel. That is international waters and, therefore, it has to be very clear. It has to be within our territorial waters.

Miss Lucky: I think we might have left out an amendment with respect to subsection (5). Under the definition of “security officer”, it means a person employed by the operators of an aircraft for the protection of the aircraft and its passengers. We also have to include “vessel” in the amendment. We did make the amendment to include “vessel” in subsection (2). Subsection (5) defines “security officer” and it refers to “aircraft”. We have to do something similar to include a security officer who may be on a vessel.

Mr. Imbert: We want to amend the amendment that was circulated as follows:

3A. Section 34 of the Act is amended by—

- (a) inserting after the word “aircraft” occurring in subsections (1), (2), the second place that it occurs in subsection (4) and subsection (5) the words “or vessel”;

Miss Lucky, are you okay with that?

Miss Lucky: Yes. I would read through that. I am not looking at the amendment.

“‘Security officer’ means a person employed by the operators of an aircraft or vessel for the protection of the aircraft or vessel and its passengers while in flight.”

The words “while in flight” will cause a problem when you put the words “or vessel” there. Before it was qualifying aircraft but now we are putting in “or vessel”.

Mr. Imbert: We would also have to add ‘or a vessel exclusively within the territorial sea.’

Miss Lucky: What has been suggested by my colleagues from Tobago East and San Fernando West is that we make it very relevant, “protection of the aircraft or vessel and its passengers while in motion”.

Mr. Imbert: I prefer not to do that since we used the form “a vessel sailing exclusively within the territorial sea”.

Miss Lucky: For consistency that is fine.

Mr. Imbert: Because it could be motion outside the territorial sea.

Miss Lucky: Point taken.

Mr. Imbert: Mr. Chairman, I wish to amend the amendment circulated as follows:

3A. Section 34 of the Act is amended by—

- (a) inserting after the word “aircraft” occurring in subsections (1), (2), the second place that it occurs in subsection (4) and subsection (5) the words “or vessel”.
- (b) inserting after the word “flight” in subsection (5) the words “or a vessel sailing exclusively within the territorial sea”.

Dr. Nanan: Mr. Chairman, why do we have to use the word “sailing”?

Mr. Imbert: That neither adds nor takes away so let us leave it as sailing. If we take it out it will neither add nor take away. If we leave it in, it will neither add nor take away so let us leave it as sailing. Is that okay, Miss Lucky? Am I correct?

Mr. Chairman: (b) will now become (c)?

Mr. Imbert: Yes. For the avoidance of doubt, Dr. Nanan, let us leave the word “sailing” because leaving it in does not negatively affect the clause. I am not too sure what will happen if we take it out.

Mr. Chairman, you got that? Ms. Sampson, did you get that?

The Clerk: Yes.

Mr. Imbert: I would prefer if you read it.

The Clerk: New clause 3A. Insert after clause 3 the following new clause:

3A. Section 34 of the Act is amended by—

- (a) inserting after the word “aircraft” occurring in subsections (1) (2), the second place that it occurs in subsection (4) and subsection (5) the words “or vessel”;

- (b) inserting after the word “flight” in subsection (5) the words “or a vessel sailing exclusively within the territorial sea”;
- (c) inserting after the word “Tobago” occurring in subsection (4) the words “or a vessel sailing exclusively within the territorial sea”.

Question put and agreed to.

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

Question put and agreed to.

New clause 3A added to the Bill.

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

House resumed.

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

ADJOURNMENT

The Minister of Works and Transport (Hon. Colm Imbert): Mr. Speaker, I beg to move that this House do now adjourn to a date to be fixed.

Mr. Speaker: Before I put the question on the adjournment there are two matters to be raised on the Motion for the Adjournment. The first matter is to be raised by the Member for Caroni East. I now call on the Member.

Scarborough Hospital Project (Government's Failure)

Mr. Ganga Singh (Caroni East): Thank you very much, Mr. Speaker. I noticed that the House is adjourned to a date to be fixed, so that means that this is my last opportunity before the prorogation of Parliament, to deal with this matter. I rise to speak on a Motion for the Adjournment, entitled: “Failure of the Government to protect the public interest in the Scarborough Hospital Project.”

This matter has been on the parliamentary agenda for some time. The hon. Minister of Health is not here. Unfortunately, he is not here. He was here earlier on. I was hoping that he would be here to deal with this matter.

At the sod turning ceremony for the Scarborough Hospital Project, the Member for Diego Martin West, who I see is walking out the Chamber, the then Minister of Planning and Development, stated that he would not tolerate non-

performance or cost overrun on this project, adding that it had suffered from too much procrastination. No doubt, those intentions articulated by the hon. Member were good intentions. What is the stark reality?

You would recall that at that time Emile Elias' NH International was awarded the contract to build the 100-bed hospital for an estimated \$135 million; ahead of the lowest bidder Ish Galbaransingh. Since then, the Scarborough Hospital has been entangled in conflict of interest allegations, massive cost overrun, threats of litigation and a completion schedule that is sliding further and further from the delivery timetable. The silence of the Government on this issue is ominous. Why is the Government and in particular the Minister of Health so quiet on this issue? The Scarborough Hospital Project was intended to address the need for proper health care facilities in Tobago.

The compelling need for proper health care facilities was articulated recently by the Commission of Enquiry into the Health Facilities, headed by Justice Gladys Gafoor. This is what was said on Sunday, July 30, 2005:

“‘Tobago needs a new hospital immediately’, declared the Chairman of the Commission of Enquiry into the Health Sector. ‘Atrocious’, this is how she summed it up after a tour of the island's only major health institution by members of the commission yesterday. ‘The conditions are atrocious and it is difficult to understand how patients can be allowed to be relieved of their difficulties...in an institution like this. They have to speed up the construction of the new hospital. Scarborough needs a new hospital as soon as possible, as soon as is practicable.’”

What is the reality?

Over a year the hospital project has been shut down, because August 25 made it one year since the contractor NH International abandoned the project and removed their equipment from the site and left a skeletal crew of security guards to look after the project. They have threatened litigation against the Government if they attempt to remove that skeletal security crew to bring in a new contractor. What is the real scandal in this matter? It is a fact that Tobago requires proper health care, but the contractor is now demanding \$380 million for a contract, which was at \$135 million. That contractor has already been paid \$140 million. It is before the arbitration personnel in Paris, but there is a demand for \$380 million and this Government is so silent on the issue. The people of Tobago are suffering.

The contractor has refused to leave the site and has indicated to the Ministry of Health, Nipdec and the project manager that he will not leave until he is paid

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an additional \$240 million in addition to the \$140 million that he has already been paid. He has threatened to go to court to get an injunction if the Government tries to remove him from the site, in order to bring another contractor to finish the project.

What we have in Tobago today is an incomplete building on the site, which is deteriorating. The site is covered in bush. The people of Tobago have been hijacked. The health sector, Government, and the country have been hijacked.

Further, after officially declaring that he has stopped work on the project, for the last 12 months, NH International has indicated to Nipdec that they will not move from the site until they are paid the additional \$240 million, which will bring the claim to \$380 million.

I am told by reliable sources that the work is only 40 per cent completed and there are serious issues with respect to poor quality work. When you look at the report of Turner Construction and the quantity surveyor, Dan Zak and Clive Leonard, who have refused to accept the valuation of NH International, what do you have? We have a situation where there is a building that is being built in an earthquake zone.

Further, it is being built for category two when Tobago is a category three earthquake zone. This is “commesse” from the beginning to the—not even the end. It is incomplete.

There is absolute quiet. The Minister of Health is not here. He has been avoiding having to deal with this issue. This is a political hot potato. The contractor is hoping that the hospital will become an election issue and that the Government will then pay up the money. There are those who are within the Government who are sympathetic to NH International, who want him to be paid and get this matter behind them. This is what is happening in this country.

In this season of plenty, NH International has padded the cost of the 40 per cent of the work done on the Scarborough Hospital to the extent whereby he is demanding \$380 million and the Government does not have a clue. In particular, the Member for Port of Spain North/St. Ann's West is clueless because he is afraid to take on the contractor, because that contractor has a history of attacking people who take him on. The Member for Diego Martin East can testify to that.

7.40 p.m.

Mr. Speaker, it is my public duty to deal with this matter, especially in the context where only in today's newspaper, Friday, September 15, 2006, on page 7 of the *Guardian* states:

“Minority councillor in the Tobago House of Assembly Hochoy Charles said the healthcare system in Tobago should be declared a disaster.

Charles made this statement following four neonatal deaths within the last month.”

There is a compelling need for proper health care but, what do you have? You have silence. The urgency is compelling.

Mr. Speaker, what is the role of the multilateral institution, the Inter-American Development Bank in this matter? Here is a multilateral institution that likes to get on its high horse and hoist itself in its own petard and talk about transparency; and talk about openness for information. Why is the IDB so quiet in this matter? The silence is ominous. The silence is, in fact, scandalous. It is seditious for this Government to be silent on this issue, because the people of Tobago are suffering.

So, there has been an abandonment of the public interest in this matter; an abandonment of the public interest. It is over a year and nothing has been done.

If you look at the *Tobago News* dated August 25, 2006 it says:

“Hospital project in limbo

It is now 12 months to last Wednesday that work on the multimillion Tobago Regional Hospital was abandoned by contractor NH International (Caribbean).

It is doubtful that it will resume in the near future.

Project Manager, Patrick Caesar of the National Insurance Property Development Company (NIPDEC)...is unable to say when the project would resume.”

So, do you understand? He is unable to say. Multimillion-dollar project! Multimillion dollars demanded beyond the original cost of \$135 million for completing the project of only 100 beds! Mr. Speaker, this is a scandal! Where is the value for our money for the public interest? Who is speaking? Who is looking after the public interest? Why has there been an abandonment of the public interest by the Government on this issue? Why is it that this Government is so afraid of NH International Limited? Is it that he has so many friends within the Government that they are afraid to act? This is a blatant act of malfeasance taking place in Tobago.

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Mr. Speaker, in today's *Guardian* on page 7 there is an article written by Reshma Ragoonath and it says:

“Prime Minister Patrick Manning vows to deal with problems in the health sector, once discovered.

‘We propose neither to overlook, nor cover up, nor cover down any aspect. We are going to act...’”

I call upon the Prime Minister to get his Minister of Health to make a statement on this issue. It is scandalous! And, we, a sovereign nation, should not be held captive or kidnapped by any contractor and, therefore, there is need for an open statement on this issue; a statement from the multilateral institution, the IDB, on this issue.

Mr. Speaker, you see, for us to submit to this scandalous and obscene claim on the part of NH International Limited on this Tobago hospital is to fritter away the moneys of the public purse in Trinidad and Tobago.

I am saying that this Government is not acting in the public interest in this matter. This Government has failed once more to act in the public interest. They have abandoned the public interest. Is it because NH International Limited is a financier of the PNM? This project has all the hallmarks of the PNM; from inception to lack of completion; it is a PNM project. You cannot pass the blame to anybody—from the role of the Member for Diego Martin West to the role of the Member for Port of Spain North/St. Ann's West. Silence! It is important to note that the Member for Diego Martin West got up and walked out when I began to raise this issue.

Mr. Speaker, why is there also no action on the report of the Commission of Enquiry on the Landate matter? No action! There is silence in that area too. So, you see, Mr. Speaker, the Government has failed to act in the public interest in this matter; the Government is culpable of failing to act in the public interest; and the Government, by its act of omission and silence, is an accessory to the frittering away of the public purse in this matter.

I thank you. [*Desk thumping*]

Mr. Speaker: Before I call on the Government to reply, I do think that we would go beyond 8.15 p.m., so I would call on the acting Leader of Government Business to move the Procedural Motion.

PROCEDURAL MOTION

The Minister of Works and Transport (Hon. Colm Imbert): Mr. Speaker, I beg to move that this House continue to sit until the completion of all its business, including the motions for the adjournment.

Question put and agreed to.

ADJOURNMENT

**Scarborough Hospital Project
(Government's Failure)**

Mr. Speaker: I now call on the Government Member to respond.

Mr. Singh: They cannot respond to the truth.

Miss Lucky: This is looking bad.

Mr. Speaker: I now call on the hon. Member for Chaguanas. [*Desk thumping*]

**Lack of Incentives and Support for Farmers
(Chaguanas Constituency)**

Mr. Manohar Ramsaran (Chaguanas): Mr. Speaker, thank you very much. I am privileged to debate this matter standing in my name with regard to the lack of incentives and support for the farmers in the Chaguanas constituency.

Mr. Speaker, recently I have raised the matter of people digging up the surrounding areas to plant rice, and this is creating a problem. I want to come back to that and many other matters in the constituency. Mr. Speaker, why did I do this? I have witnessed the cost of living in our country—the cost of food and how it affects the citizens of this country, and I thought that if I looked at my own constituency to see the problems there and bring them to the fore in this Parliament, maybe the rest of the country could follow suit and see what is really happening in our own corner of the woods, so to speak, so that we may inform the Minister of Agriculture, Land and Marine Resources and others to have a look at what is taking place with agriculture.

Mr. Speaker, I just want to put on the record, once more, our food import bill. The imports cost insurance and freight (CIF): food and life animals for year 2004, \$2.215 billion; in 2005, \$2.723 billion; and from January to April this year, \$861,000, and if you multiply that figure by four it is going to be over \$3.2 billion. This is the cost of food that is being imported in this country and, to me, this is an alarming figure.

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When we come to this Parliament from time to time and talk about agriculture, people would stand and tell us that the cost of food is increasing elsewhere; they would blame the WTO and all the other agencies and so forth for the cost of the imports, but I am not talking about the imports, I am talking about what we are doing here in Trinidad and Tobago.

If you look at the balance of trade, as far as food is concerned, you would see that it is very one-sided. Just to add, the latest figures that I have with respect to the index of retail prices showed where the cost of foodstuff, over the last two years, has increased by 47.8 per cent.

Mr. Speaker, when it rains in Chaguanas, especially in the agricultural areas, it floods. We all know that when water rises the earth becomes swampy, and we cannot grow our food. Mr. Speaker, in the dry season—we now have irrigation there. I remember a few years ago when Caroni (1975) Limited was planting rice, the people who planted the small crops were denied water and they had to resort to very violent behaviour. At one time, I remember they marched to Kelly Weir and opened the water for themselves.

Mr. Speaker, Caroni (1975) Limited planted rice in the dry season, and they were using all the available irrigation water, and the Water and Sewerage Authority (WASA) claimed that they owned the water, and there was a lot of confusion. Mr. Speaker, this is going to happen again. I want to warn the Member for Arouca North that it is going to be worse this time, because they have added more rice land to what existed before when Caroni (1975) Limited was planting rice. They have almost come into the village. I am talking about the Bejucal area. The two main areas that I am addressing really which are the agricultural baskets of Chaguanas and they are: the Charlieville area and the Bejucal area. Mr. Speaker, now that these rice lands would be using the water in the dry season, I see trouble. Of course, now in the rainy season you cannot really plant.

A gardener is a gambler. It is so sad to say that. When you talk to people in the Bejucal and Charlieville areas—it is a gamble to plant what we consider to be small crops, because if it rains that is it. If you have a good two or three months then you would make some money. You have to put so much into it.

Mr. Speaker, I know the Member for Arouca North is going to stand and say that the price of a plant costs six cents or something like that, but before that plant is put there the land has to be ploughed. Firstly, you have to brush-cut the land; you then have to plough it; you have to rotavate it and then you have to prepare the land for planting. You have to buy your seeds and nursery and then put them down there. If that costs six cents then I do not know what—[*Interruption*]

Mr. Speaker, I have been doing some research and the cost of fertilizers, over the last three or four years, has been trebled. There is no control. Nobody is interested in bringing the cost down. Insecticides and so forth have increased in cost. When one looks at the persons who want to go into agriculture—somebody said it recently—I think it was the Member for Arouca North himself who said that people do not want their children to go into agriculture, but I want to say that in this part of my constituency people have remained in agriculture, in the main, but then they have no encouragement. Nothing is happening for them. The cost of everything that is associated with agriculture has risen, and this Government just sits there and allows it to happen.

Mr. Speaker, I came to this Parliament and raised certain issues, but I just want to go back a bit when I wrote Dr. Keith Rowley in 2003. He was the Minister of Planning and Development. Included in my list of requests—of course, hardly was anything given to me—to the Minister responsible for the PSIP was the paving of agricultural roads in the Bejucal and Charlieville districts. This list could be easily found in the Ministry of Agriculture, Land and Marine Resources, Chaguanas branch. Mr. Speaker, the reply from the Minister:

Thank you very much for your letter where you have outlined projects which you would like to see addressed from the Chaguanas and surrounding areas.

While I cannot guarantee that all projects can be accepted within the development programme, please rest assured that due consideration would be given to your request as we prepare the development programme for the entire country.

Mr. Speaker, that was in 2003 and nothing has happened and we are now in 2006.

Mr. Speaker, I am one who does not give up. Again, in 2005, I wrote the present Minister of Planning and Development, Mrs. Camille Robinson-Regis, and I asked her for the same request—paving of agricultural roads in the Chaguanas constituency. I named a few roads and I understand other roads were submitted by the Ministry of Agriculture, Land and Marine Resources Chaguanas office.

Mr. Speaker, I asked questions in this Parliament about the same roads, because I believe that road is a small part with respect to this whole agriculture matter. A couple days ago, I went into the Bejucal area, and I witnessed where

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people could not reach their produce. Of course, they try to plant some eddoes and they could not reach them, because of the flooding. Ramlal Trace North was soft and so forth so they could not get in there.

My friend, the Member for Caroni East, and I saw something very unusual. This might sound like a joke, but we saw crab running in Caroni Village, which is about 10 miles from the sea. What has happened is that the north bank has now been destroyed and the salt water has infiltrated right up to Caroni Village. A couple days ago, while I was in Bejucal, people told me—this is the good side of it—that in the drains there are sea fish. They have their fish pots and they are catching fishes. This is over the highway which is three or four miles from the sea, and we have this happening. So, again, I want to call on the Minister of Works and Transport and the Minister of Agriculture, Land and Marine Resources to repair the north bank of the Caroni basin. If this is done, we could have better produce taking place.

Indeed, we pay lip service to agriculture. I would like to see something actively being done to help the people who have to go into their gardens to produce, because this is really alarming. I could go on and talk about various other aspects. The cost even for labour—in order to get people to work for you—is astronomical. You do not get people to work there. The agriculturists are scared to hire people because of flooding in the wet season, and the lack of water in the dry season and so forth. I would like to see the announcement of a comprehensive plan.

I know the Minister talked to me about plots being given to people for agricultural activity there, but even for these persons—I know that the infrastructure might be given to them—but, again, the other incentives are not there. If you really want to get people to produce and to do things meaningfully in our country, the Government must be the one to encourage them; and not to take over the lands and plant them themselves, but to give them that encouragement.

I want to make that appeal on behalf of the agriculturists in the Chaguanas constituency. This Minister, despite the fact that he would not give credit where it is—I have been doing my best to get these roads fixed—I want to thank him for starting four roads in the constituency, and I am grateful for this on behalf of the farmers, because they really went through hardship and they are happy to see the roads there. In addition, it is not that I am complaining that we got the roads, but the roads are not the best roads in the country, so when these big trucks use the

other roads, they are destroying the other roads to fix the agricultural roads. We have to make sure that when we leave there, the roads are properly fixed. I am making this request very humbly, not to attack the Minister in any way.

I want to again plead with the Minister and let us really re-examine that rice project. It is not in the best interest of the people who supply this country with celery. We have one of the biggest farmers in the country with the grow-box system—Mr. Seekumar exports his produce. I predict—I am not a person to predict gloom and doom, but it has happened before—that if the rice fields are allowed to remain there in dry season, we are going to see a scarcity of water for these small farmers to grow their lettuce and cabbage and so forth, and this would create some unemployment in that area. So, we have to really examine that. The Minister is in charge.

I know he made a statement in this Parliament and I was a little confused about it and maybe he could clear it up. He said that people applied and they were given the land by somebody. I know that the land is under the jurisdiction of the Member for Diego Martin West. So I am a bit confused as to who issued permission for that land, and why the lands were given out. I am not only complaining about who is planting the rice, because that is not my business, but I am saying that it is going to affect hundreds of small farmers in the Bejucal area. We have the same problem in Charleville, but it is worse there with the salt water coming in. Another major request is to fix the north bank of the Caroni Swamp so as to allow more persons to use their own lands for meaningful agricultural programmes.

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

The Minister of Agriculture, Land and Marine Resources (Hon. Jarrette Narine): Mr. Speaker, thank you very much. I got notice of this Motion on the Adjournment and I would like to read it: the failure of the Government to provide proper incentives and amenities for the agricultural sector in the Chaguanas constituency. This evening, I am hearing a lot of other things coming into this Motion on the Adjournment. I am prepared to answer my notification here thoroughly.

I am saying to the Member for Chaguanas, that in the Ministry of Agriculture, Land and Marine Resources, we are structured by counties. There are eight sub-offices in Trinidad and we are structured by counties, and we do not work by constituencies, therefore, I am going to answer on County Caroni which is part of the Chaguanas constituency. Of course, the incentives that the Member talked

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about in this Motion on the Adjournment are for the people of Trinidad and Tobago. First of all, I would like to deal with vehicle incentives. I am talking about incentives, because that is part of the Motion, and I am prepared for this.

New wheel tractors, 15 per cent of the purchase price up to \$25,000. So the Government would give back to someone who would buy a wheel tractor up to \$25,000; imported used/refurbished wheel tractors, up to \$15,000; new four-wheel-drive pick-up jeeps up to \$30,000; imported used four-wheel drive pick-up jeeps, \$25,000; two-wheel-drive pick-up jeeps, \$20,000; imported used two-wheel-drive pick-up jeeps, \$15,000; new trucks, \$35,000; and imported used trucks, \$20,000. This is based on persons who are registered as farmers. This is only the vehicles incentive programme that the ministry gives to all farmers in Trinidad and Tobago.

As far as trailers are concerned, the Government provides 50 per cent up to \$3,000; machinery and equipment, 50 per cent of the purchase price, up to \$25,000; bio-digesters, 50 per cent of the cost of establishment up to \$5,000; solar dryers, 50 per cent of the cost of establishment up to \$5,000.

Mr. Speaker, water incentives: wells, dams, ponds, 25 per cent of the cost of establishing up to \$20,000; water pumps, 50 per cent of the purchase price up to \$7,500; irrigation equipment, 50 per cent of the purchase price up to \$25,000. Mr. Speaker, the incentives for water pumps would be paid in three annual tranches of \$2,500 each subject to qualification.

Soil conservation incentives: We are really talking about incentives here and, maybe, the Member is not aware of these incentives, but I could make the information available to him so that he could educate his farmers. Contour drains, 31 cubic metres x 40 cubic metres, \$70 per 30 metres; storm drains, 40 cubic metres x 40 cubic metres, \$80 per 30 cubic metres; contour banking and contour rigging and bench terracing, \$370 per hectare; contour barriers, \$40 per 30 metres; terrace outlets, \$120 per 30 metres; check-dams, 50 per cent of cost to a maximum of \$200 and that is opening drainage and closing drainage.

Land preparation incentives: Tillage operation, 25 per cent up to a cost of \$200 per hectare, and that is two hectares every year.

Citrus incentives: The Government is paying for the establishment of new fields, 20 per cent of the cost up to \$2,000 per hectare; rehabilitation of old fields, 20 per cent up to the cost of \$2,000 per hectare. That means that if you reestablish old citrus fields the Government would pay you for doing that.

Cocoa and coffee incentives: Establishment of new fields, \$4,000 per hectare; rehabilitation of old fields, \$2,000 per hectare; establishment of ferment trees—that is the dryers that they put in—10 per cent of the cost up to \$10,000.

Coconut incentives: Establishment of new fields, 25 per cent up to a cost of \$1,200 per hectare; rehabilitation of old fields, 25 per cent of the cost up to \$1,000 per hectare. *[Interruption]* This is your Motion on the Adjournment. I am very relevant. I am telling you about incentives that your agricultural farmers are supposed to get. You see, you did not do anything for them for six years, and they believe that they would not get anything from us, but these are our ongoing programmes.

Beef, dairy, goats and sheep incentives: Establishment of pastures, 50 per cent of the cost up to \$2,000 per hectare. Mr. Speaker, I can go on and on, but this is only the incentive part of the Motion. I am now going to talk about amenities.

Two weeks ago, I answered a question for the Member for Chaguanas. He really did say that we are doing a number of roads in his area. If we do one road in his area it is one more road than what he did in six years. For that area, we are doing Ramatali Road off Warren Road Caroni; Ramsaran Road, a name after his family, off Warren Road, Caroni, Chatee Trace, Line Road, and off Arena Freeport we are doing Rodney Road, Rodney Trace, Sankar Trace and Bankoff Road. I think that the Member for Caroni Central is much aware of that. That is our phase II programme where we got additional funding.

Mr. Speaker, apart from that, there is the Caroni (1975) Limited two-acre plots for VSEP workers: There are 11 areas in County Caroni out of the 17 estates that we have identified for the two-acre plots, and the total cost of infrastructure on seven estates for which we have engineering estimates or actual cost in \$TT is \$183 million. So to say that this Government is not giving any incentives is very unfair.

I am saying to you that in Jerningham we have 270 plots, 650 acres, and the work in phase I has already started.

At Felicity I, there are 353 plots, 800 acres and that has already started and, at Felicity II, 302 plots, 750 acres.

Miss Beckles: What constituency is that?

Hon. J. Narine: This is Caroni. We work by counties; we do not work by constituencies. The Ministry is structured like that. In Edinburgh there are 401 lots; Edinburgh B, 289 lots; and under Edinburgh A, 750 acres. Edinburgh B is 1,000 acres.

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Waterloo I, 501 plots, 1,250 acres; Waterloo II, 179 plots, 360 acres.

With respect to Exchange I and II and Montserrat I and II, Mr. Speaker, I would not go on to them, because I would not have time for the other things.

Mr. Speaker, I am going to talk now about training. The last three months in the YAPA programme we have trained in his constituency 43 persons. They were on the nine-month programme; 21 males and 22 females. We also have the monthly programme where the ministry trains people from time to time. What we have found is that persons are not leaving their plots to go to the regional office like in Edinburgh and in Caroni—that new office there which is next door to your former leader's office. We have programmes there, but they do not go. We now have farmer field schools, and we are going directly to the farmers and training them on the job site. That is what we are doing at this present time.

Mrs. Job-Davis: You do not even know what is happening in your own constituency.

Miss Lucky: That is a good idea.

Hon. J. Narine: Mr. Speaker, we also have the Sugarcane Field Centre that recently did a lot of work in training farmers at Caroni. Recently, there were certain courses that Caroni (1975) Limited ex-employees received for pig production, small stock production and large ruminant production. There were a total of 78 persons and that happened recently, and we can go on and on.

What is very significant is that recently we had a one-day training course for all butchers in Caroni. This was conducted by the Sugarcane Field Centre. His Worship the Mayor of Chaguanas complimented the programme and he has recommended that we do this programme in other constituencies.

Mr. Speaker, apart from all of this, this Government operates as a team and one cannot provide amenities without—even the Member for Chaguanas talked about the north bank of the Caroni River where he suspects that there is salt water intrusion, but how would we know. We did that for Oropouche. We knew that there was salt water intrusion and we built a sluice gate. The Member was appealing to the Minister of Works and Transport to put some banking on the north bank of the Caroni River in order to stop the salt water intrusion, but we are not certain. We would have to do soil samples; we would have to do soil tests; and we would have to test the water before we could ascertain that. We are not hitting and hoping like the Member for Chaguanas.

What has happened through the Ministry of Works and Transport Drainage Division is that during that very period that the Member talked about, the Ministry of Works and Transport has done a significant amount of drainage projects and these two pages are filled with them: de-silting and cleaning of the Guayamare River, head works, mechanical means de-silting of the Guayamare River; both upstream and downstream of the Uriah Butler Highway by mechanical means. *[Interruption]* This has helped the Ministry of Agriculture, Land and Marine Resources in its drainage programmes.

Mr. Speaker, you would realize that the Ministry of Works and Transport are for main watercourses and the Ministry of Local Government are for minor courses. The Ministry of Agriculture, Land and Marine Resources does de-silting of drains on agricultural lands. If we do the de-silting of drains—we did 52 kilometres in the last three months, throughout Trinidad. Some were done in Caroni—and if we do not get the local government authority to do their minor watercourses, and the Ministry of Works and Transport to do the major watercourses then, obviously, you and all would understand that the water would not get out. *[Desk thumping]*

So, Mr. Speaker, the Motion that we have here for incentives and amenities, I think that we have done an excellent job during the last few years. *[Desk thumping]* For the Member to come here and use his seat in the Parliament to criticize the rice farmers in Trinidad who got lands from Caroni (1975) Limited—it is just that they are not aligned to him and his political fiasco that he is against those people. I say no more.

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

The Minister of Works and Transport (Hon. Colm Imbert): Mr. Speaker, before I advise the House of the prorogation, I simply wish to say that the Minister of Health was unavoidably absent. He is attending a symposium and was, therefore, unable to be present to respond to the Member for Caroni East. Mr. Speaker, I am certain that an appropriate statement would be made to address the serious matters raised by the Member for Caroni East.

Parliamentary Business

The Minister of Works and Transport (Hon. Colm Imbert): Mr. Speaker, I wish to advise Members that the Government intends to prorogue the Parliament on Friday, September 22, 2006, and the 2006 to 2007 Session of Parliament will commence on Friday, September 29, 2006.

Mr. Speaker: Hon. Members, may I also add to what the hon. Minister has indicated. On that day, when the Fifth Session commences, which is Friday, September 29, 2006, we intend to have the official launch of the Parliament Channel 11 and, hopefully, FM broadcast. All Members of Parliament would be invited. There would also be other invitees. Invitations would be issued to you in due course. So, on the day when we commence the Fifth Session of the Parliament, bear in mind and be reminded that the official launch of the Parliament Channel 11 and, hopefully, the FM broadcast would take place on that day.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 8.15 p.m.

WRITTEN ANSWER TO QUESTION

CEPEP Contracts

(Award of)

44. Mr. Subhas Panday (Princess Town) asked the hon. Minister of Public Utilities and the Environment:

Could the Minister inform this House of:

The contractors, if any, who have been awarded CEPEP contracts for fiscal 2006;

- (a) The extent of each contract; and
- (b) The dates, duration and exact location where each contractor performed his/her contracts for the year 2006?

The Minister of Public Utilities and the Environment (Hon. Penelope Beckles):

- (a) No new contractors have been awarded CEPEP contracts for fiscal 2006. All contracting firms that were operating in CEPEP at the end of fiscal 2004/2005 have continued into fiscal 2005/2006. Consequent upon this information, there can be no reply to parts (b) and (c) of the Question.