

**THE
PARLIAMENTARY DEBATES**

OFFICIAL REPORT

*IN THE FIRST SESSION OF THE NINTH PARLIAMENT OF THE REPUBLIC OF
TRINIDAD AND TOBAGO WHICH OPENED ON DECEMBER 17, 2007*

SESSION 2007—2008

VOLUME 2

HOUSE OF REPRESENTATIVES

Friday, March 07, 2008

The House met at 1.30 p.m.

Acting Clerk of the House: Hon. Members, in accordance with Standing Order 5(5), I have to announce that the Speaker is unavoidably absent and the Deputy Speaker will preside.

[MADAM DEPUTY SPEAKER *in the Chair*]

PRAYERS

LEAVE OF ABSENCE

Madam Deputy Speaker: Hon. Members, I have received communication from the following Members requesting leave of absence from sittings of the House: The Hon. Paula Gopee-Scoon, Member of Parliament for Point Fortin, from today's sitting of the House; Mr. Jack Austin Warner, Member of Parliament for Chaguanas West, from today's sitting of the House; Mr. Vasant Bharath, Member of Parliament for St. Augustine for the period March 03, 2008 to March 13, 2008; and the Hon. Karen Nunez-Tesheira, Member of Parliament for D'Abadie/O'Meara for the period March 05 to March 11, 2008. The leave which the Members seek is granted.

LEGAL PROFESSION (AMDT.) BILL

Bill to amend the Legal Profession Act, brought from the Senate [*The Attorney General*]; read the first time.

ORAL ANSWERS TO QUESTIONS

The Minister of Works and Transport (Hon. Colm Imbert): Madam Deputy Speaker, regrettably, the Government just has one answer today. We crave the indulgence of the House to defer the other questions for two weeks. We are trying our best.

Madam Deputy Speaker: Which one is that? I am sorry you did not—
[*Interruption*]

Hon. C. Imbert: It is question No. 63.

Mr. Maharaj SC: Madam Deputy Speaker, I think it is becoming unbearable on the people for the Government to continuously ask for a deferral of questions. If you look at the footnote of these questions you will see that they have already been deferred for two weeks in some cases. I know that you do not have coercive powers over the Government and, perhaps, the Leader of Government Business does not have coercive powers over his Members, but I would appeal to him to do whatever it takes so that the people can benefit from these answers.

Madam Deputy Speaker: Hon. Member for Diego Martin North/East, I would again appeal to you to impress upon your colleagues the importance of answering questions on the Order Paper.

The following questions stood on the Order Paper:

**Municipal Corporations
(Wooden Bridges Owned by)**

23. Is the hon. Minister of Local Government aware that a person was injured when he fell through a dilapidated, rotten wooden bridge in the jurisdiction of the Penal/Debe Regional Corporation?

Could the Minister state:

- a) the number of wooden bridges under the jurisdiction of each municipal corporation;
- b) whether funds have been allocated to municipal corporations for the conversion of these wooden bridges into concrete bridges;
- c) the allocations for conversion of wooden bridges into concrete bridges in each municipal corporation, if the answer to (b) is in the affirmative; and
- d) the number of wooden bridges she expects to be converted into concrete bridges utilizing the said allocation? [*Mr. S. Panday*]

**Special Purpose Companies
(Criteria and Purposes for)**

24. Could the hon. Prime Minister state:

- a) the allocations given to the special purpose companies for carrying out infrastructure works for the years 2006 and 2007;

- b) what criteria and/or mechanisms are used in determining the type of work and the areas in which such works are to be carried out by the special purpose companies;
- c) the various ministries under which each special purpose company falls; and
- d) the criteria and procedures adopted by these companies in awarding contracts; and
- e) the persons and/or organizations which supervise and/or monitor the performance and the quality of work carried out by them? [*Mr. S. Panday*]

**Self-Employed Persons
(National Insurance Coverage for)**

- 43.** Could the hon. Minister of Finance indicate:
- a) why coverage of self-employed persons has not been introduced under the National Insurance Board; and
 - b) whether this will be done in the future, and if so when? [*Mr. N. Baksh*]

**Naparima Mayaro Road
(Details of)**

- 53.** Could the hon. Minister of Works and Transport give a status report on road paving works along the Naparima Mayaro Road to Rio Claro inclusive of the present condition of the road, scope of works still needed to be done and projected completion date? [*Mr. W. Peters*]

**Constituency of Mayaro
(Details of Road Works)**

- 54.** Could the hon. Minister of Works and Transport state:
- a) what roads within the constituency of Mayaro are earmarked for road paving, restoration/rehabilitation; and
 - b) when these works are expected to commence? [*Mr. W. Peters*]

**Financial Support for Needy Students
(Details of Selection)**

- 60.** Could the hon. Minister of Science, Technology and Tertiary Education state:
- a) how much money was spent in 2007 to support needy students seeking tertiary training abroad;

- b) how these students were selected for financial support;
- c) whether there was any advertisement with respect to the availability of this fund for assistance to local students studying abroad; and
- d) if the answer to (c) is in the affirmative, could the Minister state the dates and the specific media in which these advertisements were placed? [*Dr. H. Rafeeq*]

**Allocation of Police Vehicles
(Details of)**

- 61.** Could the hon. Minister of National Security inform this House as to:
- a) how many vehicles are allocated to each of the following:
 - i. Freeport Police Station,
 - ii. Gran Couva Police Station;
 - iii. Longdenville Police Station; and
 - iv. the Flanagin Town and Las Lomas Police Post; and
 - b) how many policemen are allocated to work in each of the stations and police posts in (a)? [*Dr. H. Rafeeq*]

**Sangre Grande Public Market
(Details of Construction)**

- 62.** Could the hon. Minister of Local Government state:
- a) what was the estimated cost of construction of the Sangre Grande Public Market;
 - b) when was construction started and when was it scheduled for completion;
 - c) which contractor/contracting firm was awarded the contract for the construction of the market; and
 - d) is the contractor still on the project and has there been a cost overrun on the construction project? [*Mr. H. Partap*]

**Construction of Fire Station
(Plum Mitan Main Road, Manzanilla)**

- 64.** Could the hon. Minister of National Security state:
- a) whether government intends to construct a new fire station at Plum Mitan Main Road, Manzanilla; and

- b) if the answer to (a) is in the affirmative, would the Minister give a date for the commencement of this project and the estimated cost thereof?
[*Mr. H. Partap*]

Questions, by leave, deferred.

**Sangre Grande Regional Corporation
(Details of Construction)**

63. Mr. Harry Partap (*Cumuto/Manzanilla*) asked the hon. Minister of Local Government to state:

- a) whether government intends to construct a new complex for the Sangre Grande Regional Corporation at Plum Mitan Main Road, Manzanilla; and
- b) if the answer to (a) is in the affirmative, would the Minister give the scheduled date for the commencement of this project and the estimated cost thereof?

The Minister of Local Government (Sen. The Hon. Hazel Manning): Madam Deputy Speaker, the Government does not intend to construct a new complex for the Sangre Grande Regional Corporation at Plum Mitan Road, Manzanilla, but intends to construct a new complex at Turure, Guaico. This project is in the planning stages at this time and, therefore, the issue raised in part (b) of the question does not apply. Thank you.

**RETIRING ALLOWANCES
(LEGISLATIVE SERVICE) (AMDT.) BILL**

Order for second reading read.

The Hon. Attorney General (Sen. The Hon. Bridgid Annisette-George): Thank you very much, Madam Deputy Speaker. I do apologize for keeping the honourable House waiting. I beg to move,

That a Bill to amend the Retiring Allowances (Legislative Service) Act, Chap. 2:03, be now read a second time.

Madam Deputy Speaker, permit me to take you on a journey along the historic path of the Retiring Allowances (Legislative Service) Act, Chap. 2:03. This is now necessary, as we all need to understand the genesis and context of this piece of legislation.

On Friday, November 15, 1968, the Governor General, in his Throne Speech spoke, and I quote as follows:

“The long overdue assessment of salary of Ministers and other Members of Parliament, in the context of the new classification and compensation

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arrangements for the Public Service, will immediately be referred to a Select Committee of the House of Representatives, which will also consider the question of pensions of Members of Parliament.”

On Friday, November 22, 1968, a question was put and agreed to by the Hon. Minister of Home Affairs and Personnel, Gerard Montano, that a Select Committee of the House of Representatives, under the chairmanship of the Speaker, be appointed to consider the emoluments and other benefits of Members of the House of Parliament, as well as to consider proposals for pensions and gratuities for Speaker of the House and President of the Senate, Ministers and elected Members of Parliament and to make recommendations. The following Members served on the committee, under the chairmanship of the Speaker, then C.A Thomasos: Hon. Gerard Montano, Hon. Kamaluddin Mohammed, Hon. Victor Campbell, Hon. ANR Robinson, Hon. Errol Mahabir, Mr. Alloy Lequay, Dr. John Bharath, Mr. R. Rambachan and Mr. Badase Sagan Maraj.

On December 06, 1968, the report of the Special Select Committee appointed to consider the emoluments and other benefits of Members of both Houses of Parliament and also to consider the proposals for pensions and gratuities for the Speaker of the House of Representatives, the President of the Senate and the elected Members of Parliament and to make recommendations, was presented to the House by the Minister of Home Affairs and Personnel, then Hon. Gerard Montano, and was approved.

On Friday, April 25, 1969, the Retiring Allowances (Legislative Service) Bill was presented by the then Minister of Finance and read for the first time in this honourable House of Representatives. The Bill was eventually passed in the House of Representatives on Friday June 20, 1969. On July 01, 1969, the Bill was read in the Upper House and passed.

This Act was amended only once between 1969 and 2007. This was in 1976, with an amendment to ensure that allowances being paid under the Retirement Allowances (Legislative Service) Act and that under the Retirement Allowances (Diplomatic Service) Act were harmonized.

I would pause from the legislative history. Having read all the *Hansard* reports, I have recognized that there seems to be common themes in the debate in 1968 and also in 1976, when there was another amendment. Some of the issues that also came up in 2007, when there was again an amendment to the Retiring Allowances (Legislative Service) Act, run almost as universal.

As you are aware, the Retiring Allowances (Legislative Service) Act would have been saved as an existing law under section 6 of the Republican Constitution.

I would like to remind all Parliamentarians that by the 1976 Republican Constitution there was established, under Chap. 11, the Salaries Review Commission.

Section 140 of the Constitution reads as follows:

- “(1) There shall be a Salaries Review Commission which shall consist of a Chairman and four other members all of whom shall be appointed by the President after consultation with the Prime Minister and the Leader of the Opposition.
- (2) The members of the Salaries Review Commission shall hold office in accordance with section 126.

Section 141 reads as follows:

- “(1) The Salaries Review Commission shall from time to time with the approval of the President review the salaries and other conditions of service of the President, the holders of offices referred to in sections 136(12) to (15), members of Parliament, including Ministers of Government and Parliamentary Secretaries, and the holders of such other offices that may be prescribed.
- “(2) The report of the Salaries Review Commission concerning any review of salaries or other conditions of service, or both, shall be submitted to the President who shall forward a copy thereof to the Prime Minister for presentation to the Cabinet and for laying, as soon as possible thereafter, on table of each House.”

In this regard, the recommendations and report of the 36th report of the Salaries Review Commission and of the 82nd report of the Salaries Review Commission are of relevance.

The Retiring Allowances (Legislative Service) Act—I refer to sections 5, 6 and 8 because these are the material sections. Under section 5(1) of Chap. 2:03, that sets out the qualifications for retiring allowances for legislators; retiring allowances being what we would commonly refer to as pension. A legislator, under the Act, refers to an elected Member of the House or a Minister of Government. It provides, under section 5(1) of the original Chap. 2:03, which was passed in 1969, that a legislator had to serve for a minimum period of eight years. Upon ceasing to be a legislator, having attained the age of 55, or if such a person were younger than 55 but had satisfied the requirement of producing medical evidence that he or she may have been rendered incapable by virtue of infirmity of body or mind, such a person would then be entitled to a retirement allowance.

1.45 p.m.

Section 6(1) of the Act sets what that rate of the retiring allowance would be. In such a case, the legislator, having served not less than eight years, would have qualified for a pension at an annual rate equal to one-quarter of one year's salary of that person.

Section 6(2) defines what one year's salary is and that means the highest annual rate of basic salary payable at any time to any person as a legislator.

Now, we are talking here about elected Members who would be Members of the House of Representatives, Parliamentary Secretaries and Senators who would be Ministers of Government. Those are the persons who would be captured by the definition of legislator.

Section 8 of the Retiring Allowances (Legislative Service) Act also made provision for the payment of a gratuity, and it also defines the rate for the payment of that gratuity, which would have been one-tenth of the total salary received during the period of service as a legislator, but that was subject to a ceiling of a sum not exceeding three years' salary at the highest annual rate of the basic salary payable at any time that the person served as a legislator.

The Salaries Review Commission, in its 82nd report, which was delivered in March 2007, examined the terminal benefits payable to legislators and made certain recommendations, and these recommendations affect sections 5, 6 and 8 of the Act, as I have just read.

The effect of the recommendations of the Salaries Review Commission affected the rate of computation of the gratuity. The recommendation was that qualifying legislators would now be entitled to 20 per cent of their basic salary.

At no time from the report did the Salaries Review Commission affect the ceiling of anything exceeding the three years' salary. Further, the effect of the recommendation in terms of qualifying for a pension, the serving period was reduced from eight years to five years.

Additionally, provisions were made for allowances to dependants of legislators who died whilst serving as members. A distinction was made between serving Members who died in the line of duty and serving Members who died otherwise. The effect of it is that if death was caused in the line of duty, allowances would be paid to dependants of the deceased Member regardless of what period that Member served.

However, with respect to Members who died whilst serving, but it was not in the line of duty, they had to qualify for the minimum service period of five years. Further, to remove a certain discriminatory provision that existed. I guess the Act had to be seen in the context of time in that a benefit was allowed to a widow of a serving Member, and having regard to the changing in times, there was a need to change “widow” to “spouse”, so that even the husband of a female Member would have qualified for an allowance.

The recommendations of the Salaries Review Commission as contained in the 82nd report were presented to Cabinet, and these recommendations were accepted without any modification. As far as these recommendations are concerned, those which referred to the computation of the gratuity—it changed from 10 per cent to 20 per cent—and those which referred to payments for serving Members after the dissolution of Parliament—would have taken effect from the date of the 36th report.

Madam Deputy Speaker, the legislative measures which were recommended in the 82nd report and which were accepted by Cabinet without modification were incorporated in section 3 of the Finance Act 2007. However, it was discovered that there was an omission with respect to the effective date of those amendments. An attempt was made to rectify that by the passage of the Finance (Amdt.) Bill, 2007.

Subsequently, in the course of attempting to administer the Act, with respect to calculating the retiring allowances, an ambiguity emerged in the interpretation of the provisions. This ambiguity involved the relevant period to which the amendments applied and the persons to whom the amendments applied. In an attempt to resolve this matter, advice was sought from several quarters, including that of the Attorney General.

It was always the intention of Cabinet to adhere to the recommendations of the Salaries Review Commission as contained in the 82nd report. However, in the Finance Act, 2007, the amendment to section 6 of the Retiring Allowances (Legislative Service) Act reads as follows: The retiring allowance payable to any person shall:

- “(a) in the case of a person who has served as a legislator for periods amounting in aggregate to not less than:
 - (i) eight years be at an annual rate equal to one-quarter of one year's salary of that person, or
 - (ii) five years be at an annual rate equal to one-sixth of one year's basic salary of that person.”

The recommendation of the Salaries Review Commission, at page 7 of the 82nd report at paragraph 27(v)(a) states as follows:

- “(a) provision be made for the payment of a Retiring Allowance of 1/6 of one year’s (basic) salary for service of an aggregate of not less than five years.”

Madam Deputy Speaker, it is quite clear that the 2007 amendment ran contrary to the Salaries Review Commission Report, and also to the decision of the Cabinet, and hence the amendment in clause 3 of this Bill reads as follows:

The Act is amended in section 6(1) by deleting paragraph (a) and substituting the following paragraph—

So, instead of having of a (i) and (ii) it would just read:

- “(a) in the case of a person who has served as a legislator for periods amounting in the aggregate to not less than five years, be at an annual rate equal to one-sixth of one year’s basic salary of that person;”

Further, the recommendations of the Salaries Review Commission contained in its 82nd report at page 7 at paragraph 27(v)(b) and (c) stated as follows:

- “(b) provision be made for the payment of allowances to dependants of a legislator who dies in the line of duty, that is, in the course of performing official parliamentary duties, regardless of the period of time that the member has served.
- (c) in the case of death, other than in the line of duty, the allowances for dependants be provided after a minimum period of five (5) years service by the legislator;”

These recommendations are addressed in clauses 5 and 6 of the Bill which is before the House today.

Clauses 5 and 6 of the Bill amend sections 9 and 10 of the Retiring Allowances (Legislative Service) Act and they read as follows:

“Section 9 of the Act is amended by deleting subsection (1A) and substituting the following subsection:

- (1A) Notwithstanding section 5(1)(a) and (c), where a legislator dies during the course of duty and leaves a surviving spouse, there shall be paid to the surviving spouse during that person's lifetime and while unmarried, the allowance that the surviving spouse would have received had the deceased

legislator satisfied the requirements of section 5 (1)(a) and (c) for the award of a retiring allowance.”

Clause 6 reads as follows:

“Section 10 of the Act is amended in subsection (1), by deleting the words “within section 9(1)(a) or (b)” and substituting the words ‘within section 9(1)(a), (b) or (1A)’.”

Madam Deputy Speaker, permit me to remind Members of this honourable House that sections 9 and 10 of the parent legislation deal with widows allowances and children allowances. It is in keeping with the recommendation of the Salaries Review Commission, as stated earlier, that clauses 5 and 6 of the Bill seek to amend the Act in such manner as to adhere strictly to the recommendations contained in the 82nd report of the Salaries Review Commission and which was adopted by Cabinet, and intended to be given legislative effect in the Finance Act of 2007 and the Finance (Amdt.) Act, 2007.

Madam Deputy Speaker, permit me at this stage to go through the Bill clause by clause. There is a preamble to this Bill and this is for the Bill to accord with section 13 of the Constitution, because in seeking to amend the Retiring Allowances (Legislative Service) Act, this Bill would be affecting rights.

Clause 1 of the Bill gives the short title. Clause 1(2) seeks to give clarification to the dates with respect to which the amendments will take effect and the relevant dates would be November 21, 1996 as far as sections 3, 4, 6 and 7 of the Retiring Allowance (Legislative Service) Act is concerned.

2.00 p.m.

With regard to sections 5 and 8, the effect of clause 1 would be that they would take effect from October 17, 2002. Clause 1(3) recites that the Act will be inconsistent with sections 4 and 5 of the Constitution.

Clause 2 of the Bill contains an interpretation section and really says that the Act refers to the parent Act, the Retiring Allowances (Legislative Service) (Amdt.) Act. Clause 3 of the Bill will amend section 6 of the Act, which deals with the rate of the retiring allowance, which will affect the service period as being not less than five years, and make the annual rate used in computing the allowance as equal to one-sixth of one year's basic salary of the legislator.

Clause 4 of the Bill seeks to amend section 8, which deals with the gratuity. And again, to give effect to the recommendation, as contained in the 82nd Report of the Salaries Review Commission, as adopted by the Cabinet and also setting

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the rate at 20 per cent of the annual salary, but also ensuring that there is clarity that the gratuity shall not exceed three years' salary at the highest annual rate of the basic salary payable at any time to such Member as a legislator.

Clause 5 of the Bill seeks to amend section 9 of the parent Act so that it relates to, not just a widow, but to a surviving spouse and makes the distinction intended when a legislator dies whilst serving and in the line of duty.

Clause 6 of the Bill seeks to amend section 10 of the Act to deal with allowances for children in the same scenario.

Madam Deputy Speaker, as I have said before, the Bill before this honourable House is inconsistent with sections 4 and 5 of the Constitution, and is therefore required to be passed by a special majority of three-fifths of the Members of this House. I expect, because of the effect of this proposed amendment to the Retiring Allowances (Legislative Service) Act, that lively debate can be anticipated, as it will most certainly affect all legislators personally.

Madam Deputy Speaker, I beg to move.

Question proposed.

Mr. Ramesh Lawrence Maharaj SC (*Tabaquite*): Madam Deputy Speaker, this Bill brings into focus the manner in which the Government has been governing this country. The reason this Bill has come here today to get a special majority support of the Opposition—which we intend to support [*Desk thumping*—is because the public servants discovered a scam by the Government in trying to get money for its own Members.

There seems to have been, nearing the general election of 2007, the feeling that some Members of Parliament would not be coming back and obviously what happened was that the Cabinet decided to alter the Salaries Review Commission Report. This is not a Bill in which the Salaries Review Commission Report was accepted by the Cabinet. As I would point out, where the Salaries Review Commission stated that eligible Members of Parliament would get 20 per cent of the salaries earned during the term of office of the Member of Parliament, what the Government decided to do was to change that formula, for it to be 20 per cent of the highest salary which the Member of Parliament earned during his term of office. The difference in the application of that formula would have meant, if you check it, up to hundreds of thousands of dollars difference in what the Salaries Review Commission intended and what was obviously enacted into law.

Madam Deputy Speaker, I thought that the Government would have come today and said, "we made an error in not accepting the Salaries Review Commission Report; we tried something." What happened with this measure is—and I would like the Attorney General or any Member of the Cabinet to deny this—after this was passed, public servants of the Ministry of Finance decided they were not going with it.

As a matter of fact, when the public servants read what was in the *Hansard* it showed that Minister Enill stated that these measures were to implement the recommendations of the Salaries Review Commission and that the Parliament was misled; both the House of Representatives and the Senate. What happened, when it went and the public servants decided not to implement it, the Government tried again to get the public servants to go along, and the public servants decided they were not going along. General election was nearby and the Prime Minister made a statement saying that he was going to hold gratuity allowances.

So you first had an Act to amend the Finance Act, No. 17 of 2007, which came and was assented to on July 10. Then Act, No. 21 of 2007 came in September 2007. You would see Act, No. 21 of 2007 contained the same formula, which the Salaries Review Commission rejected. This is not a case where the Salaries Review Commission did not consider this formula. They considered it and they rejected it. And the Government decided in spite of that, to overrule the Salaries Review Commission and substitute its own decision and recommendation. Let us go through it.

Madam Deputy Speaker, it is a matter of record, that Sen. Enill in presenting the Finance Bill, which became Act No. 17 of 2007, in the House of Representatives on June 01, 2007, stated that the proposed amendments in relation to the Retiring Allowances (Legislative Service) Act were to implement the recommendations made by the Salaries Review Commission, which recommendations improved the retirement allowances of Members of Parliament and their surviving spouses. He then said in conclusion and I quote:

"Let me indicate that at the committee stage there is an error which we will need to correct."

So, it was quite clear that what the Minister was saying, that the measures were to implement the recommendations; that there was an error and we would correct it in order to implement the recommendations. In the Senate on June 26, 2007, the Minister also stated that the Bill was to implement the recommendations of the Salaries Review Commission.

Let us start with the existing law, that is the parent Act, which was being sought to be amended, provided that the gratuity on retirement of an eligible Member of Parliament would be equal to one-tenth of the total salary received during the period of service as a legislator.

The Salaries Review Commission in its 82nd report, in paragraph 22, and I think I should— The increase in gratuity starts from paragraph 18 and having regard to the importance of this measure and the manner in which this Bill has been presented by the hon. Attorney General, that the Cabinet implemented these recommendations, paragraph 18 states:

"The Committee has recommended an increase in the gratuity payable to legislators and holders of specified legislative offices from 10% of the total salary which an office holder received during his period of service to 20% of the highest salary paid over the period of service."

So, the Cabinet had sent this Committee recommendations for consideration and the Salaries Review Commission quoted what the Committee recommended. Then in paragraph 19, it stated what it had found, that Trinidad and Tobago is unique because in other countries you would not have a gratuity payment; you would have a pension payment and then you would have 75 per cent of the pension being used as gratuity, but it said:

"...in Trinidad and Tobago, where a Retiring Allowance is payable, the whole value of that allowance is payable,..."—in the case of Members of Parliament—"in addition to the gratuity of 10 per cent of total salary received."

Then at paragraph 22:

"As a consequence of our recommendation at paragraph 21, we further recommend that the existing gratuity payable to legislators and holders of specified legislative offices should be increased to 20%"—and I ask Members to note—"of the total salary received during an office holder's period of service."

Not 20 per cent of the highest that a Member of Parliament received during his term of office. There is a big difference, because let us say that a Member of Parliament from 1991—1995 got \$5,000 and after that from 1995 for the next five years got \$7,000, and then it went on increasing and up to 2006, he got \$30,000; the computation according to the Salaries Review Commission would be, you add the total salary received, then you get one-fifth of that, which is 20 per cent.

According to what the Government enacted, what you do is that you multiply the \$30,000, which is the highest salary by the 15 years. That is what the Government did and you would see that they did that, not once, but twice. It is not that they were going to implement the recommendation.

2.15 p.m.

Madam Deputy Speaker, let us go to Act 17 of 2007, but before we go to that Act, I ask you to recall that I did say that the Minister who presented this Bill said it was to implement, and he said there was an error in the Bill which he would correct at committee stage. I have the Bill with me and the Bill at clause 3(c) said "... in section 8(1) by deleting the words 'one-tenth' and substituting the words 'one-twentieth'." It should not have been one-twentieth it should have been one-fifth.

So, obviously, anyone listening in the Parliament would have thought that the error—having got this Bill—would have been "one-fifth". But let us see. At the committee stage, the Leader of Government Business at the time proposed an amendment and the amendment was to delete one-tenth of the total salary received during the period of service as a legislator and substitute, instead—and this is part of the Hansard record—"one-fifth of an amount calculated over his period of service as a legislator at the highest annual rate of basic salary payable at anytime to that person". So the formula was changed, and that was the formula which was in Act 17 of 2007.

If we look at section 3(c) of Act 17 of 2007 which was passed by the Government, which was enacted by the Government into law and which the Government sent to be assented to:

"... in section 8(1), by deleting the words, 'one-tenth of the total salary received during his period of service as a legislator' and substituting the words 'one-fifth of an amount calculated over his period of service as a legislator at the highest annual rate of basic salary payable at any time to that person'."

So it is in black and white.

Then what happened after the public servants—and today I think I want to pay tribute to the public servants at the Ministry of Finance. [*Desk thumping*] They have stopped this Government from carrying out a scam, and a case in which the Government misled the Parliament and misled the population. I want to say this, under the system of Government that we have, there is no excuse for a Government which tried to hoodwink the population to say, well, it fooled the Opposition or they did not say anything. The fact of the matter is, it is a

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responsibility of the Government, and this is a pattern of this Government; what it does, just as it is doing with this aeroplane, trying to cover up the truth, suppress the truth. [*Desk thumping*]

We have seen in the newspaper, for example, where Mr. Lok Jack was saying, money was paid on this plane; they have started to do work on the plane, but we have a Minister of Government, yesterday saying that no money was paid. [*Interruption*] It is the same thing that is happening here. What is happening here; they knew and they are aware that what they tried to do was to satisfy some of their Members of Parliament with retiring allowances before the general election on the Treasury [*Interruption*] and they could not get through with it. The public servants have demanded that this does not look right, and they came here to make it look as if they are implementing the Salaries Review Commission. If they had an opportunity, if they had a chance, they would have gone through with it.

Dr. Moonilal: Oh yes!

Mr. Ramnath: Scamps!

Dr. Moonilal: Obviously, scamps, liars!

Mr. R. L. Maharaj SC: Lies, lies and more lies. [*Interruption*] I can understand why the Minister of Finance is not here today. I can understand why the Prime Minister is not here. [*Interruption*] I can understand—and what they did, they put the poor Attorney General [*Interruption*] who was not there.

Hon. Member: Who never went to a courthouse. [*Crosstalk*]

Mr. R. L. Maharaj SC: Madam Deputy Speaker, Act 21 of 2007, which came after the first Finance Act—[*Interruption*] If they had the excuse to say, they passed a Bill, they came to the Parliament and some Minister made an amendment that they did not know about—but this came after; I do not know if they said that this was not approved by Cabinet.

Act 21 of 2007, and what does it say—not one-twentieth of the salary earned during the term of office. Let me read it. I am sure some of the new Members do not even know about this. It is so unfair to them, because they do not know about this. Here what it says—and my friend from Lopinot/Bon Air West who was in the seminary, I feel sorry for him. I feel sorry for him.

Mr. B. Panday: He was not for long.

Mr. Ramnath: What did you do wrong?

Mr. R. L. Maharaj SC: Madam Deputy Speaker, clause 2, altering section 8(1) "... by deleting all the words occurring after the words 'equal to' and substituting the words 'one-fifth of an amount calculated over his period of service as a legislator at the highest annual rate of basic salary payable at any time to that person'." So, 20 per cent of the highest annual rate of the basic salary. [Interruption] And what do we have in the Bill now? They had to bow to pressure.

Clause 4 of this Bill:

"... deleting all the words occurring after the words 'equal to' and substituting the words 'one-fifth of the basic salary received during his period of service as a legislator, except that in the case of a legislator to whom paragraph (a) or (c) refers, the gratuity shall not exceed three years' salary at the highest annual rate of basic salary payable at any time...' So section 8 of the parent Act provided a cap in any event. What they were trying to do as I will show you, they were trying to put in a clause to get away from that cap, because the Salaries Review Commission also [Interruption] in paragraph 28 of the report said:

Effective Date: We recommend that except in the case of recommendations which were contained in the Commission's Thirty-sixth Report, viz: those outlined at v (a) to (d) above, the revised benefit should take effect from the start of the current parliamentary term, that is October 17, 2002."

So what it was saying, that after October 17, 2002 then this 20 per cent would take effect.

The amendment they were trying to get through with in the 2007 measure was, throughout the whole period, no cap. And when they came back in September 2007—for the second time, put in the 20 per cent of the amount of service at the highest annual rate of a legislator—what they tried to do was to put a clause which would give them room and which the public servants said they were not happy with and to get rid of this clause because this could be construed in a way in which the cap has been removed. It said, "section 8(1) of the Retiring Allowances (Legislative Service) Act is effective in relation to a person serving as a legislator from October 17, 2002," and the public servants said that this could be misconstrued to apply to persons who were serving before that period. That is why you will notice in this new Bill, they do not have this clause, and instead it goes back to what is in the parent Act.

So, Madam Deputy Speaker, this shows that what the Government is doing here, is trying to hoodwink the population.

Hon. Member: Correct.

Mr. R. L. Maharaj SC: And they tried a scheme in order to suppress the truth. What is significant in this measure—you see how the Attorney General went through, clause by clause of the Bill and what it does, for the Retiring Allowances (Legislative Service) (Amdt.) in 2007. There were several finance Bills with increases and it is very significant that the Minister on the floor of the House, in both the House of Representatives and the Senate, did not explain to the population what it was doing.

As a matter of fact, they gave the impression that they were implementing—and today, that falsehood has been perpetuated, and has been adopted by telling this Parliament and the country that, in effect, what the Government was doing, was implementing the Act. Now the Government is implementing the Act. Not in those measures. Now they are implementing the Act. So the public servants of this country, by their courage, have saved millions of dollars of taxpayers' money. Millions of dollars! [*Desk thumping*]

It is significant that this Government wants to go ahead with this measure. But in dealing with the benefits of Members of Parliament, the Government cannot just say that we want to give Members of Parliament increased gratuity allowances. They cannot just come as a Government and say that. It has to show that it considers other groups in the country which have been waiting on their pensions and gratuity for a long time. They have been knocking on the door of the Government to get their pension benefit and they have not been getting it. As a matter of fact, we had consultation with some of those groups and they have told us that they have been begging, beseeching, and they have no problem with Members of Parliament getting increased gratuity, but they want theirs; they want their benefits.

Before I go to the groups, I want this House to note that gratuity is a gift which you get as a percentage of your overall salary. It is not a percentage of salary which you did not earn during that period of time. So, the amendment which the Government wanted for a Member of Parliament to get 20 per cent of his highest salary for his period of time would have meant that if the Member of Parliament earned a particular salary which was lower than that, by the computation, the Member of Parliament would, in effect, have got double payment.

Pension is a percentage of your last salary, and the Salaries Review Commission decided that Members of Parliament in Trinidad and Tobago—when they considered everybody in the world—are in a special category, in that they get

both a pension, 100 per cent and they get a gratuity. The public servants in this country, out of the 100 per cent, if they have to get a gratuity, they forego 25 per cent, and out of that 25 per cent by a factor, they get a gratuity. So that Members of Parliament, if I may say so, are in a very privileged position. What the Government wanted to do was not only to get this privilege of 20 per cent but to even get a bonus on that.

2.30 p.m.

Madam Deputy Speaker, the Constitution provides a specific process by which terms and conditions of service, including salaries of Members of Parliament are dealt with. That process is an independent commission which reviews it, and never before in the history of Trinidad and Tobago has a government varied, altered or amended the findings and recommendations of a commission, to give a higher sum recommended by the Salaries Review Commission. The government normally either accepts or rejects it, and in some cases, they have given a lesser sum, as I understand. But the persons, who did the research for me, told me that this is the first time in the history of Trinidad and Tobago that a government has decided to alter upwards, the recommendations of the Salaries Review Commission.

Madam Deputy Speaker, we met with the Trinidad and Tobago Police Service Social and Welfare Association which represents both First and Second Division police officers, approximately 7,000 of them, and they stated that they have been asking the Government—and our position is that what the Government should do, is to come with a package to satisfy all these people if we are going to pay Members of Parliament. They said that there is a mandatory retirement at age 55 or they may retire at age 50, but when they retire, they have to wait until 60 years to get their retirement benefits because of some provision of the National Insurance Act. We are asking the Government to make a commitment to the police officers in order to redress that situation.

They also told us that where officers have acted in higher positions for years and they retire, the pension benefits are not computed on the basis of the last position, but on the basis of their substantive position. They said that they sometimes act for nine or ten years—it is like Hollywood acting all the time, but in financial benefits, they do not get it. If we are talking in terms of allowances for Members of Parliament, I think that we should try to act equally and the Government has the responsibility to act equally.

In respect of the police, they have complained to us that on a monthly basis they suffer from getting overtime allowances. The reason for this, that apart from

the CID and the Special Branch, they do not get their overtime allowances as of right, and they have to wait if there is not sufficient money to give it, or to wait for extra money in another vote for the Ministry of National Security to pay. Therefore, they would like this to be redressed and have asked us to bring it to the attention of the Parliament. The formula on which their pension is worked out needs revising because it is very outdated and representations were made to the Government for this to be redressed.

We met TTUTA, Madam Deputy Speaker, and they have approximately 15,000 teachers and they have stated—which I think will apply to and it did, and other persons mentioned this—that their pension payments are stagnant. If you have for example, a teacher who retired in 1987 and got \$500 pension, that \$500 has to work for that teacher to survive, and having regard to the cost of living, et cetera, that certainly is totally inadequate.

Madam Deputy Speaker, there is a report from the Central Bank which was presented at the launch of the “National Financial Literacy Programme” on January 22, 2008 and the Governor of the Central Bank said that people are living dangerously because some retirees cannot even pay their insurances. If that is correct it is frightening because there are cars being driven around without insurances being paid. As a matter of fact, reported in the *Express* on January 23, 2008, almost half of this country's retirees do not have enough money to give them the standard of living they hope to have in their retirement, according to a survey conducted by the Central Bank between July and August 2007. It said that the Central Bank Governor revealed some of the findings of the survey and I quote:

“Based on the survey, Williams said that one in three persons over the age of 60 continues to work because they need additional income and some 54 per cent of retirees do not have occupational or personal pensions. Many of them said the reason for this was primarily a lack of money.

‘A substantial percentage of respondents (69 per cent) are relying on government pensions for their retirement income...’”

That Government pension has become inadequate because of the rising cost of living, inflation and the cost of food. It continues:

“He added that 70 per cent of the people surveyed were under stress to manage their finances and a significant per cent of people also have problems making ends meet.

Another alarming result, he said, was that 56 of people in the 1,000 households surveyed did not have any protection against personal or property loss.”

I think that the Government should deal with this in a holistic manner, it should not deal with the question of retirees and pension benefits in a selective manner. The Government has a responsibility to accelerate whatever processes are in train, if they are in train, to ensure there is some relief to these other sectors of the society. [*Desk thumping*]

We are in a difficult position in a Parliament because where you are legislating in respect of matters which can affect your financial interest, there is a greater need for us to be able to show that what we are doing is open and transparent. I think that in a context like this matter, the Government has a responsibility to have consulted with other groups, consulted with stakeholders and come up with a package in which it would satisfy all the sectors of this society.

I know the difficulties that Government face, but this is an area which needs attention and needs action, and the moneys which are being spent in mega projects, such as buying an aeroplane when brothers are fighting to get food and you have deaths of persons, people cannot get health care, and people cannot really afford to go in the grocery to buy food, and you have a situation where the Government is being insensitive to the problems of the people.

The process of this legislation which the Government embarked upon, demonstrates the qualities of this Government and how it is operating. It is operating as if it is arrogant; it is not in touch with the people; it has a disconnect with the people; it does not care what the people say; it does not care what they criticize; the Government said they are going ahead with the plane no matter what. Imagine in Trinidad and Tobago where people, if I can use the expression “catching their tail”, a government could say “we are going ahead with a plane”, just now we will have a private yacht.

Madam Deputy Speaker, what the Government is doing is provoking the population and one has to say that. We are the voice of the population, for all the population of Trinidad and Tobago [*Desk thumping*] and if the Government gets down from its ivory tower and goes to the population—they must remember in the PNM manifesto, I have a copy here, they did not say that they were going to buy a plane. In the PNM manifesto, there is nothing here that they are going to buy a plane; it has nothing about going to buy a plane. The reason why all this was kept secret is because the Government knew what it was going to do, and what it has done with pension, is a pattern of government.

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Madam Deputy Speaker, let me go back to TTUTA. With respect to TTUTA, TTUTA had stated about pension being stagnant and I think that this applies—from my discussions with groups in the society—generally, it even applies to judges, retirees and Government should consider having some form of relief to retirees' pensions to bring it in line with modern-day inflation and to continuously review it —[*Interruption*]

Hon. Members: [*Inaudible*]

Mr. R. L. Maharaj SC:—index it to the cost of living. I am much obliged. TTUTA has been asking the Government for the pension of retirees to be pegged to salary increases, with retirees getting half the percentage increase that the in-service teacher would get; that a cost of living allowance be paid to retirees based on a formula, commensurate with the needs of retirees; that the number of years served in the public service to be eligible for retirement benefits be reviewed with a view to reducing it to 25 or 30 years; that the method of determining pension be reviewed to ensure that an individual's pension can be determined by him through additional contributions; and that the State pursue the issue of contributory pension plan for teachers with the State contributing 75 per cent of the contributions.

Madam Deputy Speaker, we also spoke to the Public Service Association, which as you know represents approximately 35,000 workers and they said that in respect of their collective agreement—and this was also a point made by the teachers—that since January 01, 2004, the Government was supposed to make the necessary changes to ensure that where teachers or public servants acted in a position higher than the substantive position which they hold, that the pension would be computed on the last salary which they earned, having regard to the fact that they get a 100 per cent of their pension and if they have to get a gratuity, they have to take 25 per cent of that gratuity and multiply it by a factor.

The Public Service Association also stated that they would like the pension fund not to be dependent upon the Consolidated Fund because their moneys for pension are really from the Consolidated Fund and there should be some machinery set up where there is a special pension fund so that it can be managed, and the workers can benefit from the surpluses.

We saw the prison also representing approximately 2,000 officers and they stated that they would also like the question of the pension being computed on the last position prison officers had been occupying. They stated that this has been a representation which they have been making to Government and they would like the Government to solve those problems.

2.45 p.m.

In respect of special reserve officers, estate constables and municipal police officers, I must disclose my interest in these three categories of persons. I am appearing as a lawyer on behalf of these associations. Having declared my interest, I would like to state that they have problems with their allowances. The Special Reserve Police officers also have problems with the Government for their pensions, gratuity, housing, overtime, optical and dental allowances. The estate constables have problems with their pension, gratuity, housing and overtime allowances, and the municipal police officers have problems with their salary and meal allowances, pension and gratuity allowances and even funeral grants.

In respect of the National Housing Authority (NHA) retirees, there is a Retirees Association. I also disclose my interest in respect of them; I am acting as their lawyer. I have been told that Cabinet agreed that the retirement age of daily-paid employees would be reduced from 65 to 60 years of age and that they would be entitled to \$1,000 minimum pension, at that time. They have stated that they have made several representations to the State, and the Government has not satisfied their demands.

Madam Deputy Speaker, I seem to get a lot of documents; I have a mailbox. I hope I do not get in trouble one day with a mail bomb.

I have found a document in which it seems as though the Government is going on a route to affect public service pensions. It seems as though public officers do not know about it. As a matter of fact, the Government commissioned the International Monetary Fund (IMF) to give advice in respect of pension payments and options for pension reform. The Government got this report in April 2002 which revealed that it intended to change the whole concept of pensions for public officers. The Government appointed a committee that has started work on implementation of the options recommended in the advice by the IMF.

The report says:

"The introduction of a new, fully-funded pension scheme to replace the NIS's partially advance-funded program."

In effect, what the Government is considering for public servants and has not told them about as yet, although they are going ahead with plans, is a fully funded pension scheme. Not fully funded by the Government, because right now it is fully funded by the Government. It wants the old age pension programme to be integrated with the National Insurance (NIS). I think the Government has started doing that. It wants to enhance the fiscal sustainability of the NIS for the

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retirement age to be increased to 65. They want to increase the retirement age of public officers to 65. [*Interruption*]

Madam Deputy 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. [*Dr. H. Rafeeq*]

Question put and agreed to.

Mr. R. L. Maharaj SC: I thank hon. Members for granting me the indulgence of extra time.

The report goes further; it states:

"The generosity of pension formula would also be altered, with a reduction in the accrual rate to 1 percent."

So it is going to change it from 2 per cent to 1 per cent. This is the pattern of this Government. If they are taking steps to alter the pension rights of public servants, which would also include teachers and those in the public sector, they should not just drop it on them. They have appointed a committee that is working towards the implementation of the plan. They should consult with them and with the population, because it is a matter also which affects the population.

I think that the National Union of Government and Federated Workers (NUGFW) should know this. It stated that in respect of the NUGFW there was no question of pension going to any workers. The NUGFW, which represents 30,000 workers, has been clamouring for a pension plan from Government. They are the daily-rated workers of the Government. They have been told that there is a plan being worked out. In the meantime the Government has a plan to not give them any pension; all they would get is a severance benefit.

With respect to the Caroni workers, the Government has now prevented them from getting old age pension, because of the ceiling. All they are getting is \$650 plus a few extra dollars; about 10,000 families are now being affected by the pension. The Government has a responsibility to the former Caroni workers, because it held out to them that it was going to increase the amount given to them, so they would have gotten up to the level of \$2,000. Now because of the new amendments—it is a grant and not a right—Caroni workers are not getting an adequate pension.

The pattern of the Government is one in which it has no concern for equal opportunity. May I signal to the Attorney General today that the Equal

Opportunity Act is a matter in which I also have a legal interest. The Act has been declared constitutional. I know there is communication from the lawyers in England, and there is an additional area in respect of the protection of the law, but there is an obligation on the Government to implement that Act immediately. There are thousands of persons in Trinidad and Tobago who by the non-implementation of the Act have been affected.

There is going to be a concerted public action in respect of the Government's illegality in not implementing that Act. A lot of the things we mentioned here today are in that Act. Persons could have gone to an Equal Opportunity Commission without having to pay any lawyer; you would have had an Equal Opportunity Tribunal where allegations of discrimination against the private sector could have been dealt with. But for some reason the Government is just procrastinating in implementing that Act.

What this issue has shown—I want to deal with very briefly. It has shown that the Government is not prepared to accept responsibility for the wrong it has done, whether it relates to pension, whether it relates to crime, whether it relates to the jet or whether it relates to corruption. It is not prepared to accept its responsibility. Its defence has been to blame everybody else, even Members of the Opposition. If the blame is correct, we accept it; but the issues which the Government has to answer for, it must answer for. The Government does not have to try to hoodwink the population by diverting the issues. For example, we have this one of the pensions.

Let us take the jet issue. The Minister, my friend, the hon. Member for Diego Martin North/East, said yesterday that the Government had not paid any money, but Mr. Lok Jack has said otherwise. *[Interruption]*

Mr. Imbert: That is not true! What you are saying is not true.

Mr. R. L. Maharaj SC: In the *Express* newspaper of March 05, 2008, in an interview with Ria Taitt who, if I may say so, is a very distinguished journalist—who you would recognize as a very distinguished journalist—*[Crosstalk]* Yes, I have read from the *Newsday* for you.

Mr. Imbert: Read from your own newspapers. *[Laughter]*

Mr. R. L. Maharaj SC: "Doh mind yuh go and yuh terrorize dem." He went and terrorized the newspaper and said, "Yuh publishing too much about Ramesh." Now you have to go and terrorize the editor of the *Express*. *[Laughter]*

Let us start with 2004. In the *Guardian* of February 06, 2004—sorry, Ria Taitt again—at that time she probably was with the *Guardian*, I do not know. I am

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sorry, it was the *Newsday*. [Laughter] Ria Taitt in an article on February 06, 2004 said:

"Prime Minister Patrick Manning wants a private jet. He told a post-Cabinet meeting conference yesterday that, 'As Trinidad and Tobago moved into developed country status and as we begin to exert the greatest influence in the region, the Caribbean and Western Hemisphere and especially if we acquire the headquarters of the FTAA, you are going to see a need for greater travel by the political directorate of this country and other questions about an Executive Chair will then arise if not before.' He pointed out that this was the way the petroleum industry operated."

So we have in 2004 the Prime Minister of Trinidad and Tobago saying that he wanted a private jet for his travels.

As a matter of fact, the Minister of Works and Transport, the Member for Diego Martin North/East, was so incensed about this that he made a statement which was reported in the *Express* in the editorial under the heading:

"Deceit, greed set for take-off.

'No PM plan to buy plane', was the headline on a 2006 report in this newspaper that quoted Works and Transport Minister Colm Imbert as follows:

'This present Government absolutely has no intention of purchasing a private jet aircraft for use by the Prime Minister or any other member of the Government.'

Mr. Imbert went further to equate the test flight aboard the Bombardier jet that resulted in further media scrutiny to someone test-driving a car.

'It was simply the manufacturer of the airplane making a demonstration aircraft available, it's a long range aircraft I believe. The manufacturers of the aircraft simply wished to allow the Prime Minister to participate in a test journey.'

People in Trinidad and Tobago stupid. [Crosstalk]

"As I indicated to you, someone might ask you to test drive a vehicle. That's all it is. Don't make more out of it than it is. I am sure you have test-driven many vehicles that you have not purchased..." [Crosstalk]

"This present Government has no intention of entering into a lease arrangement for a private jet aircraft...for the Prime Minister or the members of the Cabinet..."

You have done the same thing in the Retirement Bill; it is a pattern; you have not disclosed the truth. [*Desk thumping*]

Madam Deputy Speaker, the *Express* editorial went on. It is very significant what it states, because this is important for the Government:

"Hence the fiction that it is not the Government that is buying the private jet but the State-owned Caribbean Airlines which, against the most basic of business tenets, has said that it is not going into the private jet business to make money but to break even which, as far as its management is concerned, is a certainty given the Government's assurances that it is not only going to buy enough flying time but pick up as well all the costs that accrue when the aircraft has to be on the ground.

What, the question arises, is the usually loquacious Mr. Imbert saying now? Or, more pointedly, is he about to resign given the way he has been misled, if not duped, by his own government? The answer to both questions, of course, is in the loud negative since, for all we know, Mr. Imbert has been part of the fiction all along or, even if he wasn't, ministers in these parts..."—like the Minister of National Security—"do not resign even after being made fools of."

3.00 p.m.

Now, the point I want to make is that in the *Daily Express* with the interview with Ria Taitt, this is what Mr. Lok Jack said on March 05, 2008: I am anxious to read this, and do you remember how this jet went off in 2006? It was a kind of secret, they did not use the real airport, they used the old hangar and Ria Taitt mentioned that in her article when she said:

"Yesterday, Lok Jack revealed that since Bombardier started manufacturing these jets in 1999, some 240 had been delivered. According to information on the Internet"—She said when the first flight took place—"Lok Jack said there were three jets manufactured by different suppliers..."

And he gave the names of the jets.

"He said the Boeing BBJ had a longer range and seated 'twenty-something' people, but it was much more expensive.

He said CA agreed that if Government provided enough business, there would be very little downside risk for the airline.

"The amount of time they would be utilizing this plane for, we would lose no money. But there is upside potential, because if it goes well for the first two years, then I am sure we would build the business and become a profitable business..."

Then listen to this Minister, on March 04, that is the day before, Ria Taitt's article on page 4 says:

“In an interview with the *Express*, Lok Jack also disclosed the executive jet was being manufactured ‘right now’ and is expected to be delivered to CA by October/November.

He confirmed statements in a Caribbean Airlines press release that Government would be underwriting the cost of the venture, eliminating ‘the commercial risk’ to Caribbean Airlines.”

Mr. B. Panday: And that is the Chairman?

Mr. R. L. Maharaj SC: Yes.

Mr. B. Panday: He should be fired.

Mr. R. L. Maharaj SC: So Lok Jack is saying what we had been saying, that is, that the Government agreed to underwrite the loss Caribbean Airlines would suffer in the acquisition, operation and maintenance of this private jet.

“He said the airline expects to be in a break-even situation, or financially ‘neutral’ position, as far as losses were concerned with respect to the jet service.”

Madam Deputy Speaker, who could Lok Jack fool? Lok Jack heads a premier educational institution, and he is a businessman. If he did a feasibility study, he could release it to the population, but he is saying that he is in business not to make a profit, but just to break even.

Within 24 hours of closing down BWIA, the Prime Minister goes on this ride and at the same time Rapid Rail got the \$15 billion deal with no particulars and Bombardier is connected to this jet. So this is not a simple business arrangement.

It goes on:

“On allegations by Opposition Chief Whip Ramesh Lawrence Maharaj that CA received \$350 million from the Government for the venture before Cabinet held discussions on the proposal last Thursday, Lok Jack said Caribbean Airlines did get money because ‘we had to begin negotiations and make downpayments.’”

The Minister of Works and Transport, the Member for Diego Martin North/East, said they did not pay any money. Somebody is not speaking the truth, maybe the public servants may give us the answer; just as they gave the answer in this one, they will give us the answer.

“It’s like buying a house,’ he said, adding that CA currently had three or four banks...He declined to say exactly how much money Government advanced to the airline or how much the service was estimated to cost on a monthly basis...”

So that is why the *Express* was justified in its leading editorial “Deceit, greed set for take-off.” I am saying this because I am making an appeal to the Government to try to change its style of governance because it is provoking the population. [*Desk thumping*] I am asking the Government on behalf of the people of Trinidad and Tobago to take that money and spend it on the social capital to empower the lives of the people of Trinidad and Tobago.

We cannot change the palace that was built, but please take all the millions of dollars and build the lives of the people. That is development! Not building all those waterfront projects, because one day when we cannot maintain them, they will be like white elephants.

Madam Deputy Speaker, there is one more issue I want to raise. How many more minutes do I have again?

Madam Deputy Speaker: [*Inaudible*]

Mr. Ramnath: You can take up some of my time.

Mr. R. L. Maharaj SC: Madam Deputy Speaker, on the pattern of governance, and the issue which this Government is not telling us—[*Interruption*]

[*Mr. R.L. Maharaj passes newspaper clippings to Hon. Imbert*]

I will give you both; just give them back to me. “Yuh want this one too—Deceit?” Take all, I think you should read them.

Madam Deputy Speaker, as I have said, the pattern of this Government is not accepting responsibility, and as it has done with this measure is trying to, in effect, hide or suppress the truth and arising out of what I have just said, this Government has had several representations from the business community to look at issues which affect the ordinary person.

Madam Deputy Speaker, the Joint Consultative Council for the Construction Industry; the Trinidad and Tobago Contractors Association; the Association of Professional Engineers; the Trinidad and Tobago Institute of Architects; the Trinidad and Tobago Chamber of Industry and Commerce; the Trinidad and Tobago Transparency Institute; the Institute of Surveyors; the Society of Planners of Trinidad and Tobago; the Board of Architecture of Trinidad and Tobago and

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the Trinidad and Tobago Manufacturers Association have written to the Prime Minister as late as February 19, 2008 and stated that they are very concerned about Government corruption in Trinidad and Tobago.

They have stated that the public procurement system had to be reviewed which the Government had promised and it is engaging in mega projects involving billions of dollars and there is no redress in sight. The organization stated that it has expended great effort in trying to have better procurement legislation, but the Government is not doing anything about it and is asking the Government to implement the principles set out in the White Paper on procurement which the Government had promised to implement.

They are asking for an enquiry into all procurement contracts and practices by state corporations; state-owned special purpose companies; public utilities and other government ministries valued at over \$5 million, but for which no competitive tenders were publicly invited. They have asked for the Urban Development Corporation of Trinidad and Tobago to publicly state its procurement processes to be used to implement the construction of the police and fire stations.

What is happening is that in the same way the Government is not disclosing to the population accurately what it is doing about these measures, as it has not disclosed about pension, in every area if the Government continues that kind of governance you are going to have a situation where the security of this country can be imperilled.

Madam Deputy Speaker, what we are having in this country is a situation in which the Government believes it has a majority in Parliament, it can do anything and the Opposition can only criticize. Yes, the Opposition has a duty to criticize and show alternative plans as we have done today. We have criticized you but we have said we are supporting the measure, and we are also saying that you should take steps in order to have other sectors invited and come up with a plan, and not a plan just as a promise, but one to be implemented.

Therefore, we are telling the Government, yes, we support this measure, but it is not too late for you to say that you came to the Parliament, you misled the population, you tried to get more than the Salaries Review Commission recommended, you revised and altered the report and you are trying to give the impression that you have upheld these recommendations although the legislation which you introduced was totally inconsistent.

Thank you very much, Madam Deputy Speaker.

The Minister of Works and Transport (Hon. Colm Imbert): Thank you Madam Deputy Speaker. Madam Deputy Speaker, the contribution of the Member for Tabaquite was very entertaining and quite refreshing actually, compared to the boring diatribe that sometimes comes from the other side. But there are some issues that have to be addressed.

The first is the piece of misinformation that the Member for Tabaquite has put into the system, that Cabinet altered the recommendations of the Salaries Review Commission in its 82nd report. That is simply not true, and I can forgive the Member because he was not here, he was lost in the political wilderness after having been described as a “macra nemakaram”, not just a “nemakaram”. Member for Couva North, do I have the pronunciation correct, is it “macra nemakaram”? So the Member for Tabaquite—oh, it is “Miami nemakaram”—was somewhere in some place and obviously was not aware of what happened in this place.

In April 2007, Cabinet accepted, without modification, by Minute No. 897 dated April 19, 2007—without modification, Cabinet accepted the recommendations contained in the 82nd Report of the Salaries Review Commission.

The Member for Tabaquite says he has a very powerful mail box and he gets all sorts of things. Why did you not get the Cabinet Minute since you have—the Member for Tabaquite, through you, Madam Deputy Speaker, is now admitting that he has in his possession the Cabinet Minute. Why then would he seek to mislead this House and put a falsehood on the record that the Cabinet altered the recommendations of the Salaries Review Commission? Madam Deputy Speaker, that is just par for the course from the Member for Tabaquite. He has now conceded that the Cabinet decision accepted without recommendation and without modification the 82nd Report of the Salaries Review Commission, and I am reading now from the Minute.

3.15 p.m.

“Cabinet agreed to accept the recommendations of the Salaries Review Commission.”

And the particular issue which concerns today is that:

“the gratuity payable to persons who cease to be legislators as defined in the Retiring Allowances (Legislative Service) Act, be increased from 10% to 20 % of basic salary paid over the period of service.”

That is what Cabinet approved; that is what it agreed to. So that deals with that false allegation on the part of the Member for Tabaquite. As I said, par for the course from the Member for Tabaquite.

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What occurred after that was that during the Finance Act of 2007, a number of amendments were made to a number of pieces of legislation. Among these amendments was an amendment to the Retiring Allowances (Legislative Service) Act. That amendment was intended to address the recommendations of the 82nd Report of the Salaries Review Commission which were accepted without modification or without variation by the Cabinet.

However, when the Bill was introduced, the Minister in the Ministry of Finance, Sen. Enill, indicated that there was an error in the drafting, and there was. The draftsman or draftsperson had erroneously—if I am permitted to make a joke, Madam Deputy Speaker, with all due respect to the Chair. You know lawyers are not very good at mathematics and the way the drafting came up was that the draftsperson, rather than interpreting 20 per cent to be one-fifth, the draftsperson interpreted 20 per cent to be one-twentieth. I know I am getting icy stares from the lawyers on this side and on that side, but this is what happened. The draftsperson interpreted 20 per cent to mean one-twentieth. So that was the error that Sen. Enill referred to.

What happened after that was in the course of seeking to correct that amendment, a number of changes were made to the particular clause and the error was compounded. That is why we are here today. So that a number of further errors were made and I would say that everybody in this honourable House was guilty. I notice the Member for Siparia is noticeably absent, but the Member for Siparia was directly involved in making the changes that resulted in the anomaly. I can quote from the *Hansard*, you know. It has copious references to the Member for Siparia. I will quote Mrs. Kamla Persad-Bissessar. This is on Friday, July 20, 2007:

“Mr. Deputy Speaker, just a very brief intervention. I think we want to remember that what we are legislating today comes out of a report of the Salaries Review Commission. Whilst it is true that we would all put in requests, I think the amendments being made have been as a result of the consensus of the House...”

Do you want me to repeat that?

Hon. Annette-George: Yes, we did not hear.

Hon. C. Imbert: I quote:

“Whilst it is true that we would all put in requests, I think the amendments being made have been as a result of the consensus of the House...So I do not

want it to be seen, as some persons said, that we should not be ashamed or whatever, but representations were made by us through the House Committee, some of which we got, some of which we did not; most of which we did not get.

The SRC has given us this particular whatever and, therefore, I think if there are other requests, again, the House Committee has to do its work and has to take the representation.”

So what the Member for Siparia was, in fact, saying, was that the amendments to the Retiring Allowances (Legislative Service) Act were as a result of consensus between the Government and the Opposition. In fact, the Member for Siparia went further to say, “we have to continue to make further representations to get enhanced benefits.”

That was the then Leader of the Opposition speaking on behalf of the United National Congress. She was saying what “we are doing here today is the consensus of the House”. An experienced lawyer like the Member for Siparia was misled? I remember the Member even drafting part of the amendments. I was here when the Member actually took part in the drafting. I see the Member for Princes Town grinning, because he knows that one of the architects of the amendments was the then Leader of the Opposition, the Member for Siparia.

Let me bring even more evidence of that fact. I read again from the contribution of the Member for Siparia:

“I am very happy, hon. Member for Diego Martin Central...”

The Member for Siparia was speaking to the then Leader of the House, the hon. Member for Diego Martin Central, and these were her words:

“I am very happy, hon. Member for Diego Martin Central, that we were able to reach agreement with respect to the third part of the amendment.”

Do you want me to go on?

Hon. Annisette-George: Go on.

Hon. C. Imbert: It is tedious to come into this House and to listen to this kind of nonsense! During the debate the Leader of the Opposition was the one who more or less piloted the amendments to this legislation, resulting in this anomaly. What has happened, it has nothing to do with public servants blocking anything. That is a figment of the Member for Tabaquite’s fertile imagination; in the same way he said that the Cabinet did not accept the SRC’s recommendations. It is a product of his fertile imagination. [*Interruption*]

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What happened was the result of that incompetent amendment proposed by the Member for Siparia, the person who contributed to the drafting of that incompetent amendment; the result of that incompetent drafting on the part of the Member for Siparia, was that an anomaly was created—[*Interruption*] She drafted the amendment! I was there! What happened was that a number of different interpretations of the law arose, because a number of persons retired.

The hon. Member for Diego Martin Central retired as a legislator, as did a number of persons on this side and on that side. So a number of legislators were now eligible for gratuity and pension benefits, and the Members, as is their right, began to make applications to receive their gratuity. When it came to calculate the benefits, a number of different interpretations arose with respect to the application of the amended legislation. Some persons were saying that the amendments referred to your highest annual salary over the entire period of legislative service. So that in the case of someone who has been in this House continuously for 20 years, some persons were arguing that what it meant was that you take the 20 years, you multiply it by the highest salary that you have ever received; you then multiply by the applicable percentage and that is how you calculate the gratuity. That is what some people were saying. Other people were saying, no; there is a lacuna in the law.

I am surprised that the hon. Member for Tabaquite in all his research did not pick this up. I am sure he knows. Other people were saying there is a lacuna in the law. Whereas, with respect to pensions, the Retiring Allowances (Legislative Service) Act is very clear, in that in order to calculate someone's pension eligibility, you treat their service in the House of Representatives as being continuous, notwithstanding the fact that every five years the House is dissolved and on dissolution of the House persons are no longer Members of Parliament. Notwithstanding that fact, the Act allows for that. In the calculation of pension, they treat your service to be continuous, notwithstanding the fact that when the House is dissolved, all Members of Parliament go out of office. That is the law as it is with respect to pensions.

But regrettably—and this appears to have gone back to the '60s—the persons who created this legislation way back in 1969/1970 and so on, forgot to make that provision also with respect to gratuity. So there is a lacuna. So you have all sorts of varying interpretations now, on the application of this new formula that was inserted by this comedy of errors, with enthusiastic participation of the Members of the UNC.

I have simply given two examples of the varying interpretation of the application of the legislation. There was also a dispute over the effective date. Some people believed that it applied only to legislators who were in the Parliament on October 17, 2002, I believe is the date; some people felt it applied to legislators before that. There were all sorts of debates and arguments because of the clumsy manner in which the amendment had been done.

The Attorney General was asked to render an opinion—and this is not the current Attorney General; this is the previous Attorney General—and the situation became very complex because, you know, if you hire 10 lawyers you will get 10 different opinions. You know that. I notice the Member for Tabaquite is laughing, but this is sometimes true, and I am speaking from authority. But the fact is that distinguished senior counsel was asked to advise and, once again, there were all sorts of varying interpretations on the application of this law. It just became a ball of confusion. Because there was so much confusion as to how to apply this law, that is what presented the difficulty for the public servants. It was not a question of the public servants objecting; it was a question of different arms of the State being involved.

The pension and leave records, for example, are collated and prepared by the department of the Parliament; that is then sent down to the Treasury and the Treasury then has to apply the formula in order to calculate the gratuity. So you had various arms of the State having different opinions; legislators having different opinions; the Attorney General having a particular opinion; lawyers having different opinions, and all of this sought to highlight the original mistake that was made when this matter was addressed in this honourable House in 2007.

So the Cabinet—well, it had to be a mistake because if both sides of the House were involved in this thing; it had to be a mistake. That is the only way I could look at it. *[Interruption]* Madam Deputy Speaker, is the Chief Whip saying that the previous Leader of the Opposition did that on purpose? *[Laughter]* I am prepared to say it was a mistake. So that the Cabinet, in all good conscience, being comprised of honourable men and women, did not think it was fit and proper to leave that error on the law books. The Cabinet then commissioned another analysis of the legislation through the current Attorney General, who rendered an opinion and indicated, quite clearly, that the legislation was not consistent with the 82nd Report of the Salaries Review Commission, because it introduced this concept of the highest salary over the period rather than basing the gratuity as is normal, on the actual income that you earn.

So all we are about today is to correct that. The Government was under no compulsion to do this; we did not have to do this. I can tell you as a Member, if

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that law was left so, my particular gratuity when I retire, would be very significant. So that in coming to the Parliament here today, I am legislating a significant reduction in my own gratuity, as are all the hon. Members on this side. But we felt it was the right thing to do. [*Desk thumping*]

3.30 p.m.

We could have left it just so and walked away with the emoluments that we do not think we are properly entitled to. We have done the decent and honourable thing. We have come here to correct the mistake made by the draftsman in 2007.

All of this noise coming from the Member for Tabaquite is smoke and mirrors of no substance whatsoever. The fact is that the Parliament made an error. It legislated benefits for itself that were not recommended by the Salaries Review Commission, and the Parliament, through the Government, has come here to do the decent and honourable thing to correct it and make the gratuity calculable based on the actual salary earned by the legislator, as was intended by the Salaries Review Commission and as was accepted by the Cabinet in April 2007. All this carrying on is just empty hot air. We are coming here to correct a mistake made by both sides of the House. People make mistakes—it happens all the time—and this was a mutual error.

Just before I close, I do not often get the chance to read the newspapers and I had not read the article before. I know that the *Newsday* is the favourite paper of the Member for Tabaquite. I do not know what he is doing with clippings from the *Express*. He was very selective in the way he was reading. In any event, it is simply a newspaper report. It is a record of what they are claiming was said.

All I see is reference in this article of Tuesday, March 04, 2008 by Ria Taitt in the *Express*, where the chairman of Caribbean Airlines says that Caribbean Airlines got money because it had to begin negotiations and make down payments. What does that mean? Take the English meaning of that. All it means is that the Ministry of Finance advanced money to Caribbean Airlines. It is a stretch of the imagination to take this sentence in this article—let us assume that the article is accurate; I am not yet prepared to do that—hear what the chairman of Caribbean Airlines is saying. He is saying that Caribbean Airlines did get money because it had to begin negotiations and make down payments. That is what he said.

There is no statement made by the Government or by this Minister which contradicts that. In fact, yesterday, I made it very clear—and it is accurately

reported in at least one newspaper; I would not put my head on a block and say all three—that the Government agreed to support the project by raising and advancing a particular sum of money to Caribbean Airlines as an equity contribution with respect to the project. What the chairman has said is that they got money because they had to begin negotiations. That is a far stretch from saying that we bought the plane.

I would like to see where in those articles there is a statement saying that we have concluded the transaction, we have executed a contract and we have paid for the plane. *[Interruption]* I can say that up to the time I came to this Parliament I verified with the Ministry of Finance and with Caribbean Airlines and I can stand here confidently and say that the money advanced to Caribbean Airlines by way of the Cabinet decision of February 28, 2007, where Cabinet considered the proposal from Caribbean Airlines and agreed to finance the project, is in a Caribbean Airlines bank account and has not been disbursed to the owner of the aircraft, and will not be disbursed. It is in a Caribbean Airlines account. *[Interruption]* I do not know if Members opposite are suffering from impaired hearing.

Yesterday, at the post Cabinet press conference, on behalf of the Government, I made it absolutely clear that money has been advanced to Caribbean Airlines. I also made it absolutely clear that the money has not been paid to the owner of the aircraft and that the contract has not been signed and will not be signed until the anti-corruption clause has been properly formulated and agreed to by all parties to protect the integrity of the Government and the interest of the people of Trinidad and Tobago. The status quo today is the same as yesterday.

The Member for Tabaquite and all Members on that side could jump up and down and spin around, but those are the facts. The aircraft has not yet been purchased. The contract has not yet been consummated because we still have outstanding matters to resolve with respect to issues of integrity.

What is in the article is not in any way inconsistent with what I have just said and with what the Government has said. At no time have I heard the goodly gentleman that they are referring to say that we have purchased the airline. There is no need for any smokescreen.

The statements made yesterday at the post Cabinet press conference were very clear. For those on the other side who did not hear and were not listening, let me tell you the facts. The particular aircraft was being manufactured for someone else. Anyone who is computer literate can go on the Internet—I see the Member for Couva North is very versed in computer matters—

Mr. B. Panday: Just thought I would do something interesting.

Hon. C. Imbert: They can do a search and see that the lead time for the manufacture of one of these aircraft is somewhere between three to five years. In fact, some of the aircraft that the Member for Tabaquite referred to—the business jet and the airbus, the lead time on those planes is five years. If you put in an order now, you will get it in 2014. [*Interruption*] If you put in an order for one of this particular type of aircraft, you will get it in 2012. It is on the Internet. Check it out!

What I said yesterday, speaking on behalf of the Government, I will repeat today. This particular aircraft, which is being considered for acquisition, was being manufactured for another client and not Trinidad and Tobago. That is easy to find out; that is in the public domain. Another company had put in an order for this aircraft in 2004 or 2005 and, during this year, that particular company was unable to complete the transaction and that is how this aircraft became available.

I have heard all the "ol' talk". The Member for Tabaquite told me this, in jest I am sure. I heard that some aircraft ended up in Antigua, in a hangar, covered up since the general election, waiting to be brought out. Arrant nonsense! That story has been making the rounds now for nearly nine months. It is simply not true.

With respect to this particular aircraft, the Member for Tabaquite will know that no liability can be incurred until the execution of a contract, so to answer the question sotto voce from the Member for Couva South, there is no contract. Clearly, since there is no contract, they cannot be preparing any aircraft for anybody. Those are the facts.

Let me enumerate them now:

- there is no jet in Antigua covered up in a hangar waiting for the dust to settle so that it could be used in Trinidad and Tobago. No jet was ordered by the Government of Trinidad and Tobago;
- the current aircraft being considered was not ordered by anyone except an American company that put in an order about three to four years ago and is now unable to continue with the transaction, hence the availability of the aircraft;
- the Government is very serious about making sure that the anti-corruption clause is inserted into the contract and if it is not to our satisfaction, there will be no purchase of the aircraft.

That is the end of that. [*Interruption*] I know you want a break because you are all over the country spreading "ol" talk", mauvais langue and rumour about this aircraft.

Those are the facts as opposed to the "ol" talk" from the other side with respect to the legislation. It was as a result of a consensus between both sides of the House. It was a mistake. We are coming here to correct it. We are doing something, which is to our disadvantage because when the Bill is passed we will all be eligible for significantly reduced benefits as compared to the status quo if we leave it as is.

I thank you.

Mr. Kelvin Ramnath (*Couva South*): Thank you very much, Madam Deputy Speaker. We could have saved a lot of time had the Member for Diego Martin North/East simply admitted that a mistake was made and sat down and ensured his reputation is not further tarnished. Every time he speaks, I think it is a wonderful opportunity for the country to recognize that his words cannot be trusted. [*Desk thumping*] I find it very strange that when it is convenient to credit the Opposition, it has to do with taking blame for what they have done.

3.45 p.m.

The Minister is on record today as telling a number of untruths. I think that is a characteristic that we can confidently apply to him, having regard to his record.

I want to, first of all, make it very clear that Act No. 21 of 2007, which was supposed to amend the Finance Act of 2007—It was the Member for Diego Martin Central, hon. Kenneth Valley, who came to this House with legislation that was abundantly clear. That legislation included that we were first of all deleting part of the original Act and substituting the words “one-fifth of an amount calculated over his period of service as a legislator at the highest annual rate of basic salary payable at any time to that person.” I cannot understand how the Member could interpret that as something which was not clear. I cannot understand how different sections of the State had different opinions, according to him, in terms of the interpretation of this amendment. As I have said, all he could have done was get up and say: “I am sorry that the Government failed. The Government introduced legislation that was inconsistent with the recommendations of the Salaries Review Commission.” They brought it to Parliament and asked for the support of the Opposition. [*Interruption*] I am not finished with my introductory remarks.

Mr. Imbert: Madam Deputy Speaker, the Member for Couva South, I thank him profusely, has been very gracious; most unlike him. The problem comes in the interpretation of the words “period of service”. There is no problem in terms of one-fifth or highest annual salary. It is the period of service, because if you go into the Retiring Allowances (Legislative Service) Act, there is no definition for “period of service”.

When the House is dissolved, MPs no longer exist. There was a point of view that, upon the dissolution of the House, your service as a legislator ends. There are two varying points of view that they should calculate gratuity for every five-year period between the time of the convening to the dissolution of Parliament. Then there would be a space—*[Interruption]* I am just saying—for pensions. They make the point that your service is continuous. That is where the discrepancy is.

Mr. K. Ramnath: The hon. Minister had 75 minutes to make his point and he never made that point. The legislation which was introduced said “at the highest annual rate of basic salary.” Assuming that I concede with respect to the period, the fact is that we are now amending this amendment by making it clear that it is the amount calculated over his period of service; that is 20 per cent of that amount. I take a very serious note of this because I am on my way to retirement—*[Interruption]* I mean from Petrotrin.

At the end of this term, I would have completed 26 years of service in this Parliament. I am only junior to the Prime Minister and the Leader of the Opposition in that respect. The Member for Tabaquite did break my service.

It was abundantly clear, when this amendment came to Parliament, that what we were doing was calculating the gratuity, based on the number of years of service, by 20 per cent, multiplied by your highest salary.

The Member for Diego Martin North/East was a university lecturer at one time. Clearly, he has attained a certain standard of education. He admitted today that he is not an expert in Mathematics, unlike lawyers. How can he not apply a simple formula, as articulated in this legislation, that is 20 per cent, by the number of years of service, by the highest salary? I think that with all of what was said today he should have done like the Attorney General, and got involved in a discourse of legal matters that went back to Badase Sagan Maraj, Montano and all these people. I think it was an educational opportunity for her to educate the country, via television, that she has some understanding and knowledge of history on this legislation, but not the Member for Diego Martin North/ East. I am not

accusing him of trying to introduce and support, in a surreptitious manner, legislation to enhance his retiring allowances and gratuity because it is by accident he is here today. He was listed for departure.

I think that prevailing forces did assist him to remain. If I calculate his gratuity—I was doing a little thing here—at the rate of \$36,000 per month, which he is currently getting, and 16 years service, by 20 per cent, he would get approximately \$1.3 million in gratuity. I do not know whether gratuity is taxed or not, but I am not here to make that point; that is for him. If you look at the fact that he was in the Opposition for a period of five years and then in Government, you will see that he has agreed with me that he could have considerably less money coming in to him from gratuity. I am not concluding that he was part of this conspiracy, if there was indeed a conspiracy, because I also voted for it.

Mr. Imbert: Ah, the truth has come out.

Mr. K. Ramnath: I voted for it because I believed that it was the right thing to do at the time. I believe that. I want to repeat. I supported the legislation because I thought it was the right thing to do at the time. It was hardly a debate about the Salaries Review Commission. It was about the poverty wages that Members of Parliament have accepted over the years.

I started off with a salary of \$750 per month when I was first elected to Parliament. I am still very young. In 1976, it was \$750 per month. By no means was it a big salary in those days. If your gratuity payment is based on a salary of \$1,000, in today's market you are going to end up getting worse than old age pension. When this legislation came to Parliament at that time, we were talking about what formula could be considered reasonable for people who are about to retire.

When I retired in 1991, I had served 15 years as a Member of Parliament and my salary, in 1991, about the same time the Member for Diego Martin North/ East came to Parliament, was \$2,970. That was the salary of a Member of Parliament. That, by no means, would have represented the market value or what was payable to people at an equivalent level, assuming that we want to be treated as having been equivalent to some other profession; \$2,970 per month. We all said that we must do something to ensure that Parliamentarians are adequately compensated.

Over the years, there have been some changes. Even today, I believe that something has to be done to ensure that we attract the best people into the Parliament. The only way we can do that is to ensure that they are adequately compensated.

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That brings me to the point of having some group of people called the Salaries Review Commission, appointed by an unelected President who makes a decision; a President not elected by the population, with respect to remuneration and perquisites of Members of Parliament. It is something that we have to discuss. I am not prepared to go into that today. We have many new, young Members of Parliament who are giving up lucrative professions to come here and who have to be subjected to salaries and working conditions determined by a group of people not appointed by the Parliament, the Cabinet nor the people, but rather by a President who is not elected by the people. That applies to several other bodies which, from time to time, we have looked at. We call them commissions of different types.

As I have said, if the Member had simply come and said: "We have made a mistake. We did not interpret it properly." I would have been okay. What he sought to do today was blame the Member for Siparia. I want to ask him whether the legislation, Act 21 of 2007, had the approval of the Cabinet to send the Bill to Parliament. *[Interruption]* I am asking a rhetorical question. Let me put it this way, before the Bill was sent to Parliament, it had to have had the approval of the Cabinet. Mr. Valley, who is not here today to defend himself, would have had, as Leader of Government Business in the House, Cabinet authorization to introduce this Bill to the Parliament, and, of course, which contained the formula that we are trying to change today.

Are they saying that the Attorney General at the time provided an opinion which was not correct or which did not reflect the will of the Cabinet? I could probably agree with them on that point because that Attorney General was a colossal and monumental failure.

4.00 p.m.

Mr. Dumas: Be careful!

Mr. K. Ramnath: Is he the new Ambassador to London? So, the point I am trying to get across is that Cabinet would have approved this amendment, and all the Member for Siparia did in the committee stage and so forth was to go through what was presented. If they came and refused to inform this House that the Salaries Review Commission had a different opinion, then do not blame Members on this side who were examining a Bill before the Parliament without having to go into all kinds of history.

The Member for Diego Martin North/East is noted for untruths. I just want to let him know that we enjoy listening to him as the population does. I think the

opinion that they have formed of him is that he is one who cannot be trusted—whether it has to do with Bombardier; whether it has to do with a jet that Mr. Manning flew on; whether it has to do with the Rapid Rail Project; whether it has to do with the water taxis; or whether it has to do with the patrol boat that does not work on which the heir to the throne was taken for a visit. *[Interruption]* When we bought the vessel it worked very well. *[Laughter]* It is a long time since we have demitted office, and they have failed to do anything about it, but that is a completely different issue.

All I want to tell the Minister is not to blame the Leader of the Opposition at that time and Members of Parliament for supporting the legislation. We were not running the government. They are the ones who brought this legislation on the advice of the Attorney General and the approval of Cabinet, and today they are seeking to blame the Opposition for supporting the legislation. The Member for Tabaquite would not have criticized the Government at length for changing the formula which, as the Member for Diego Martin North/East rightly said, will result in a substantial reduction in gratuity payments for all of us.

The reason we have taken the position in this debate to support the amendment, which was clearly enunciated earlier is that it did not reflect the decision of the Salaries Review Commission which, in my view, is a commission that is outdated, archaic or how you want to describe it. I am not really attacking the members of the commission, but I am simply saying that the idea of having such a commission to determine conditions of work and salaries is not the right thing.

I must commend the Clerk of the House for making some efforts to improve the conditions under which Members of Parliament work, which is clearly demonstrated today by the Member for Couva North with his Dell laptop. *[Desk thumping]*

Madam Deputy Speaker, there is no controversy over this legislation. I think the legislation in its entirety ought to be subject to a detailed investigation through a commission or a special committee of the Parliament, to determine whether it is appropriate in this modern day and age.

When you have the Prime Minister of the country with an annual budget of \$50 billion getting a salary of \$50,000 a month—I am not looking on my right because there are only lawyers here. I am told that there are lawyers on this side who will not accept cases under \$1 million. *[Laughter]* *[Interruption]* All I am saying is that they have to give up very valuable time to serve in the capacity as a Member of Parliament or as a Minister. So, the Prime Minister gets \$50,000 a

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month, and I could understand why he wants to ride in a jet. [*Interruption*] That is because of the \$50,000 a month salary.

I work for an oil company which is owned by the State and \$50,000 a month is not a very big salary. People in the private sector would laugh at us Parliamentarians when you tell them that you are getting \$33,000 a month as a Minister and you have to give up your profession.

I said that we should make parliamentary service full time, and I recall the Prime Minister saying in this Parliament that he was not of that view. He said it was important for the House to attract persons from the private sector. If you attract a person from the private sector to serve as a Minister, that person has to serve full time because it is a full-time job and more than full time. So, without trying to define the terms of reference of a joint select committee of Parliament which I recommend to look at this entire area of salaries, perquisites, pensions and gratuities—before I do that, I just want to make it clear that we have to recognize that in order to attract the best people in parliamentary service, we need to have a compensation package that will encourage them to come in.

We spent a considerable amount of time talking about pensions and so forth, but the issue of pension is a crisis in Trinidad and Tobago. All the trade unions are seeking better conditions for persons who have retired. First of all, it is a law in this country that you could only get two-thirds of your salary. If you are lucky, in some cases, it is the average of the last three years worked and, in some cases, the highest salary. I want to know why we maintained such a formula. [*Interruption*] Well, you do not follow anything I say anyway. You are preoccupied in triviality. There is a formula in law that you can only get up to two-thirds of your salary as pension. That law was in colonial times. It was determined that the other one-third that you were getting when you were fully employed should come from savings and investments. Perhaps that was a reasonable conclusion, but today when you look at the market—the responsibilities and the cost of living and so forth—most persons could hardly generate one-third of their income from savings and investments; especially the Member for Diego Martin North/East with his high standard of living.

So, we were told in this House that we were going to have a committee set up to look at pensions and, to date I have not heard a word coming from the Government Benches. The pensions that I am talking about are not for Members of Parliament, but public servants, people working in the statutory authorities and the private sector and so forth. It has to do with a review of the law and possible amendments to the law to ensure that people go home with a decent salary.

With respect to the former workers of Caroni (1975) Limited, more money was spent publishing in the newspapers—a pull-out section on all those workers, 10,000 of them—who should go to somebody in Clico or Caroni (1975) Limited to investigate their pensions, and not one of those workers is going to get more than \$600 a month. So many persons never bothered to go because under the old age pension they can get more than that, and most of them who have made their number of contributions in NIS will get the new NIS rates. These are persons who have worked for 30 or 40 years and cannot get a decent pension, although their contracts with the company—either through voluntary contribution or the previous contracts—provided for a decent pension to these people. I am asking again, where is the report of the committee that is looking at pensions? I hope that one day we will see a report and we will hear from the Attorney General that legislation is on its way to review the entire system of pensions.

The other issue is the indexation of pension to the cost of living. The cost of living increases have now gone past, in astronomical terms, the rate at which we calculate pensions in the country. Your pensions are fixed. So, persons who live 10 years or 15 years beyond their retirement age will continue to get from their pension plan, the pension which was calculated on their 60th birthday. This is nothing new and this is nothing innovative. This is happening in several other jurisdictions, and it is about time that as legislators we begin to look at changing the laws to accommodate indexation of pensions so that we will not end up receiving pensions which are inconsistent and which cannot provide us with the standard of living that we enjoyed when we were working.

In my 22 years here, I have never been in a Parliament which has been more generous today with the Member for Diego Martin North/East coming and actually apologizing to the nation, which is something he is not allowed to do by virtue of his colonial past. [*Interruption*]

Madam Deputy Speaker, I am being very charitable. Since we are in this charitable mood where we are giving up because of some interpretation of what we did was inconsistent with the Salaries Review Commission—to give up gratuity and so forth—the Government should tell the House that it is going to seriously look at gratuity and pension for the working class people in this country and the middle class, and that brings me to another point which you generously allowed Members to get involved in.

4.15 p.m.

I do not want to get into this issue of ordering planes and so on, I fly economy because of the high cost of business class tickets. I want to really know from the

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Minister of Diego Martin North/East, whether the cancellation of the contract by the company which ordered the jet in the first place, was before or after the Prime Minister took his ride on the plane. [*Desk thumping*]

Mr. Maharaj SC: He wants you to repeat.

Mrs. Persad-Bissessar: Repeat.

Mr. K. Ramnath: You see, he does not listen; that is his problem. I can imagine the difficulty the new Members of Parliament have with him as Leader of Government Business.

The question I am asking you, through you, Madam Deputy Speaker, hon. Member, is whether the cancellation of the contract or agreement by company X to purchase the jet, took place before or after the Prime Minister of Trinidad and Tobago went on a joyride from Piarco, I think, to Antigua. If you do not know the answer, you could admit that you really did not research the matter.

Mr. Imbert: It was after. It was recently.

Mr. K. Ramnath: He is grumbling and saying after. Was the cancellation recent or the Prime Minister's trip on the plane?

Mr. Imbert: Recent.

Mr. K. Ramnath: The cancellation was recent. So, the Prime Minister went on a plane ride—

Hon. Members: On a plane that he could not have.

Mr. K. Ramnath: Precisely. I am being assisted by so many people. So, the Prime Minister went on a plane ride—[*Crosstalk*] He was not allowed in such good company [*Laughter*] [*Crosstalk*] That is right. For a plane that you never—[*Crosstalk*] Could you give me your protection, Madam Deputy Speaker?

Madam Deputy Speaker: Hon. Members, the Member for Couva South has asked for my protection. [*Laughter*] Could you please allow the hon. Member to make his contribution uninterrupted?

Mr. K. Ramnath: I need to sit sometimes during my contribution. So the Prime Minister went on a plane ride for a test run—

Mr. Imbert: Demonstration.

Mr. K. Ramnath: demonstration—in anticipation, perhaps, of having an aircraft five years down the road, as if he was sure that he would return to the position of Prime Minister.

Well you know, this does not sound very plausible or reasonable, something is missing. I want to say that Robert Riley and Arthur Lok Jack have to be held, to some extent, culpable in this whole conspiracy. Because you see, Guardian Life is a failing company and they do not know what to do with the jet that they have, so they want to sell it. Neal and Massy got rid of its jet, because the market in Trinidad and Tobago does not permit such an aircraft to even break even. So, Mr. Lok Jack will provide service not only to the Cabinet and the Government of Trinidad and Tobago, but to Guardian Life, at a cost, which is far cheaper than it cost Guardian Life—[*Desk thumping*]

Mr. Maharaj SC: And the Government will subsidize.

Mr. K. Ramnath: And the Government will subsidize. When Mr. Riley, who I know quite well, says that he was absent from the meeting of the board, because he disagreed; he was absent because he had some other engagement, I think that he should be very careful what he says, as a person who has been charged with the responsibility of ensuring that taxpayers' moneys are properly spent. Yes, \$300 million and Riley chooses to absent himself from that decision. Today, we are told that the Ministry of Finance did give Caribbean Airlines \$50 million [*Crosstalk*] It is in the bank account of Caribbean Airlines, but it really does not have anything to do with the plane.

As the Member for Tabaquite pointed out and quoted from Mr. Lok Jack, he is on his way to buy a plane; there is no question about that. But what they have done is to conspire; to take the blame away from the Government of Trinidad and Tobago and to accept responsibility as a state corporation; take the blame and give the impression that the plane is not for the Prime Minister and the Government, but the plane is there to be rented to break even. I did not know Mr. Lok Jack would take his money and buy a plane to break even. So, what is clear, Madam Deputy Speaker, is that he is unfit to be Chairman of Caribbean Airlines. [*Desk thumping*] [*Crosstalk*]

You know, it does not even include transporting my friend from Tobago West between here and Scarborough. [*Laughter*] We exposed this matter a long time ago, as the Opposition, when the matter was first raised. In fact, the media had it all over its front pages, about the intention of the Government to buy this aircraft. And as was quoted today, the Prime Minister indicated he wanted a jet. Had he taken a decision and come to Parliament with an appropriation for a jet and justified why it was feasible for the Government to buy a jet, nobody in their right mind would have come to any conclusion that there was any conspiracy. All the Prime Minister had to do was to calculate the air fare, all the moneys that

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Ministers, senior public servants and people from state enterprises which are, of course, owned by the State, come here and provide a rationale or justification. He could have said, look, this is in the best interest of Trinidad and Tobago; this is an economic proposal and we want you to support this. Instead, you are moving in the dark—

Mr. B. Panday: Surreptitiously.

Mr. K. Ramnath: Surreptitiously. Now you have Mr. Lok Jack taking the responsibility and covering up for a decision that was made by the Government of Trinidad and Tobago, but one, which could not have been implemented because of a fear of reprisal by a long-suffering public, people who cannot afford three square meals a day. We are not here to debate this matter; we would have a substantive motion to debate it.

All I want to say is that I listen intently to the—it looks as though every time the Government wants to put somebody in trouble they put the Diego Martin North/East Member of Parliament. [*Crosstalk*] You know when they knew that this issue was going to be a hotly debated topic, they abandoned him. [*Crosstalk*] My hon. friend from Diego Martin North/East sought to spend a considerable amount of time trying to defend a deposit in the account of Caribbean Airlines as not an advance for acquiring the jet.

Mr. B. Panday: What was it for?

Mr. K. Ramnath: Well, I do not know, probably they had some other motive. The Member for Diego Martin North/East sought to give the impression that the \$50 million advanced by the Government to Caribbean Airlines was not a decision of the Government to support the acquisition of that aircraft. [*Crosstalk*] But the chairman of the board is saying something else. He says, when you go house-hunting you have to be able to make a down payment.

The Government takes up \$50 million of taxpayers' money, gives it to Caribbean Airlines; Caribbean Airlines is saying they are negotiating the purchase of a jet and he does not know why the Government gave Caribbean Airlines the \$50 million. I want to tell him that he should be more open with the population. Nobody in this country believes, today, that this Government—

Mr. Imbert: Would you give way?

Mr. K. Ramnath: Yes, I would give way.

Mr. Imbert: Thank you, Madam Deputy Speaker. Just to repeat, I indicated very clearly yesterday and today, that the Cabinet made a decision to support the

project which would involve obviously the acquisition of the aircraft and that the Cabinet advanced \$63 million to Caribbean Airlines for the project. That is it. I have also indicated very clearly that the money has not been paid for the plane.

Mr. K. Ramnath: What does it matter whether the money has been paid or not? What does it matter, Madam Deputy Speaker, whether the money has been paid? The money had been taken out of the coffers and deposited in Caribbean Airlines to purchase a jet, but he comes here and says no decision has been taken or no contract has been consummated or no deposit has been made.

So the Cabinet decided to give Caribbean Airlines \$63 million now, not \$50 million; \$63 million and to support the project. I want to find out whether a feasibility study was done for this project. As a Parliamentarian, I am asking today, that the Prime Minister and the Minister of Works and Transport present to this House, a copy of the feasibility study for the purchase of this jet aircraft. [*Desk thumping*] No matter what he says, nobody believes the Government or the Minister, when he gets up here to say that no agreement has been entered into or consummated. You would take up \$63 million and give it to Mr. Lok Jack and his boys to buy an aircraft and no agreement has been made between Caribbean Airlines and the company supplying the jet? [*Crosstalk*]

Hon. Member: They think we are fools.

Mr. K. Ramnath: No, no, they do not think we are fools; they think they are fools.

Madam Deputy Speaker: Hon. Members, the speaking time of the Member for Couva South has expired.

Motion made, That the hon. Member's speaking time be extended by 30 minutes. [*Mr. R. L. Maharaj SC*]

Question put and agreed to.

Mr. K. Ramnath: With these remarks, Madam Deputy Speaker, I wish to close at this stage. [*Laughter*]

Dr. Roodal Moonilal (Oropouche East): Madam Deputy Speaker, I wish to thank you and my friend from Couva South for allowing 60 seconds of contribution.

Let me begin where the Member for Couva South closed and say, this matter here is not whether you have a contract to buy a plane; you have an understanding; an agreement; you are buying a jet; that is the issue. [*Crosstalk*] That is the issue that bothers the people of Trinidad and Tobago.

Madam Deputy Speaker: Hon. Member, hon. Member, you would note that all the previous speakers ensured that they dealt with the Bill, and I allowed some flexibility into speaking on this matter. But you have started the debate without even dealing with the Bill. [*Laughter*] [*Desk thumping*]

Hon. Members, this House is now suspended until 5.00 p.m.

4.30 p.m.: *Sitting suspended.*

5.00 p.m.: *Sitting resumed.*

Dr. R. Moonilal: Thank you very much, Madam Deputy Speaker. I know you are eager as I am to get to the Bill, an Act to amend the Retiring Allowances (Legislative Service) Act, 2003, but I am sure my friend from Diego Martin Central will permit me the opportunity before I get to the Bill, to take this opportunity today—I think, I am the first speaker to do that—to extend congratulations and to commend all women, all our sisters in struggle for justice, for equality, [*Desk thumping*] for representation; the women of the world, on behalf of the Opposition and on behalf of other Members on the occasion of the 50th anniversary of International Women's Day, celebrated today, March 08, 2008. [*Interruption*]

And while the significance is blatant with respect to the occupant of the Chair, it is rather regrettable that the Government chose the Attorney General to present this Bill. The Attorney General, herself, is new to the job and not familiar with many of these matters, and the Government exposed this rather dynamic, professional woman—the Attorney General—to this sort of criticism and condemnation that Members on this side of the House would be issuing. It is a pity that on International Women's Day the Government took such a horrible decision. They would have been better advised to send in the usual punching bag from Diego Martin North/East. [*Laughter*]

Madam Deputy Speaker: Hon. Member, just a correction, International Women's Day is actually tomorrow. [*Desk thumping*]

Dr. R. Moonilal: As I said, I congratulate on the celebrations that are taking place today. [*Interruption*] The occasion is tomorrow, but as you all know, the celebrations are taking place while we speak. [*Interruption*] But nevertheless, I do not think in anyway the Deputy Speaker is trying to undermine the strength of our acknowledgement, commendation, and trying to dilute or bring into good humour the seriousness of the commemoration of International Women's Day which we all are very serious about, and which is particularly important in this region and in

Trinidad and Tobago, given that this Government has failed to implement the Equal Opportunity Commission and the equality legislation that was passed. They have failed to appoint the relevant committees and commissions that would give redress to women who suffer as a result of inequality, discrimination and injustice, and that matter is extremely serious. Whether we are celebrating today or tomorrow we should be acknowledging every single day of our lives the importance of equality and justice to the governance of this country. [*Desk thumping*]

The matter before us today, while it may appear from the few pages before us in the Bill to be a simple matter, it is extremely complex at times; an important matter which while addressing a small group of citizens, legislative members and so on, it is a matter with far, wide-ranging implications for citizens of Trinidad and Tobago, because there is a concept of a demonstration effect. When you pass laws to improve the conditions of one group of workers there is a demonstration effect on other groups of workers, because you need to promote equality, equity and justice. So when you consider the position of one group you must consider the position of other groups. Implicitly, that is also the principle underlining the acknowledgement and celebration of International Women's Day. May I add on that, every single year there is an International Day for the Elimination of Discrimination—March 18—and it is really a tragic display of contempt by the PNM that they have never yet acknowledged that day as existing in the calendar of international events.

Madam Deputy Speaker, earlier in the proceedings my colleague from Couva South spoke about the issue of legislative members and the sacrifice legislative members make, along with others, in bringing representation to constituencies and citizens in our locality. But I wanted to add to that—the Attorney General began her contribution, quite interestingly, by looking at 1968 and the genesis of the Salaries Review Commission's work and the thinking of the former Member of Parliament, now deceased, Gerald Montano. The constituencies that Members were dealing with in the '60s, '70s and the '80s, that notion of political representation, I argue, is outdated and anachronistic, and today, in the 1990s, a decade ago, and in the turn of the century, the 21st century, the level of representation that is required, the level of, not commitment, because Members would have always had commitment, but what is required in terms of workload, responsiveness and awareness, I believe is a far distance ahead of what may have been required before.

I will give just one example. Today we have constituents throughout Trinidad and Tobago, who, themselves are much more aware. We have a younger generation of people who are aware, informed and knowledgeable, and when they

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hear of a Member of Parliament or a Minister of Government they expect something. They expect rapid response because we live in a world of instant coffee, instant food, instant everything.

Dr. Rafeeq: Microwave.

Dr. R. Moonilal: Microwave, rapid rail—

Hon. Member: Water taxi.

Dr. R. Moonilal:—and water taxi, but I will come to that because I know you want me to focus on the Bill.

Madam Deputy Speaker, our young generation today live in that world of instant response. The methods and the way of operating before, in terms of political representation, those methods need to be refined, updated and upgraded so that new structures are put in place so that we better represent a different generation than the politicians of the era of Mr. Montano and others would have dealt with.

Hon. Member: Yesteryear.

Dr. R. Moonilal: And the Member for Princes Town South/Tableland, himself new to the business of the House, reminds me that these changes are also irreversible and more and more our constituents will become more aware, more informed, better educated and the demands on a Member of Parliament will increase and the responsiveness must increase.

Madam Deputy Speaker, I must tell you that a few years ago when I was first elected to this House, at that time I was new to the business of representation and you would have to deal, some of the newer Members, with the fact that you no longer have privacy. Someone can call you at 5 o'clock in the morning or at midnight—an angry constituent—to report a problem and they expect from you a response, not anger. They expect from you a response and hope, and this is really important. Somebody in today's day and age may send you an email or a text message and expect that you will take up their text message. There was a time when Members of Parliament would have had an office, not paid for by the State or anything, but constituents would journey to the office to report their problems. Today many constituents believe that you must go to their home and collect their problem.

Hon. Member: Yes. No doubt.

Dr. R. Moonilal: In this business, as in other businesses, most times the consumer is always right and it is a response that is required. When you look at

the remuneration, the wages and the benefits of Members of Parliament, you really ask yourself whether persons of high calibre, persons in the professions, in business and with the requisite training would want to commit themselves to serving in this capacity without the clear benefits that they could derive in another profession, in another trade and so on.

Mr. Ramnath: Did you get your salary statement?

Dr. R. Moonilal: Madam Deputy Speaker, it would be a shame for me to read my salary slip here to this House. But it really deserves, as the Member for Couva South said, a review, some type of approach to looking at the terms and conditions of Members of Parliament as a whole. I have been saying over the past few years that it is really high time that the Parliament and Members become full time; you do this full time and you represent people. If you cannot do this you do not stay in it. So, that is for me a very important point. I also share the view that we must not think only of ourselves—and as we make what the Member for Diego Martin North/East suggested earlier, a sacrifice, and we pass a measure that would ultimately put us at a disadvantage, we do so thinking about other citizens in the economy, other groups of workers.

The Member for Tabaquite, making his first contribution in his second *janam*, meaning, birth—

Mr. Ramnath: Meaning incarnation.

Dr. R. Moonilal:—in his second incarnation, making his first contribution, spoke on behalf of several categories of workers, the teachers, the police officers, public officers and so on who are in a horrible position as a result of the contempt, as a result of this hate for workers by the PNM, which is something in their DNA. It is really in their DNA, that contempt for the working people.

I want to add one to that list because we talk so much about our own benefits and so on, but I want to use this opportunity, briefly, to call upon the Member of Parliament for Diego Martin Central, the Minister of Social Development, to state categorically at this time, later, or in the very near future the position of Caroni pensioners. It is our information, that with the increase in the NIS to \$2,000, and bearing in mind that the Caroni pensioners would have contributed—underline the word contributed—to their pension while in the employ of Caroni (1975) Limited, and that pension is a measly \$650, that today it is the intention of the Government to discontinue the pension payments to all Caroni workers who are currently receiving any sort of pension from the Government of Trinidad and Tobago.

If it is the intention, you could state it. If it is your intention to reduce it to \$10 or \$20, you can state it. But, let the Caroni workers know what their position is

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vis-a-vis, receipt of, now what you call your grant, because we noted earlier that when you say grant and not pension, you give with one hand and you take away with the other hand. You give with no hand, and this is the problem with the grant, that they are not giving it; it is not your right. Caroni workers came to my office and the offices of other Members and complained that they have been getting information from the Ministry of Social Development that their pension payment, their grant now, will be discontinued or chopped down to the bone.

Hon. Member: Old age pension.

Dr. R. Moonilal: Old age pension, and that is a very serious matter. I want to say that apart from the fact that it is a contributory pension where people have worked and so on, we forget that many of these workers themselves are now in situations of poverty. They have been “VSEPed”, they are now in a deplorable social and economic condition.

Many of these pensioners themselves, their children who were working with Caroni have been retrenched. It was retrenchment, and you have this phenomenon now of rural poverty, drug abuse and delinquency as a result of the closure of Caroni (1975) Limited, and it will get worse if this Government takes steps to further the hardship of these families by the complete removal of the old age pension of former Caroni workers. It is a very serious matter.

5.15 p.m.

No doubt you have noticed in the press, in the central areas and so on, the increase in delinquency and drug abuse. They rented a Magistrate’s Court in Chaguanas for \$4 million and they did not occupy it. We read in the newspapers that it was occupied by persons involved in illicit activities, drugs and prostitution. Now, you would think a Magistrates' Court is where they will go with, but after, not before.

Madam Deputy Speaker, I do not know if that is the Member for Diego Martin Centra’s idea of social development, but this is a very important matter that in these areas, the poverty is increasing as a result of that VSEP problem, and now with steps that we understand are being considered and taken by officials of that Ministry to remove the old age pension from Caroni (1975) workers, you can expect more poverty, hardship and suffering. That is the matter I wanted to raise at this stage, as we consider measures before us to deal with the provisions for Members of the legislative body, particularly, the gratuity and pension and so on.

Madam Deputy Speaker, it is with due consideration that we give support to this measure today; due consideration that we give support to a measure which

takes away our own economic advantage and personal advantage when many of us on this side will not benefit from the exorbitant salaries of the Ministers, all their perks, benefits and all their squandermania, as well.

Mr. Imbert: [*Inaudible*]

Dr. R. Moonilal: Well, we will not have an opportunity to ride that jet that the Member for Diego Martin North/East is telling us that they paid for but did not pay for, and they agree, but did not contract and all that rubbish. We will not have the opportunity to participate in that waste, to participate in that colossal waste of taxpayers' money while you cannot pay the pension to the public workers, TTUTA and the police officers. You talk about consuming a contract—
[*Interruption*]

Mr. Imbert: Consummated.

Dr. R. Moonilal: Consummated? I only know of consummating in one other area, but you can consummate your contract on the plane, you can consummate in Whitehall, the point is that it is a waste of money and the population believes it is. It is a waste, like the Ministry of Local Government as well. I could not believe that the Ministry of Local Government is doing music videos. I looked at the television and there is a music video produced by the Ministry of Local Government saying that they are doing a good job. Chris Garcia, I think is the artiste.

Now, you would think you would leave that for Kenny Phillips or Ajit Pramsingh or somebody to produce music, but that is how they spend taxpayers' money, producing music videos, and then you are vex that students in schools are doing pornographic taping and so on. That is the example they set with obscenity to promote themselves.

Madam Deputy Speaker, that waste and that level of contempt is demonstrated by the purchase of the jet, and also in this measure when they came on the last occasion, secured support for what really was an unethical attempt through the back door. It was through the back door to get benefits for their Members who may be departing from the Parliament.

So, Madam Deputy Speaker, with those few words, I thank you. [*Desk thumping*]

The Attorney General (Sen. The Hon. Bridgid Anisette-George): Madam Deputy Speaker, having regard to the support that has been expressed by the Members on the other side for this Bill, in closing, I wish to thank them for their support of this amendment which could only be seen as something laudable by the national community.

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Madam Deputy Speaker, as I said before in moving the Bill, the effect of the proposed amendments would be to reflect, not just the decision of the Salaries Review Commission in their 82nd report, but would reflect also what has been adopted and agreed to by the Cabinet of Trinidad and Tobago and that Cabinet Minute is No. 897 of April 19, 2007.

At this stage, I beg to move that a Bill to amend the Retiring Allowances (Legislative Service) Act, Chap. 2:03, be now read a second time.

Question put and agreed to.

Bill accordingly read a second time.

Bill committee to a committee of the whole House.

House in committee.

Clause 1.

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

Mr. Maharaj SC: Madam Chairperson, I took the liberty of speaking to the Leader of Government Business and the hon. Attorney General and I pointed out to them, and in particular to the hon. Attorney General, that in the Bill it does not deal with Act No. 21 of 2007, it merely deals with the parent Act, which I could understand, because as the Attorney General pointed out to me, the amendment which was done already would have been incorporated into the parent Act. There is nothing in relation to an Act of Parliament which is still the law and there is an amendment proposed for today, and having regard to the history of this matter, maybe we should make sure that we do not have to come back with it.

I spoke to the Attorney General and it seems that it is better we adjourn the committee stage of the Bill and we can come back next week and deal with it. We undertake to support the Bill so there will be no problem at all, but I think one week should not be a high price to pay for making sure that we—*[Interruption]*

Hon. Member: Excellent.

Mr. Imbert: Madam Deputy Speaker, we concur, this is by agreement, so we would like to suspend the committee stage at this point in time so that the Attorney General could report progress to the House.

Questioning put and agreed to.

House resumed.

PROCEDURAL MOTION

The Attorney General (Sen. The Hon. Bridgid Annisette-George): Madam Deputy Speaker, I wish to report that some progress has been made on this Bill, but we have not as yet completed. I therefore beg to move that this committee stage of this Bill be completed at a later date.

Question put and agreed to.

ADJOURNMENT

The Minister of Works and Transport (Hon. Colm Imbert): Madam Deputy Speaker, I beg to move that this House do now adjourn to Friday, March 14, 2007 at 1.30 p.m. and on that day as we have just indicated, we will complete the committee stage of this legislation, the Retiring Allowances (Legislative Service) (Amdt.) Bill and then we will finally start the Copyright Bill, which I think the Minister of Legal Affairs would be very happy to hear.

Madam Deputy Speaker: Hon. Members, there are five matters to be raised on the Motion for the Adjournment and as is customary, two of those Motions will be dealt with today. I am advised that the two Motions would be: one raised by the hon. Member for Caroni East in relation to the failure of the Government to provide renal dialysis and two renal dialysis treatment centres to the hundreds of patients with end-stage renal failure requiring urgent dialysis for survival. The other Motion would be raised by the hon. Member for Naparima, which is the failure of the Government to construct a new school to accommodate students and teachers of the Lengua Presbyterian School who have been housed in cramped conditions in an annex to Inverness Presbyterian School for the past three years. Who will go first?

Dialysis Treatment Centre

Dr. Tim Gopeesingh (Caroni East): Madam Deputy Speaker, in the Prime Minister's budget statements in 2004, 2005 and in 2006, the Prime Minister repeated the call by Government that they would set up a 200-unit dialysis centre in north Trinidad and a similar one in south Trinidad at two treatment centres, so that means that they will dialyse 400-plus patients with these 400 units, but one unit can dialyse at least 20 or 30 patients per week.

In Trinidad and Tobago, diabetes is the leading cause of renal failure together with hypertension, or as we colloquially know it as high blood pressure. More than 40 per cent of the population of East Indians above 40 years of age have diabetes and according to the St. James study done a number of years ago in patients above 40 years of age in the Afro-Trinidadian population, about 20 per

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cent have hypertension and these are the leading causes of renal failure and end-stage renal disease. If these patients are not treated adequately, these patients die very quickly.

5.30 p.m.

The situation at the moment does not allow for widespread treatment by renal dialysis of patients throughout Trinidad and Tobago. There are, at least, 4,000—5,000 patients requiring dialysis on a weekly basis, but only a few hundred are receiving it from the government service. Some persons have to pay approximately \$10,000 per month to receive dialysis because some need, at least, three treatments per week. For four weeks that would be 12 treatments, and sometimes it can cost about \$800 for a dialysis treatment; so that is about \$10,000. There are a number of poor people who, obviously, cannot afford that and are left to die as a result of end-stage renal failure disease caused by diabetes and hypertension.

The Prime Minister in his budget statement of 2004/2005 said that the Government would provide two renal dialysis centres in north and south Trinidad and would have 200 treatment units. Today, four years later, it is another of the Government's and the Prime Minister's budget statement promises that have gone unfulfilled, with the high expectation of persons to have their dialysis, but who have died long time ago as a result of the non-implementation and failure of the Government to put in these renal dialysis centres.

Do you know why? It is mired in a hot bed of corruption, a lack of transparency and accountability in the whole process of tendering for the implementation of these dialysis centres. It has come to our attention that this tendering process has gone through on three occasions, and because some persons who thought they would have gotten the multimillion-dollar contract and did not because their quotes were exorbitant, they ensured that the plan was stopped.

We understand that one company in the first tendering process tendered \$55 million for the three years; another tendered \$75 million, and another tendered \$120 million. We understand that the contract was given to the one that tendered \$75 million. For some inexplicable reason, only the Ministry of Health, the Minister of Health at that time, Mr. John Rahael, and the Government knew why this contract was stopped. The contract which was given for \$75 million went for a second bidding. By whom, on whose instructions? This was done by the Central Tenders Board.

There were persons who sat on that tenders committee from the Central Tenders Board who ensured that there was total transparency in it. We understand

that because one of the Minister's friends did not get the contract, the Minister at that time moved to stop the contract and send it back for a second tender. It smacks of massive corruption, while the people of Trinidad and Tobago with end-stage renal disease are dying; while the previous Minister of Health, embodied in corruption, allowed our people to die for the lack of adequate health care and renal dialysis. Hundreds of patients died as a result of this Government not being able to fulfil its obligation, as was promised, because of the massive corruption that encircles them on a day-to-day basis. For six years that happened.

The second bid went out; the contracts were awarded again, I understand. The Minister has to tell us today about that bidding and those contractual obligations. Because somebody did not get the contract again, they made it look as though there were discrepancies in the tendering rules, the opening of one financial package and all these things that go with it, some little quirk as far as the tendering thing was concerned, they stopped the contract a second time. Then they sent it out again for a third tender.

The Minister will tell us this afternoon. For a third time they sent it out for tendering. So from 2004—2008, what was promised in the budget presentation by the Prime Minister in the 2004/2005 Budget Statement has not been fulfilled and has not been realized, as a result of a number of questionable corrupt practices and tendering procedures that engulfed the whole issue of the renal dialysis treatment centres.

The Prime Minister also said at that time that they would have 20 new dialysis treatment centres and treatment units in different centres. Today, we are not able to see what is happening as far as this is concerned. There are thousands of persons waiting for dialysis. We want the hon. Minister to tell this country something, and the thousands of people who need to have dialysis on a regular basis and who are unable to have it, while they suffer and die as a result of waiting for these treatments centres and the dialysis units to be installed. We find that this Government is just not providing it. They are involved in the corrupt practices that engulf all these state enterprises, which we would talk about at some subsequent time, but it is sad for a poor patient, a poor person in Trinidad and Tobago, who, through no fault of their own, ends up with renal failure.

With \$250 billion spent in five years and a budget of \$3.5 billion in the health sector last year and this year, the Government was unable to provide what they should have been providing for poor people. How can a poor person get \$10,000 per month to have renal dialysis? Then they want to buy a jet for \$390 million. It is a shame and a national disgrace. A dialysis machine costs little or nothing.

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These centres could have been started at \$75 million. The recurring cost for dialysis in a hospital is about \$300 or \$400, and not \$800 as is charged privately because they have overhead costs.

Why do thousands of our people have to die as a result of your massive corruption? Three times you have gone for tender for something as simple as providing two dialysis treatment centres. This is unpardonable; this is unacceptable. The deaths of all our families and friends who suffered from renal failure are in the hands of the PNM. You have literally killed those people over the last four years.

If these families were to bring a class action against the State for its inability to provide the type of health care they need, this State would come to its senses. In the not too distant future for all these persons who are delivering babies on the ground, who have to sit and wait in labour pain on a bench, who fall off and die on the floors in the hospitals, who have to wait 72 hours on a trolley in the hospital, you hon. Minister ought to take some responsibility and do something about it.

You have to tell this population what has happened to those two dialysis centres promised and give this country an undertaking and a time frame. Patients are waiting for dialysis, patients who are paying, whose families and friends have to give them moneys to survive, while the Government fiddles.

You also said that you were to have cadaveric transplants available for renal patients. The first renal transplant was done in Trinidad in 1985 from live donors: family giving to family or friends giving to family. About 15 have been done in Trinidad. Persons had to go to Pakistan to get these renal transplants; notably Rev. Nobbee. Their own Chief Medical Officer, Dr. Rawle Edwards, went to Pakistan for a renal transplant and died. What a shame: your Chief Medical Officer dying in Pakistan, because he needed a renal transplant and it could not be done in Trinidad. The UNC passed the legislation on cadaveric transplants, piloted by Dr. Rafeeq, where you could use cadavers to transplant kidneys; nothing is being done as far as that is concerned.

In closing, we ask this hon. Minister and the Government to tell this population and the thousands of people who are waiting, some dying while they are waiting for renal dialysis, to come clean and tell this country what has happened to the massive corruption in the whole aspect of the implementation of the two treatment centres, one in north and one in south Trinidad, as promised from as early as 2004.

Thank you.

The Minister of Health (Sen. The Hon. Jerry Narace): Madam Deputy Speaker, the Motion before this honourable House seeks to give the impression that dialysis is not being provided by this Government to hundreds of patients with end-stage renal failure requiring urgent dialysis for survival. Nothing could be further from the truth. Let me from the outset reject this Motion outright. It is a fact that we have not yet been able to construct two renal dialysis treatment centres, also referred to in the Motion before this House. [*Crosstalk*] I will deal with that particular issue later on, save to say, at this point, that the construction of those centres remain a top priority of the Government of Trinidad and Tobago, in its resolve to bring relief to the growing number of our citizens experiencing end-stage renal failure and consequently requiring dialysis.

The construction of those centres has always been part of the longer term goal of the Government in improving this aspect of health care in our country. I wish to emphasize, however, that the provision of dialysis to patients requiring such treatment in Trinidad and Tobago, does not begin nor does it end with the construction of those centres. Accordingly, having regard to the length of time that the completion of such a project would take, and has, in fact, been taking, this Government decided on urgent action in an effort to treat with the current situation relative to incidents of renal failure in our country [*Crosstalk*]

It was in this context that we began to scale up the necessary facilities in our major health institutions, intensifying arrangements for increased dialysis activities in the process. Additionally, we knew that the public health sector would not be able to satisfy the demand totally, and I do not think this sort of demand would ever be satisfied totally by any country in the world, so we entered into agreements with appropriate private sector entities to assist us in reducing the gaps.

We wished to ensure that while we were dealing with the issues that governed the delivery of complex projects, such as the building of those haemodialysis centres, we were also taking action to confront and treat, as far as possible, with current demand in this regard.

With the current state of affairs in Trinidad and Tobago, as it relates to providing renal dialysis to patients, we have increased the number of dialysis machines at the San Fernando General Hospital from three in 2002 to 12, from six to 14 at the Eric Williams Medical Sciences Complex, and from two to five in the Tobago Regional Health Authority.

During the last term of that government, there were 19 dialysis machines; today, we have 30. [*Desk thumping*] [*Crosstalk*] We have also increased

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significantly the number of sessions, including introducing weekend clinics, in some instances, to reduce the patients' waiting list, and expanded treatment to as many patients as possible.

There were 19 dialysis machines in those days—[*Interruption*] I am coming to some figures.

5.45 p.m.

We have also entered into agreements with the John Hayes Memorial Kidney Foundation and the Seventh Day Adventist Hospital and other private health care institutions to provide dialysis to citizens over and above what is in the public sector.

The end result of these actions, Madam Deputy Speaker, is that 542 patients are being dialysed this year. [*Desk thumping*] Do you know how many were dialysed during the period of that regime? It was 260, so we have more than doubled it. I will tell you about those centres because as soon as we are finished with them, it will be 942, so we are moving from a policy of leaving people to die to one of really providing service. All that of a caring Government.

The Government undertook intensification of these services on the basis of its own fact-finding, as well as from a survey conducted by the Renal Support Group of Trinidad and Tobago detailing the haemodialysis units and patients attending private and public clinics in the country. That survey revealed that there were 11 private clinics with 49 dialysis machines in use and 17 machines on standby, and they were treating 177 patients when the maximum number they could have handled was 322.

As far as the public sector was concerned, the survey showed that the combined related services of the Port of Spain General Hospital, the Eric Williams Medical Sciences Complex, the San Fernando General Hospital and the Tobago Regional Health Authority were treating 112 patients when their maximum number of patients could be 116, and they were utilizing 20 dialysis machines with one on standby.

Madam Deputy Speaker, it is established that each patient with end-stage renal failure requires three haemodialysis treatments per week. We know the cost is expensive, a patient would have an annual expense of \$187,200 in a worst case scenario, and \$85,800 in the best case. But under this Government, 260 more persons are not faced with that burden based on an intervention by this Government. We know that those figures are well above the average income of

the family in Trinidad and Tobago. So the actions this caring Government took and which we continue to implement were also in furtherance of our current policy to provide free medical services to each of our citizens at primary, secondary, and tertiary levels of health care in our country.

In seeking to do so, we continue to partner with the private sector to provide services to the citizenry and there are great demands, and where the capacities and capabilities of the public health institutions cannot respond to these demands on a timely basis. This we will continue to do in relation to patients with end-stage renal failure until our centres are established and up and running. The story does not end there in terms of our ongoing efforts in treating with patients requiring renal care in Trinidad and Tobago.

I want to tell you about the transplants. We now have a functioning national organ transplant unit operating out of the Eric Williams Medical Sciences Complex as part of our health care delivery system. Since the beginning of operations in 2006, this unit has been able to perform 30 life-related and unrelated, and one cadaveric transplant, the latter being a most significant milestone in the history of medical care in Trinidad and Tobago. During their term, they did not do one—zero.

Madam Deputy Speaker, so that in two years, 31 such operations were performed. I emphasize this, because—

Mr. Ramnath: Are you happy with that?

Sen. The Hon. J. Narace: No, we are not because our position is that every citizen requiring dialysis should be given it. [*Desk thumping*] I emphasize this, Madam Deputy Speaker, because for the entire 17-year period, 1988—2005 preceding the establishment of this unit, only 36 such transplants were performed. This means that we have been able to realize a dramatic, indeed stupendous increase from approximately two such operations per year to more than 15 annually and if there is one demonstration of our march to First World medical care for our citizens then the National Organ Transplant Unit is it. And it is performing in the very area that this Motion before the House today seeks to denigrate as being a failure.

To underscore the success in this regard, I also wish to point to the fact that to date we have had just one death and two graft failures since we intensified this aspect of health care. This must also speak volumes to the capacity of professionals in our health sector to provide world-class health care and this we intend to nurture and build as part of our remit to develop a more caring society.

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Our aspiration, Madam Deputy Speaker, is to double the number of transplants in the shortest possible time given the number of persons who are awaiting this operation. Of course, that would be dependent on our ability to attract donors, both live and deceased, and to encourage this, the unit has embarked on a promotional and educational campaign. So, he should be using his time to encourage people to become donors and to do something constructive.

Let me now turn to the issue of the construction of the two centres, concerns over which form a substantive portion on the Motion before this House. Our experience in seeking to identify a contractor for this project over the last couple years has been fraught with issues ranging from objections by bidders to tendering processes, to concerns over the extremely high costs submitted by potential contractors for the delivery of the projects.

These have seriously hampered this project which we acknowledge has been too long in the making. But we want to make it clear that value for taxpayers' money must be an essential guide as we seek to provide world-class facilities for our people. Transparency must also attend all of these efforts. It is against these measures that we will construct these two Renal Dialysis Centres for the provision of a world-class service to patients with end-stage renal failure in Trinidad and Tobago.

Accordingly, given the constraints we have encountered in our previous attempts, we are about to re-invite bids for the project. *[Interruption]* We anticipate that we should be able to select a provider by the end of May and finalize contractual arrangements to enable us to break ground very early in the third quarter of this year and deliver these facilities by the end of the third quarter of 2009.

Madam Deputy Speaker, I give the country my word on these dates. We are seeking to contract a maintained dialysis service for a period of at least 10 years in two Renal Units: one at the Eric Williams Medical Sciences Complex at Mount Hope, and the other at the San Fernando General Hospital. Each centre must have the capacity to treat 200 patients for haemodialysis, and a progressive number of patients for peritoneal dialysis, starting from 50 patients in the first year and moving to 100 and 150 in the second and third year respectively. Madam Deputy Speaker, 942 dialyses will be done.

To obviate the complications associated with the operations of such facilities including staffing and maintenance, we are opting for a build/operate/transfer arrangement in which the Government would guarantee the caseload to the bidder

for the services rendered, with payment effected by the Ministry of Health on an agreed fee per treatment session. In other words, the successful bidder would have to provide the physical infrastructure, medical and other equipment, qualified medical, paramedical and support staff, patient transport, all medical and other required supplies, and all management services; turnkey, top of the line, world-class service.

Among the features this Government will insist on are the following:

- Each centre must include on site, vascular access service laboratory and pharmacy services. They must have provision for holiday dialysis, and also a nominal capacity of 40 dialyses stations.
- All standard drugs required for haemodialysis, all consumables, laboratory tests, X-rays et cetera.
- Also to be included must be the cost for all clinical and non-clinical staff; doctors, nurses, engineers, pharmacists, laboratory technicians, all of those.
- We also want to include a training and development programme and a quality assurance programme for all staff to support these.
- An Information Management and Technology System, emergency procedures, resuscitation equipment and water treatment plant must also be included.

Madam Deputy Speaker, I have sought to outline what we have been doing, what is in train, and what our future plans are for the provision of renal dialysis to those unfortunate citizens with end-stage renal failure in our country and who require urgent dialysis for survival. What we are dealing with is a public health situation that is not by any means unique to Trinidad and Tobago. In fact, the costs of kidney failure or end-stage renal disease are escalating internationally. It is estimated worldwide that over 1.5 million persons are currently kept alive through either haemodialysis or peritoneal dialysis or transplantation. This figure is forecasted to double within the next decade and it is predicted to exceed US \$1 trillion. I need to tell you the impact it would have on health care budgets of lower income countries where more than 80 per cent of individuals receiving renal replacement therapy live.

So Madam Deputy Speaker, let us look at India and Pakistan where less than 10 per cent of all patients who need this treatment receive it, in Africa it is worse. Viewed against the global picture, Trinidad and Tobago is really stepping up, yet we cannot afford to be complacent, thus our plans for the next two years and even beyond seek to realize even greater progress in pursuit of this First World health care delivery.

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The global projection is that for every million persons, 200 will end up with end-stage renal failure annually. With a population of just over 1.3 million, this country could expect to be dealing with about 250 new cases every year. Current trends are revealing an increase in diabetes and hypertension in our country and these are the predominant causes of kidney failure. That is why we are emphasizing and also implementing preventive programmes, including the provision of drugs and very soon by April 01, glucometers under the Chronic Disease Assistance Programme (CDAP) as part of our efforts.

Madam Deputy Speaker, when we talk about the construction of centres and the advancement of treatment for end-stage renal failure, the point must be made that some of the precursors to this condition are preventable. They are rooted in behaviours such as the excessive intake of alcohol, smoking, and lack of exercise. Our population needs to be further sensitized to these issues.

This Government therefore, will leave no stone unturned as we work with every citizen to encourage and empower them to accept greater responsibility for their own health and take steps to adopt healthy lifestyles. It is through this type of approach that we will realize our objective to build a nation in which people are truly empowered to live healthier, longer, happier and more productive lives.

Thank you.

Mr. S. Panday: “Yuh sound like Rahael”.

Lengua Presbyterian School
(Government’s Failure to Construct)

Mr. Nizam Baksh (*Naparima*): Thank you very much, Madam Deputy Speaker. Today we should have been here celebrating the opening of a new school in Lengua, or better yet celebrating with the teachers and students in that new environment in Lengua. However, we are here instead to discuss the failure of the Government to construct a new school to accommodate students and teachers of the Lengua Presbyterian School.

Madam Deputy Speaker, communities of Lengua, Borde Narve, Jaipaulsingh and St. Croix are populated with very peaceful, loving and considerate citizens who go about their daily routine without offence to anyone. I do not recall any incident of an unlawful nature in these communities and you will know because you have your roots in that area.

It is now more than four years the children and parents of these communities have been without a primary school because the existing Lengua Presbyterian

School has been deemed as unsafe and unfit for occupation. The Public Health Authority has advised that the school must be vacated.

Madam Deputy Speaker, since 2005 the children of that school have been accommodated at the Inverness Presbyterian School some three miles away from the existing school. I do not know what sins or unlawful deeds these children and parents of this community have committed against the PNM Government that deserve such discrimination and victimization. Why more than six years have passed and to date, there is no sign of commencement of work? Why innocent and unsuspecting citizens should be exposed to such punishment by this PNM Government?

6.00 p.m.

This is a clear case of victimization. The parents in these areas are cane farmers and sugar workers. The Government has destroyed their way of living and it is now their children, by denying them a proper education. These children have to compete nationally for school places and are denied educational opportunities.

I would take the opportunity to give a little historical background on that school. The first school was built in Lengua in 1901 and removed to the present location in 1945. These schools were built by the Canadian mission in those days. The one in 1945 at the present site was an all-wooden structure and this served the areas of Lengua, parts of Borde Narve, St. Croix Road, upper Barrackpore and Papourie Road.

That wooden building is now 63 years old and very little maintenance work was done over the years causing it to go into rapid decline. This school served as the meeting place for the village council, the women's group, the PTA, Alcoholics Anonymous, the Taxi Drivers' Association and I recall when these schools used to have their annual Christmas concerts as well. It was more like a dual-purpose school as well as a community centre.

But for the last 20 years the building started to show rapid signs of wear and tear and conditions started militating against effective teaching and learning in the school. In 1993, correspondence seeking substantial repairs was sent to the Presbyterian Educational Board and the Ministry of Education. The then principal was Mr. Victor Ramkhelawan. From there onwards, there was a constant stream of correspondence from principals to the Education Board and to the Ministry.

In 1997, there was a new principal, Mrs. Rose Drepaulsingh, and in 2003 another principal, Mrs. Gloria Hay. Correspondence kept flowing and several

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meetings were held with the stakeholders. In 1999, proposals and plans were agreed for an annex to be constructed on the western side of the existing building to be followed by the demolition and replacement of the existing building. Nothing materialized to date. There were also follow-up meetings. I have here the Minutes of a meeting of the stakeholders which was held on June 15, 2004. The meeting was held with the Educational Facilities Management Division. The stakeholders consisted of the S.S.1 Victoria Educational District, Mr. Vincent Graham; Secretary of the Presbyterian Primary School Board of Education, Mr. Roy Nathai; Principal of Gopaul Silochan Morton Princes Town Presbyterian # 2 School, Mr. Karamchand Mitchell; members of the teaching staff and ancillary staff and members of the PTA. The decision taken at that meeting was:

“Re-building of the Lengua Presbyterian Primary School would commence in the second quarter of the financial year, that is January—March, 2005.

It was also noted that the school was supposed to begin building at the beginning of March 2004, but due to lack of funding the date had to be changed. Funds would be made available for the second quarter of the financial year, 2005.”

This was part of the decision taken there.

“All the school building plans were already presented and are at present in the hands of the ministry.”

I repeat this:

“All the school building plans were already presented and are at present in the hands of the ministry. There was a previous plan for a one storey building but it was later decided that a three story building with additional, modern features would be more appropriate and beneficial to the pupils.

After consultation with the Principals of the Lengua Presbyterian Primary School and Gopaul Silochan Morton Princes Town Presbyterian #2 School, the E.F.M.D., the secretary of the Presbyterian Primary School’s Board, the school supervisor and other stakeholders present, it was decided that the school would be relocated on the 26th and 27th of August, 2004 for equipment and teachers and children would be re-located during the first week in September.

It was further agreed by the two Principals to meet in June 2004 to work out terms and conditions of the relocation.”

These were promises and runarounds that the PTA and the principals received during that period. These students have to compete with schools provided with

conducive learning environments and Government has placed them at a disadvantage and with neglect and victimization. These students come from a very poor socio-economic background and as a result they were not able to go to other schools in the area and pay the necessary transport.

It was also recognized that most of these students were never given any assistance at home where academics were concerned and, therefore, they depended solely on the school and the teachers to provide them with this support. However, I find that the teachers were very dedicated and committed and they went the extra mile to assist the children. Teachers undertook the task of teaching, feeding, clothing and looking after the children's health to ensure a high level of literacy and numeracy. Very often you would find that other teachers would have sought transfers from that school, but these people stuck to their guns and supported the communities there. I think they should be commended for their effort and perhaps given recognition or awards for their stick-to-itiveness in their job.

Public health reports: For a number of years reports were provided by the health inspectors condemning the schools. I want to just give some of the recommendations and the areas of concern. On June 20, 2002, the health administration office, County Victoria, wrote a letter to the secretary of the Presbyterian Primary School Board indicating as follows:

“An inspection of the above mentioned school was made on May 1st, 2002 and the following defects were noted:-

The school is housed in a mainly old wooden structure which is very old (approx 60 yrs) and in a dilapidated state.”

That school is due for pension.

“The wooden floor, walls and ceiling are termite infested and in disrepair. The plumbing system is in disrepair and the furniture also in a state of disrepair and termite infested.

Recommendations:-

That plans be submitted for the construction of a new building to house the school.”

In June, 2003, one year later, same report; a little more added on to the problems and the recommendation was:

“Please make the necessary arrangements to have the above mentioned defects corrected.”

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That was 2003. In 2004, the CMOH (Victoria); the recommendation was:

“This school is recommended for demolition and is condemned by the Ministry of Health. The main beam is on the verge of collapsing and Insects, rodents and other vermin enter the school.”

In 2005—again you see these reports coming in every year—there is a longer list of problems. They spoke about the yard, drains, privy accommodations, water supply and the building itself. The recommendation on the final occasion there was:

“The building because of the ruinous, decayed and dilapidated conditions should not be used for the accommodation of children for schooling.

This school must be closed immediately.”

This was the report in 2005. Early in June 2005, parents and students expressed and showed their disenchantment by bringing their woes and frustration to the public, the Presbyterian Education Board and the Ministry of Education. On June 26, 2005, the school was relocated to the Inverness Presbyterian School temporarily to facilitate the demolition of the dilapidated wooden structure and commence construction of the new school. Three years later at the temporary annex at Inverness Presbyterian, they are housed in three classrooms—an entire school in three classrooms—with two classes per room and they work with the blackboards back and front, which also serve as dividers for the classes. These classrooms are two feet away from the blackboard. They are overcrowded classrooms with cramped conditions.

There are also crowded corridors. As a result of this lack of space, there are no computer, library, science and music rooms, no sick bay, no staff rooms and assembly hall and 18 female teachers from both schools use one toilet and one face basin; one washroom facility for both schools. The critical problem is the lack of water. There are daily problems with the school served by a truck-borne water supply.

Mr. B. Panday: And we are going to buy a jet!

Mr. N. Baksh: The problem here is that allocation had been made from 2003, of \$200,000 for the preparation of the site. In 2004, \$1 million; 2007, \$2.5 million, when a budgeted allocation of \$24 million was made for a prefab building; 2008, \$5 million, and not a single thing turned as yet on that site. In fact, the old building is still standing there.

Government is abandoning the children of Lengua and denying them equal opportunities as other children of the nation. This PNM Government is denying

them their right to education. Are the funds allocated for this school redirected to pay for the Bombardier Jet to which no allocation was made?

Mr. B. Panday: No. That is for the palace, \$148 million.

Mr. N. Baksh: There are three MTS security guards looking after that building 24 hours a day, seven days a week with nothing in the building. This is scandalous! And when you speak to them, they say they are waiting for the material to come to protect it. All of this is happening in times of plenty. Now eight years later, the school is not built as yet.

In conclusion, Government has failed miserably and continues to fail to address the causative patterns of delinquency in schools. Schools are now churning out criminals as our quality of education is worsening. Our education system is under siege and Government's failure to construct the Lengua Presbyterian School is sowing the seeds of frustration, disenchantment and hopelessness. This is not a situation which the Ministry of Education can find acceptable and every effort must be made to alleviate the unacceptable conditions under which teachers and students are expected to function. The Government needs to act expeditiously. It needs to act now to relieve the stress and frustration caused by its failure to rebuild the Lengua Presbyterian School.

The Minister of Science, Technology and Tertiary Education and Acting Minister of Education (Hon. Christine Kangaloo): Madam Deputy Speaker the first thing that I have to point out in response to what the Member for Naparima has laid out before this honourable House is that this Government cannot be fairly criticized for not dedicating itself to the issue of new school construction and for school repairs in Trinidad and Tobago. That is the first thing. [*Desk thumping*]

For the fiscal year of 2006/2007, a total of 281 schools, including primary and secondary schools, were repaired at a cost of \$123 million. [*Desk thumping*]

Mr. B. Panday: What about Lengua?

Hon. C. Kangaloo: By the end of August 2007, 60 additional schools were completed under the repair programme, resulting in a total of 341 schools in all. [*Desk thumping*]

6.15 p.m.

The 2008 programme has already been approved and is now being implemented. The first phase of that programme deals with general repairs to 86 primary schools at a cost of \$39.7 million; 22 secondary schools at a cost of \$13 million and 103 Government Early Childhood Centres—[*Interruption*]

Madam Deputy Speaker: Hon. Members, could we give an opportunity to the hon. Acting Minister to respond to the Motion, please?

Hon. C. Kangaloo: Madam Speaker, I do not know why they are getting so agitated. They are hearing the facts being presented. [*Interruption*]

Madam Deputy Speaker: Hon. Members, please! We are almost at the end of today's sitting. Can we please allow the hon. acting Minister to respond?

Mr. Ramnath: She is not responding. She is being irrelevant.

Hon. C. Kangaloo: Madam Deputy Speaker, as I indicated, the first phase is already underway and includes the electrical upgrade of 139 primary schools at a cost of \$60.9 million. It also includes maintenance and repairs to sewerage and septic systems at a cost of \$2.2 million. [*Desk thumping*] An ambitious school construction programme is also being executed through the Education Facilities Company Limited. [*Interruption*]

Madam Deputy Speaker, I hope that when I come to Lengua specifically, they will all sit and listen and not be snarling the way they are when they understand what is happening.

As far as primary schools are concerned, the Education Facilities Company Limited is implementing a programme of construction of some 21 government primary schools and 22 government-assisted primary schools in fiscal 2008. The Ministry of Education has often shared with the denominational boards—and I take the opportunity to inform this honourable House—the procedures in place for the construction and replacement of a school.

The board is required to write to the Ministry of Education making the request for the rebuilding of the school. The request will be considered and the Education Facilities Management Company of the Ministry will conduct site visits to determine that the request is justified. Consultations with the board will take place and the information forwarded to the Education Planning Division to prepare the brief for the new school. The brief will then be forwarded to the respective board to engage the consultants to prepare preliminary drawings and submit to the Ministry for approval.

In the case of the Lengua Presbyterian School, in or around 2000, the Presbyterian Primary School Board of Education did request that the school be replaced citing dilapidated conditions. The Educational Facilities Management Division verified that the school needed to be replaced and the Education Planning Division prepared the brief for the new school and submitted it to the

board. The preliminary drawings were thereafter submitted by the Presbyterian Primary School Board and approval was granted for the board to go out to request tenders for the design of the school. The evaluated tender was submitted to the Ministry in April 2003.

I would point out, therefore, that from the 2003/2004 academic year the education brief for the construction of primary schools had to be revised on the basis of the new curriculum requirements. This made it necessary for the design process to be reviewed and the board proceeded to prepare new designs in keeping with the newly developed brief and submitted these to the Ministry in 2006.

At the same time, in the 2006/2007 fiscal year, in keeping with this Government's review of its procurement policy, with an emphasis on the principles of transparency, accountability and value for money, the Ministry of Education approached the Association of Denominational Boards with a proposal for the development of a Memorandum of Agreement or a contract to govern the relationship between the parties, especially in terms of the funding arrangements for the board.

Over the past two years, the parties have been negotiating the terms and conditions of this contract. The aim of the contract is to formalize the relationship between the State and the boards in respect of funding arrangements and the operations of these government-assisted schools. These arrangements have a direct bearing on the funding for the construction of new schools and for school repairs.

The denominational boards were presented with two options for funding arrangements by the Ministry: the first option involves 100 per cent funding by the Government, and the second option refers to the cost-sharing arrangements currently in existence between the parties. To date, while several denominational boards have signed the contracts, the Presbyterian Board has not signed.

Permit me to indicate which denominational boards have signed the contracts: the Sanatan Dharma Maha Sabha of Trinidad and Tobago, the Anjuman Sunnat Ul Jamaat Association of Trinidad and Tobago, the Incorporated Trustees of the Anglican Board of Trinidad and Tobago, the Catholic Education Board of Management, the Society for the Advancement of Human Aspiration, the Moravian Church of Trinidad and Tobago, the South Caribbean Conference of SDA and the Pentecostal Assemblies of the West Indies.

While the Ministry of Education is aware of the state of the Lengua Presbyterian School, the rebuilding of the school cannot commence in the absence

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of the written contractual relationship between the Presbyterian Church and the Government of Trinidad and Tobago. Notwithstanding the absence of the written contract, the Ministry continued for some time to effect routine maintenance and repairs as an interim measure to allow for the continuity of the school. The Ministry cannot disburse public funds until the contract is in place.

These are the facts as they obtain with respect to the Lengua Presbyterian School. I have been advised that the attorneys for the Ministry of Education are speaking with the board and, hopefully, in the interest of the Lengua Presbyterian School, the contract will be signed shortly. I ask the Member for Naparima to see what he can do to impress upon the relevant persons that they should make every effort to expedite the finalization of those contract arrangements.

I thank you.

International Women's Day

Madam Deputy Speaker: Hon. Members, before I put the question as it relates to the adjournment of this House, I would like to extend my best wishes to my sisters in this honourable House and to the women of Trinidad and Tobago on the celebration of International Women's Day. [*Desk thumping*] I acknowledge that the hon. Member for Oropouche East already brought greetings on behalf of the entire House. The official date is tomorrow, March 08, but today the Ministry of Community Development, Culture and Gender Affairs, together with other NGOs, celebrated International Women's Day.

It is important for us to note that this year would be 50 years since Trinidad and Tobago started the celebration of International Women's Day. It was actually initiated by Christina Lewis, who was a Member of the Butler movement and founder of Domestic Workers' Union and the Caribbean Women's National Assembly.

The theme for International Women's Day 2008 focuses on investing in women and girls. I, therefore, would like to extend my best wishes to all the women of Trinidad and Tobago as we celebrate tomorrow, March 08, 2008.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 6.26 p.m.