

Leave of Absence

Friday, March 14, 2008

HOUSE OF REPRESENTATIVES

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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 today's sitting of the House: Mrs. Kamla Persad-Bissessar, Member of Parliament for Siparia; Mr. Jack Austin Warner, Member of Parliament for Chaguanas West; and Hon. Anthony Roberts, Member of Parliament for St. Ann's East. The leave which the Members seek is granted.

CONDOLENCES

(MRS. NORMA LEWIS-PHILLIP)

Madam Deputy Speaker: Hon. Members, I would now like to give the opportunity to the Government and the Opposition to express condolences on behalf of Mrs. Norma Lewis-Phillip, a former Member of this House, who passed away on Saturday, March 08, 2008.

The Attorney General (Sen. The Hon. Bridgid Annisette-George): Madam Deputy Speaker, thank you. It is with great sadness that I rise this afternoon to pay tribute to the late Norma Lewis-Phillip who died on Saturday, March 08, 2008. It is well known that Mrs. Lewis-Phillip was a stalwart member of the People's National Movement. In fact, she was one of the foundation members, and in that case would have been one of the first 50 persons to have joined the movement. She served in varying capacities within the party and the government during her lifetime.

At the early age of 20, in the year 1951, when girls were still seen and not heard, Mrs. Lewis-Phillip became involved in the community and social life of Maraval where she grew up as a young girl. She became a member of the Maraval Child Welfare League and engaged in social work at the Maraval Health Centre. Such was Mrs. Lewis-Phillip's commitment to her community that in the year 1968, she decided that she needed to make a greater and wider contribution, and she ventured into the field of active politics at the local government level.

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[SEN. THE HON. B. ANNISSETTE GEORGE]

She served as a councillor for the St. George West County Council for eight years. Having got her feet wet, Mrs. Lewis-Phillip was propelled by that passion for the development of people into the national level, and ventured into national politics. She successfully contested the Diego Martin East seat in the 1976 election, and she remained the sitting candidate up until the 1986 election.

During her stint in government, Mrs. Norma Lewis-Phillip served in many key positions. She was a Parliamentary Secretary; she served as Minister in the Ministry of Finance; as Minister of Local Government; and also Minister in the Ministry of Health and the Environment.

Though Mrs. Lewis-Phillip was a very simple and humble woman, she was dedicated and hardworking. She loved her fellow man and she was passionate in her quest for the development of the people of Trinidad and Tobago. In fact, I am told that Mrs. Lewis-Phillip was key in the foundation of what is now known as the La Horquetta Housing Development Scheme. While the first phase was being constructed, she would be seen oftentimes traversing the building site along with the project management team in her rubber boots, because such was her commitment and dedication to the improvement of the lot of people of Trinidad and Tobago.

Mrs. Lewis-Phillip served at great sacrifice to herself and to her family life. On one occasion her home in Maraval was firebombed, and she repelled all insistence to move from that community and relocate elsewhere. She felt that Maraval was where her navel string was tied, and that was the community to which she was bound.

Mrs. Norma Lewis-Phillip was fondly known by many as “Aunty Norma”. In fact, I so knew her and I thought it was a title that was really reserved for me, not knowing that it was shared by many persons who did not have a blood connection with her. She made every person who came into her sphere feel special, and as if they were a member of her very own family. She was a mother figure to many. Her dedication in tackling individual problems of those who came to her home was extended to the national level. I think she would really be remembered as a very caring, loving and kind person.

Mrs. Norma Lewis-Phillip served as the Lady Vice-Chairman of the People’s National Movement from 1996—2003. In that role, she sought to ensure that women were inspired and women felt a part of the political process. She was really committed to empowering women in all spheres of life. She has taught many of us who were in the Women's League to stand up for our beliefs.

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I think it will go without any contradiction, if I say that Mrs. Norma Lewis-Phillip, as a woman in politics, has left an indelible mark in the history of Trinidad and Tobago and, certainly, a footprint that many women on this side and the wider national community will feel proud to follow in.

As we pay tribute today to Mrs. Norma Lewis-Phillip, I pray that Almighty God would reward her for all the good that she has done.

May God bless her soul. [*Desk thumping*]

Mr. Chandresh Sharma (Fyzabad): Madam Deputy Speaker, thank you very much. As we on this side join in paying tribute to a simple, sincere and very dedicated mother, sister, daughter, wife and Member of Parliament, Mrs. Norma Lewis-Phillip, one cannot help but recall—those of us who were associated with her—her good work. Unfortunately, she died on Saturday, March 08, 2003 when we were celebrating International Women's Day.

Madam Deputy Speaker, it is instructive that we take a page out of Norma's life, especially where she had that desire to serve and to care. Today, what is happening in Trinidad and Tobago is certainly not the best tribute that we can pay to Norma's life. In cases like this, when we are paying tribute, we have to be certain that we want to add value and make sure that the life that we are paying tribute to continues.

Norma, as I remember, was not a mother in her own rights, because she did not have any kids, but she became an adopted mother to many. In fact, she had two godchildren in the constituency of Fyzabad, and from time to time she would visit them and sometimes call them on the phone. I remember on one occasion when she visited Fyzabad, her car broke down and some of the neighbours' children assisted her, because they remembered her outreach. It is fitting, if we are to really pay meaningful and measurable tribute, we must look at the mothers in the country and see how they are living. At this time, they are not doing very well. We must make sure that this tribute has meaning to all the mothers, sisters and daughters.

We in the Opposition pray that Almighty God would receive her knowing that she did her work and her work must continue. We pray God's blessings on her soul.

Thank you. [*Desk thumping*]

The Prime Minister (Hon. Patrick Manning): Madam Deputy Speaker, thank you very much. It would be remiss of me if I allow this opportunity to pass without making some small contribution, as we pay tribute to a stalwart of this Parliament and a stalwart of politics in Trinidad and Tobago, Mrs. Norma Lewis-Phillip.

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Mrs. Norma Lewis-Phillip came into prominence long before she became a Member of Parliament. In fact, she was very active in the PNM and had gained—I almost said notoriety—for being such a good activist in support of her then Member of Parliament, Mr. Karl Hudson-Phillips, as you know, when difficulties broke out between Mr. Hudson-Phillips and the then Prime Minister, Dr. Eric Williams.

It was the view of Dr. Eric Williams' Screening Committee and the party's leadership that Norma Lewis-Phillip should have succeeded him as the PNM's candidate for the Constituency of Diego Martin East, and she subsequently went on to win the election and become the parliamentary representative. At the time, that was a most unprecedented move, because the comparison that many persons made was the academic qualifications of her predecessor versus hers.

As you know, she was an unlettered lady, but she was a very simple, humble and dedicated person. At the time, she worked as a receptionist with Dr. Blanc—that was the job she did—and many had a lot to say about her that was not complimentary at all. That notwithstanding she was able to overcome all of it. That is to demonstrate that it had nothing to do with academic qualifications, but what it really had to do with was your level of dedication and your commitment to the society from which you have come. In that respect, she discharged her responsibilities with great distinction, so much so that there are many persons who now have very fond memories of Mrs. Norma Lewis-Phillip and her tenure in office as a Member of Parliament representing the constituency of Diego Martin East.

Madam Deputy Speaker, she became a member of the Cabinet in 1979, and was given the portfolio of Housing. Again, there were many who felt she would not have been up to the task. I remember some months after she assumed that portfolio, talking with the chairman of a company who at the time was constructing Santa Rosa Heights, and needed assistance from the Government in that regard, spoke of her in very glowing terms. The point he made was they found her very easy to work with; whatever issues they raised with her they found that she would address the issues expeditiously, and they would get answers in a timely fashion which allowed them to successfully continue the conduct of their business, which was a big difference from what they claimed they had become accustomed to.

Madam Deputy Speaker, Norma Lewis-Phillip continued to demonstrate a skill that really, only Norma had, as you look at it in that particular period of time.

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1.45 p.m.

In 1980, there was an organization in the country called the National Union Freedom Fighters (NUFF). I am in no position to say whether they were responsible or not, but what I do know is bombs were being thrown in houses at that time and I got bomb No. 34 and she got bomb No. 38 thrown into her house and her husband got injured in that particular attack. When we visited her shortly after the attack, it was a sight to observe what had happened to her living room, fridge and all of these things. The place was just virtually “ransacked” by this bomb, but she was not daunted.

Many of us would have taken the position that, "I do not really need this and this thing is becoming counter-productive", but she was a lady of tremendous courage and was determined that no individual using any method of cowardice would get her to relinquish her responsibilities to the people of Trinidad and Tobago and to distance herself from the political involvement in which she had engaged. She was determined that that would not happen to her, she persevered in the face of physical attacks on her person and the threats to herself and to the members of the family.

I am sure you would recall, Madam Deputy Speaker, that in 1981 Dr. Williams died—she believed in Dr. Williams—and there were many in the PNM who wondered whether the PNM would have been able to continue and to succeed. It was the time of the ONR; it was the time when the ONR under the leadership of her predecessor in office was very much rampant all over the country and many wondered whether the PNM could survive the demise of Dr. Williams. I had very fond memories of meeting her in a house in Tobago after Mr. Chambers had embarked on a campaign that took us to Tobago one weekend; there were many of us in this House, and she and I were talking because she was concerned about what was taking place. She asked me to dance because music was playing, and we danced and talked. She was very concerned and I tried to the best of my ability to give her some comfort, because I was convinced that we would have made it and, in fact, we did make it. And she had recalled that incident to me on other occasions.

Madam Deputy Speaker, it is now well known that she lost the election in 1986, as so many of us did, but she persevered in her political pursuits, moving on to become Lady Vice-Chairman of the People's National Movement. That is to say, the leader of the Women's League of our very distinguished political party and a member of the political leadership of the People's National Movement, which at the time comprised the political leader, three deputy political leaders,

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lady vice-chairman and the general secretary; just six people; she became a member of the leadership.

I would also like to place on the record the fact that in one Caribbean country, which I shall refrain from naming, a particular political party was about to conduct an election and they had concerns about a particular marginal seat and were looking for expertise to assist them. All I know—I did not sanction it—is that Mrs. Norma Lewis-Phillip ended up in that particular country; she took part in that campaign and the records would show that that seat was won by the political party she supported at that particular election. It was expertise that she brought to bear on the conduct of that election campaign. And in fact, it just gave credence to our own belief that her demonstrative expertise was not restricted just to the peculiar circumstances of Trinidad and Tobago, but she was able also to operate in any political environment in which she was called to operate.

Yesterday, at the funeral, I was very touched to hear what was said by so many people who were paying tribute to Norma Lewis-Phillip, and it is quite clear that she would be fondly remembered by many people inside of the PNM and outside of it. She was a devout Roman Catholic and as someone said yesterday, just before she died, someone who performed rites with her, that they felt she concretized her association with Almighty God and therefore, it is with confidence that we express the view that her soul finds rest in the arms of the Almighty.

God bless her.

Madam Deputy Speaker: In joining this honourable House in expressing condolences to the family of Mrs. Norma Lewis-Phillip, I would also like to add as follows:

Norma Lewis-Phillip, a woman dedicated to the service of her party and country, died at age 77 on Saturday, March 08, 2008.

As a dedicated member of the People's National Movement Women's League and its head until 2003, it is symbolic that she would depart this life on the day recognized locally and internationally to celebrate the contribution of women worldwide.

During her tenure in the House of Representatives, Norma Lewis-Phillip proved herself to be a versatile woman and held ministerial posts in the Ministry of Finance, Local Government and Health. On the floor of the House, she advocated legislation that impacted directly on the lives of the average citizen such as those for the implementation of the School Nutrition Programme and the development of the national housing policies.

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The *Hansard* shows that she was always practical in her approach to debates, asking honest questions and offering realistic solutions, which always attempted to meet the needs of the people of her community.

When her time in the elected House came to an end, Mrs. Norma Lewis-Phillip continued her work within the People's National Movement as lady vice-chairman and frequently served as a temporary Senator.

Norma Lewis-Phillip was indeed an example of a woman of substance. Her life of dedicated service to community and country is one that many of our youth, both female and male, should attempt to follow.

I would ask the Clerk of the House to send a letter of condolence to the family on behalf of the Members of this House. Can I now ask that we stand for a minute's silence?

The House stood.

PAPERS LAID

1. Draft Policy Paper on Consumer Protection in the 21st Century—The Way Forward. [*The Minister of Legal Affairs (Hon. Peter Taylor)*]
2. Report of the Auditor General of the Republic of Trinidad and Tobago on the financial statements of the Princes Town Regional Corporation for the year ended September 30, 2004. [*The Minister of Finance (Hon. Karen Nunez-Tesheira)*]

Paper 2 referred to the Public Accounts Committee.

3. The Administrative Report of the Ministry of Planning and Development and for fiscal years 2002—2005. [*The Minister of Works and Transport (Hon. Colm Imbert)*]
4. The Administrative Report of the Ministry of Planning and Development for fiscal year 2006. [*Hon. C. Imbert*]

ORAL ANSWERS TO QUESTIONS

The Minister of Works and Transport (Hon. Colm Imbert): Madam Deputy Speaker, the Government has answers to questions Nos. 20 and 65 today. I would ask for a deferral of two weeks for the other questions on the Order Paper.

The following questions stood on the Order Paper:

**Office of Disaster Preparedness Management
(Details of)**

12. With regard to the Office of Disaster Preparedness Management, can the hon. Minister of National Security inform the House what is the recurrent cost in 2007 in relation to the operations of this office and what has the office achieved thus far? [*Mr. J. Warner*]

**Brian Lara Sporting Complex
(Cost and Completion of)**

48. With regard to the Brian Lara Sporting Complex in Tarouba, could the hon. Minister of Sport and Youth Affairs state:
- (a) the projected cost;
 - (b) how much money has been expended on the project so far; and
 - (c) the expected date of completion of the entire project? [*Dr. H. Rafeeq*]

**Housing Development Corporation
(Details of Housing Units)**

49. With respect to the Housing Development Corporation could the hon. Minister of Planning, Housing and the Environment state:
- (a) how many housing units were constructed in the Mayaro constituency during the period January 01, 2006—December 31, 2007;
 - (b) the geographical location of these units;
 - (c) the total expenditure on construction of those units to date; and
 - (d) how many of these units are still unoccupied? [*Mr. W. Peters*]

**Mayaro Constituency
(Construction of Housing Units)**

50. Could the hon. Minister of Planning, Housing and the Environment state what new housing units are earmarked for construction in the Mayaro constituency? [*Mr. W. Peters*]

**Housing Development Corporation
(Relief from Flooding by Homeowners)**

- 51.** Could the hon. Minister of Planning, Housing and the Environment state:
- (a) whether she is aware of the plight of families in Plaisance Park, Mayaro who have been severely affected by regular flooding of their Housing Development Corporation units (recent advertisement December, 2007); and
 - (b) what the Housing Development Corporation is doing to bring relief and comfort to these homeowners in the short and long term? [*Mr. W. Peter*]

**Caroni Bridge
(Details of Construction)**

- 66.** With respect to the Caroni Bridge, could the hon. Minister of Works and Transport:
- (a) furnish details of the cost of construction;
 - (b) who were the designers of the local bridge works, specifically, river alignment, bridge supports and associated road works; and
 - (c) was the Ministry of Works Highways Division given any responsibility for the bridge? [*Mr. J. Warner*]

Questions, by leave, deferred.

**Professor Mastrofski
(Details of Services)**

- 20. Mr. Subhas Panday** (*Princes Town North*) asked the hon. Minister of National Security:

With regard to the services of Professor Mastrofski and his team, could the Minister state:

- (a) the amount of money paid to date to obtain his services and those of his team;
- (b) how many recommendations did he propose for the solving of serious crimes;
- (c) briefly, the recommendations;
- (d) whether the Government implemented all of his recommendations;

- (e) if the answer to (d) is in the negative, can the Minister list the recommendations which were not implemented; and
- (f) the reasons why the recommendations listed in (e) were not implemented?

The Minister of National Security (Sen. The Hon. Martin Joseph): Madam Deputy Speaker, the Police Transformation Project began in August 2004 and has, since then, been spearheaded by the Police Transformation Team from the George Mason University (GMU), under the leadership of Professor Stephen Mastroski, Chair of the Department of Administration of Justice and Director of the Center for Justice Leadership and Management at George Mason University.

The GMU Team is tasked with the implementation of an Organizational Development Project, aimed at increasing the leadership and management capabilities of the police service, so as to enhance its effectiveness in the fight against crime.

Madam Deputy Speaker, for a number of reasons, the GMU's proposal was selected over that of another proposal submitted by Giuliani Partners LLC of the United States of America, a company owned by the former Mayor of New York. Following consultation with key stakeholders on the issue, it was determined, for example, that the deliverables put forward by the Giuliani proposal would not bring about the transformation that was required in the police service, nor would it address the challenges facing Trinidad and Tobago as it pertained to crime. More importantly, a review of the impact of the Giuliani team's intervention in Mexico City revealed a high level of discontent with the team's approach and mixed reviews on its success.

Another key determinant was comparative project costs. When Government compared the Giuliani proposal to that of the GMU, the costs of the GMU team were considerably lower than that which Giuliani Partners would have charged for services covering a comparable period of time.

Giuliani Partners submitted a proposal to provide their services for six months at the rate of US \$2.4 million. Had Giuliani Partners provided services for the same time period at their quoted rate, the cost to the Government would have been US \$16.8 million.

Madam Deputy Speaker, from the date of commencement of the Police Transformation Project in August 2004 to present, a sum of US \$8,742,819 or approximately TT \$55,079,759 has been paid to the George Mason University. I wish to reiterate, that the Government of Trinidad and Tobago has entered into an agreement with the George Mason University, for which it has paid US \$8,742,819.

Additionally, the scope of services and staffing levels provided by GMU has been much greater than those proposed by Giuliani Partners. In summary, therefore, GMU is providing Trinidad and Tobago with a lot more assistance at a much lower cost.

The transformation team includes other members of staff of GMU and experts from the Universities of San Francisco, Arizona State, Bowling Green, North Carolina and South Illinois State. Experts from Penn State University and Justice and Security Strategies Incorporated have also been engaged to facilitate and provide training in a number of areas.

More specifically, the team has engaged the services of 18 persons with doctorates in criminology, criminal justice, sociology, psychology, political science and law. This includes four full Professors, eight Associate Professors and four Assistant Professors.

In addition, more than 50 experienced police officers have provided services, together with more than 30 graduate research assistants, staff and technical support consultants. Hon. Members may also wish to note that these numbers include a variety of local consultants.

I would now like to share with hon. Members, short biographies of key members of the team:

Stephen D. Mastrofski, Professor and Chair of Administration of Justice Department and Director of the Center for Justice Leadership and Management, GMU. He has a Ph.D., Political Science, University of North Carolina, is an internationally recognized expert in policing and is well known for his research on community policing, Compstat, police reform, and a variety of law enforcement topics; a consultant to police departments and government agencies in the United States and abroad, for example, Canada and Israel.

Edward Maguire, Associate Professor of Administration of Justice. Ph.D., Criminal Justice, State University of New York-Albany; expert in police organization and police crime control strategies.

2:00 p.m.

Cynthia Lum, Assistant Professor of Administration of Justice, GMU. Ph.D., University of Maryland, Criminology and Criminal Justice. Detective, Baltimore City Police. Expertise in crime mapping, policing in developing democracies, counter-terrorism interventions.

Roger B. Parks, Professor of Public and Environmental Affairs at Indiana University. Ph.D., Indiana University, Political Science. Research expertise in community policing and its effects on officer behaviour, citizen experiences and perceptions, and the structure and practices of police organizations.

Charles Katz, Associate Professor, Department of Criminal Justice and Criminology at Arizona State University. Ph.D., University of Nebraska-Omaha, Criminal Justice. Professor Katz is an expert on gangs. He has published an award-winning book on law enforcement efforts to control gangs and gang violence.

William King, Associate Professor in the Department of Criminal Justice at Bowling Green State University. Ph.D., Criminal Justice, University of Cincinnati. Professor King is an expert in policing, and he teaches classes in forensic evidence processing.

Jeffrey B. Snipes, Assistant Professor of Criminal Justice at San Francisco State University. Ph.D., Criminal Justice, State University of New York, Albany, Stanford Law School. Professor Snipes is a statistical expert and is also an expert in crime records and census data in Trinidad and Tobago.

William Wells, Ph.D. Associate Professor in the Center for Study of Crime at Southern Illinois University—

Mr. S. Panday: Madam Deputy Speaker, on a point of order.

Sen. The Hon. M. Joseph:—Professor Wells is an expert in problem-oriented policing (POP) and gun violence.

Mr. S. Panday: Madam Deputy Speaker, on a point of order. The answer is irrelevant.

Madam Deputy Speaker: It is a question. Hon. Members, please! [*Crosstalk*] Members, could we please allow the Minister of National Security to answer the question. [*Crosstalk*]

Sen. The Hon. M. Joseph: You cannot tell me how to answer my question. [*Interruption*]

Stephen Kuhn, Masters Degree from Northeastern Illinois University. Former chief of police in West Chicago.

Tyree Blocker, retired Major from Pennsylvania State Police. Master's degree from West Chester University. Graduate of the Federal Bureau of Investigation National Academy. [*Interruption*]

Debra Hoffmaster, Masters degree, Pennsylvania State University, Community Systems Planning and Development.

Hon. Member: Order, please!

Sen. The Hon. M. Joseph: Dan Waddington, Bachelor's degree in Justice Administration, Master's degree in Public Administration.

Louis Bertrand, CEO, HHB. Heads survey research firm in Trinidad and Tobago. *[Interruption]*

Madam Deputy Speaker, as evidenced by the above biographies of only some members of the team, and from the work undertaken by the team, the GMU team brings a distinct approach to planning, evaluation, training and providing other technical assistance to Trinidad and Tobago. The key elements of this approach are as follows:—

Mr. S. Panday: Madam Deputy Speaker, I withdraw the question now.

Hon. Member: You do not want it now?

Sen. The Hon. M. Joseph: You cannot tell me how to answer. It is too late. You cannot tell me how to answer.

Madam Deputy Speaker: Hon. Members, please! At this point in time— *[Crosstalk]* Hon. Members, please! At this point in time you cannot withdraw the question. Okay. Hon. Minister of National Security. *[Crosstalk]*

Sen. The Hon. M. Joseph: The key elements of this approach are outlined as follows:

Evidence-based problem solving. Before recommending solutions, GMU investigates the problem to make sure that solutions are based on a sound diagnosis of the problem, rather than unexamined assumptions. Sometimes the investigation is extensive, and sometimes not, depending upon the scope and priority of the problem.

Customized solutions. GMU does not accept "off-the-shelf" solutions, but rather works to customize promising strategies to the peculiarities of the situation to which they must be applied. What may have worked well at one place and time may not do so at another.

Multi-phased responses. When possible, GMU recommends short, medium, and long-term strategies for overcoming challenges.

Pilot-testing major innovations. When anticipating the implementation of an extensive agency-wide program, GMU first proposes a small-scale pilot

program to work out problems and learn from the experience before initiating the programme agency-wide.

Capacity-building. Successful strategies, programmes, and activities require a sufficient capacity in the organization and its collaborators. GMU identifies key foundational capacities that must exist or be strengthened before interventions should be attempted.

Multi-agency involvement. Many crime control and police reform problems require solutions involving other parts of government, the private sector, and the community. Where necessary, GMU attempts to involve all relevant agencies in the diagnosis, planning, and implementation of solutions.

Implementation follow-through. Implementation is usually the greatest challenge and so GMU recommends key implementation steps and offers evaluation and technical assistance throughout the implementation process. GMU helps the organization learn from both its successes and failures. GMU stays on site to monitor progress and offer recommendations to keep implementation on track. It does not fly in, make recommendations, and just depart.

Realistic goals. GMU does not promise unrealistic goals. Despite the allure of quick success, crime and reform problems take time to correct.

Quality professionals. GMU employs a wide range of proven, highly qualified professionals. These include researchers with distinguished records of expertise on policing, law enforcement, and related fields. Also included are police with many years of experience in the necessary areas of expertise, whether it is management, technical law enforcement matters, or training.

Having undertaken a comprehensive review of the Trinidad and Tobago Police Service, the Police Transformation Team adopted a 4-tiered approach, comprising 26 key recommendations aimed at increasing the leadership and management capability of the police service, so as to enhance its effectiveness in the fight against crime. [*Interruption*]

The recommendations are as follows:

1. Create a functional organization based on meritocracy, accountability for performance, rational and evidence-based decision-making, effective internal communications. Under this heading there are eight recommendations as follows:
 - i. Overhaul the TTPS performance appraisal system;

- ii. Shift the promotion system from strictly seniority to meritocracy;
 - iii. Improve the system by which complaints against police officers are processed, in terms of fairness and efficiency;
 - iv. Develop a more reliable data management system to allow for informed decision-making on staffing and other strategic issues;
 - v. Develop evidence-based management and accountability in the TTPS;
 - vi. Create a professional, properly staffed public affairs unit within the TTPS;
 - vii. Effective governance of the TTPS;
 - viii. Improve the system for vehicle fleet acquisition and management.
2. Promote professionalism through appropriate training and education, adherence to high standards of service, competence and integrity. Under this heading there are seven recommendations as follows:
- Need to:
- i. Improve the integrity climate throughout the TTPS;
 - ii. Improve the quality of police recruit training;
 - iii. Improve the quality of in-service training;
 - iv. Improve the quality of supervision and management through high quality in-service training;
 - v. Improve the quality of leadership at the top of the organization, with the assistance of an external executive advisor;
 - vi. Establish a command college to promote the professional development of officers through higher education, so as to prepare them for supervisory and managerial positions;
 - vii. Increase the capacity for strategic crime control.
3. Improve crime control with state of the art crime analysis, strategic application of resources, intra- and inter-agency coordination, implementation follow-through. Under this heading there are 10 recommendations as follows:
- i. Reduce the rate of homicide by the creation of the Homicide Prevention Working Group;

- ii. Improve the capacity of the police service to prosecute criminal cases more effectively;
 - iii. Implement community policing and problem solving in a demonstration site (Gonzales project);
 - iv. Improve the reliability of crime data and the quality of crime reports;
 - v. Improve the quality of crime analysis, (CAPA), by the establishment of the crime and problem analysis unit;
 - vi. Institute a Gang Repeat Offender project and improve gang intelligence;
 - vii. Improve the quality and timeliness of physical evidence available for investigation and prosecution of criminal cases, especially homicides;
 - viii. Increase the capacity to apply problem-solving to the homicide problem;
 - ix. Increase the capacity for homicide investigations;
 - x. Reduce retail illicit drug-dealing in residential neighbourhoods.
4. Enhance Service: Responsiveness to public priorities, fairness, increased trust and confidence in police. Under this heading, the final recommendation is:
- i. Revitalize the work done by police officers in the station districts through the policing for people initiative. This approach is designed to improve public confidence and trust in the police service by providing the public with much higher quality service: [*Interruption*]
 - Greater attentiveness
 - Reliability
 - Responsiveness
 - Competence
 - Fairness and
 - Better manners

Hon. Members are advised that all the recommendations, with the exception of five, are at various stages of implementation. However, it is important to note that transformation of the police service is, for the most part, a long-term project, especially given the fact that a key component of transforming the police service

is changing deeply entrenched mindsets, attitudes and culture. It is a process, for which the foundation is being laid, and while there will be immediate improvements in some areas, mostly systemic and structural, the attainment of successful transformation is, in large part, reliant on the rapidity with which police officers internalize and adopt the new philosophies and approaches to policing.

There are also some logistical considerations underlying the complete implementation of recommendations. These include the following:

- Some recommendations are dependent on others being implemented and therefore cannot be implemented until such time;
- Some recommendations target issues that are deep-seated and are therefore not expected to be fully implemented in the short term; and
- Some recommendations require legislative amendments to be effected.

It is important therefore, that the transformation process be fully implemented, as any attempt to short-circuit can jeopardize the process and adversely influence its effectiveness.

The five recommendations that have not yet been implemented and their current status are as follows:

1. Recommendation 1(iii)—[*Interruption*—Improve the system by which complaints against police officers are processed, in terms of fairness and efficiency.
 Status - GMU's initial recommendations were accepted by TTPS and implemented. However, subsequent recommendations arising from the passage of the 2006 Police Complaints Authority Act, are currently under consideration.
2. Recommendation 1(iv) - Develop a more reliable data management system to allow for informed decision-making on staffing and other strategic issues;
 Status - GMU evaluated the data system for tracking personnel and staffing, and delivered its report with recommendations. Those recommendations are currently under review.
3. Recommendation 1(viii) - Improve the system for vehicle fleet acquisition and management.
 Status - GMU submitted recommendations for improving the system of vehicle fleet acquisition and management. These recommendations are currently under review.

4. Recommendation 2(i) - Improve the integrity climate throughout the TTPS.
Status - GMU conducted a study of the integrity climate in the TTPS and submitted it with recommendations. These are currently under review.
5. Recommendation 2(vi) - Establish a command college to promote the professional development of officers through higher education, so as to prepare them for supervisory and managerial positions.

2.15 p.m.

Phase II of the St. James Police Barracks construction will provide a modern training college. This is part of the Urban Development Company of Trinidad and Tobago Construction Programme with the Ministry of National Security.

Hon. Members are asked to note that the GMU's contract is scheduled to conclude on August 31, 2008, as are the contracts with Pennsylvania State University and Justice and Security Strategies.

As the contract of the Police Transformation Team draws to a close, the Government of Trinidad and Tobago is confident that the foundation for successful transformation within the police service has been firmly established. The Police Transformation Project continues to be a critical component in enhancing law enforcement in Trinidad and Tobago, and the Government feels assured that the benefits of pursuing the transformation project outweigh the expenditure incurred.

I thank you, Madam Deputy Speaker. [*Desk thumping*]

Mr. S. Panday: Madam Deputy Speaker, supplemental.

Madam Deputy Speaker: Hon. Members, as it relates to question No. 65, I would direct that that question be circulated—

Mr. Maharaj SC: [*Inaudible*]

Madam Deputy Speaker: You are going to put it to next week?

Mr. Maharaj SC: Yes.

Madam Deputy Speaker: Okay, fine. I have been advised that by agreement this question would be answered next week.

Mr. S. Panday: Madam Deputy Speaker, supplemental, just one.

Madam Deputy Speaker: Having regard to the fact that I allowed the Minister to go over by two minutes, I would allow one supplemental.

Mr. S. Panday: Thank you, Madam Deputy Speaker. Has the engagement of these experts, and in particular, the specialist on gangs, led to a reduction in gang warfare, and consequently, a reduction in the murder rate in Trinidad and Tobago? [*Crosstalk*]

Sen. The Hon. M. Joseph: Madam Deputy Speaker, if he poses it as a question, I will provide him with the appropriate answer. [*Desk thumping*]

The following question stood on the Order Paper in the name of Mr. Jack Warner (Chaguanas West):

**Caroni Bridge
(Extent of Damage)**

65. Is the Minister of Works and Transport:

- (a) aware that the landslip on the southern end of the new Caroni bridge has caused the steel truss bridge to move resulting in damage to some of the steel members; and
- (b) if the answer to (a) is yes, could the Minister briefly state the extent of the damage and the measures that are being taken to ensure public safety?

Question, by leave, deferred.

DEFINITE URGENT MATTER

(LEAVE)

Tetanus and Yellow Fever Vaccines

(Acute Shortage)

Dr. Tim Gopeesingh (*Caroni East*): Madam Deputy Speaker, in accordance with Standing Order 12 of the House of Representatives, I hereby seek your leave to move the adjournment of the House at today's sitting, Friday, March 14, 2008, for the purpose of discussing a definite matter of urgent public importance, namely the acute shortage of tetanus and yellow fever vaccines at major health institutions and at least 50 health facilities—abominable—particularly along the East-West Corridor with resulting impending fatalities secondary to tetanus infection and yellow fever spread, cognizant of the recent outbreak in just neighbouring South America, Venezuela and Brazil.

The matter is definite as it pertains to a specific matter, namely the 21-year-old basketballer who was unable to receive a tetanus vaccine in any public health institution along the East-West Corridor—[*Interruption*]

Mr. Ramnath: You all have no shame.

Dr. T. Gopeesingh:—and had to eventually purchase a vaccine at a private centre, after long and frustrating unsuccessful attempts and calls to various institutions yesterday.

The matter is urgent because acute injury with contamination of any puncture wound, laceration or even a superficial abrasion can result in death in the absence of administration of a tetanus vaccine, if after the first one had been administered, ten years have elapsed.

Madam Deputy Speaker, pregnant mothers ought to receive tetanus vaccination to prevent neonatal tetanus infection and death of newborn babies. The non-availability of these vaccines throughout the East-West Corridor will obviously result in fatalities and loss of innocent lives, including newborn babies and those are thousands.

The matter is of public importance because of the impending danger to the lives of thousands of pregnant mothers and the hundreds of citizens on a daily basis, who experience some degree of either minor and/or major trauma, abrasions, superficial and deep lacerations and burns, all of whom require the administration of the tetanus vaccine as soon as these wounds are made.

So therefore, the non-availability of these vaccines over the last two to three months has undoubtedly created a situation where the lives of citizens in Trinidad and Tobago are at stake, and serious fatalities and deaths of citizens and newborn can occur very quickly.

Thank you, Madam Deputy Speaker. [*Desk thumping*]

Madam Deputy Speaker: Hon. Member, your Motion does not qualify under Standing Order 12, but will qualify under Standing Order 11.

STATEMENT BY MINISTER
Consumer Protection in the 21st Century
(The Way Forward)

The Minister of Legal Affairs (Hon. Peter Taylor): Thank you, Madam Deputy Speaker. Over the past 20 years or so, the social, economic and social landscape of Trinidad and Tobago has changed dramatically. Our citizens are now living in an era of rapidly increasing globalization, where countries of the world have become increasingly interdependent, economically and otherwise.

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Madam Deputy Speaker, such interdependence is characterized by the steady flow of goods and services across borders, a reduction in barriers to trade, international capital flows, foreign direct investment and outsourcing, a vibrant multinational activity and immigration flows.

In this context, Trinidad and Tobago is fully integrated into the world market economy. This Government's prudent economic management has fuelled an unhindered flow of direct investment, facilitated by a sound financial environment; sound macro-economic stability; a robust investment in skills development; and rapid assimilation of information technology throughout various sectors of the national economy.

The result of such rapid economic expansion is that the consumer of today is by and large more knowledgeable and sophisticated than the consumer of say, 10 or 15 years ago. In addition, the international travel of nationals and non-nationals alike has resulted in a citizenry that has come to expect higher standards of consumer protection.

Madam Deputy Speaker, our proximity to North, South and Central America and our quest to become the financial capital of the Caribbean, affords us the unique opportunity to enjoy the best of all worlds. In this regard, it is both timely and opportune that next year our country will be hosting two major hemispheric and international conferences. The first is the 34th Nations Summit of the Americas and the second is the 54th Nations Commonwealth Heads of Government Conference. This country will welcome the world on a scale unprecedented for a small twin-island republic of 1.3 million persons.

Madam Deputy Speaker, there is no better time, therefore, for an overall of our consumer protection legislation, for the eyes of the world will be increasingly upon us and it is incumbent upon this Government to provide the legal and social environment befitting a developed and civil society. One step in the creation of such a society is the implementation of the legislative framework to afford consumers real protection.

For instance, consumers must be assured that when they purchase an item, they have the right to return the said item and get a full refund if the said item is defective, and it must be returned in the same condition in which it was purchased within a stipulated time frame. Consumers must also be comfortable in the knowledge that when they order items, for example, furniture and/or appliances, and such items are not delivered within the time frames stipulated by the vendor, that they are entitled to demand and receive a full cash refund.

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[HON. P. TAYLOR]

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Consumers must also be secure in the knowledge that a legal framework exists to afford them fast, inexpensive and efficient relief should it become necessary to resort to litigation to enforce their legal rights. The public must feel satisfied that when they purchase an appliance, that the warranty is honoured should that appliance prove defective or unserviceable within the period covered by the warranty.

Madam Deputy Speaker, the development of a national policy for consumer protection has been identified as a priority, leading to legislative reform. The Government's aim is to ensure that such a policy embodies the trading methods and practices of a modern and vibrant economy, and that the laws governing and regulating commercial practices are updated and strengthened accordingly. This is consistent with the comprehensive development strategy as outlined in this country's Vision 2020 Policy document, which specifically articulates the Government's aspirations for consumer protection.

2.30 p.m.

A key step in the process towards an appropriate consumer protection framework is the drafting of a revised Green Paper entitled *Consumer Protection in the 21st Century, The Way Forward*.

One of the more noteworthy reform proposals identified in this Revised Green Paper is the creation of a consumer tribunal. This quasi judicial tribunal will provide fast, inexpensive and expert relief for consumers. This effectively means that for the first time consumers would be able, at a very nominal cost, to petition an adjudicating body with a view to resolving their disputes with finality over the provision or non-provision of goods and services not exceeding a value of \$100,000.

Hon. Members would recall that a Green Paper on consumer protection entitled *Consumer Protection in the Information Age* was laid in the Parliament in June 2005. That Green Paper provided a basis for 18 extensive public information and consultation sessions conducted across Trinidad and Tobago between July and September 2005.

As a further commitment to developing a reformed consumer protection framework, this Government has analyzed the current consumer protection regime in place in Trinidad and Tobago, has examined emerging global trends and has identified international best practices that address similar issues and challenges confronting consumers in Trinidad and Tobago. The Government of Trinidad and Tobago has also reviewed the various treaties and conventions to which this country has acceded, in particular, the United Nations' guidelines on consumer protection.

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Information gathered during the 2005 consultation sessions, along with a careful review of consumer protection legislation, have identified key areas in which consumer legislative reform is needed. It is intended that the legislative reform will, inter alia:

1. encompass the supply of both goods and services;
2. provide greater consumer guarantees for an efficient supply of services;
3. afford protection to consumers who experience problems which routinely arise in distance selling, including e-commerce transactions;
4. standardize the true cost of credit information supplied to consumers who are financing purchases,
5. prohibit the inclusion of unfair contract terms in agreements; and
6. prohibit unfair business practices.

It is clear that this is vitally important if we are to have our existing consumer protection legislation strengthened in the shortest possible time. To this end, the Government has engaged the services of the Public Sector Transformation Group (PSTG), a well-established public sector consulting firm that has been instrumental in public sector reform in Canada and the United States of America.

Madam Deputy Speaker, PSTG has drafted a policy paper that comprehensively addresses the requirements mentioned above. Therefore, to ensure that the national community is afforded ample opportunity to comment on the intended consumer legislative changes, it is my distinct pleasure to lay on the Table this revised Green Paper, entitled *Consumer Protection in the 21st Century, The Way Forward*.

Madam Deputy Speaker, the proposals in this revised Green Paper are intended to stimulate discussion among stakeholders, particularly, the consumers and suppliers. Everyone is encouraged to submit comments to the Ministry of Legal Affairs. A condensed version laid before this honourable House will be made available to the public through the print media, and the document in its entirety will be available on the Ministry of Legal Affairs' website, which is, www.legalaffairs.gov.tt. Hard copies will be made available in the reference sections of all the National Library Information System (NALIS) libraries, community centres throughout the country, and will also be sent to all Ministries for comments. This document will also be made available in Braille at the Blind Welfare Association of Trinidad and Tobago and at the office of Persons Associated with Visual Impairment.

The public is invited to fully embrace this opportunity to submit comments on this revised Green Paper, by utilizing the feedback response forms attached to the

condensed version in the print media. Forms may also be deposited in specially marked boxes of the Ministry of Legal Affairs. Comments may be forwarded via email to the following email address, greenpaper@la.gov.tt, and/or may be mailed to the Director, Consumer Guidance, Agostini Compound, No. 3 Duncan Street, Port of Spain. The deadline for receipt of comments is April 15, 2008.

This is, indeed, a forum for citizens from different walks of life, all with their collective views, however divergent or contradictory, to contribute to this revised Green Paper. To paraphrase the late Dr. Eric Williams, the first Prime Minister of Trinidad and Tobago, this exercise constitutes a nation in conference and educated democracy in deliberation. In short, it is a government seeking advice from its citizens.

Madam Deputy Speaker, I thank you.

ARRANGEMENT OF BUSINESS

The Minister of Works and Transport (Hon. Colm Imbert): Madam Deputy Speaker, I beg to move that this House proceed to deal with Motion No. 4 on the Supplemental Order Paper as the first item of Government Business at today's sitting.

Agreed to.

JOINT SELECT COMMITTEES

(APPOINTMENT OF)

The Minister of Works and Transport (Hon. Colm Imbert): Madam Deputy Speaker, I beg to move the following Motion standing in my name:

Whereas section 66A of the Constitution makes provision for the establishment of Joint Select Committees of Parliament to enquire into and report to Parliament on the administration, manner of exercise of their powers, methods of functioning and on any criteria adopted in the exercise of their powers and functions by:

- (A) Government Ministries;
- (B) Municipal Corporations;
- (C) Statutory Authorities;
- (D) Enterprises owned or controlled by or on behalf of the State or which received funding from the State of more than two thirds of its total income in any one year; and
- (E) Service Commissions with the exception of the Judicial and Legal Service Commission.

Be it resolved that the House appoint six (6) Members to serve with an equal number from the Senate to enquire into and report to Parliament on Service Commissions with the exception of the Judicial and Legal Service Commission on their administration, manner of exercise of their powers, methods of functioning and on any other criteria adopted by them in the exercise of their powers and functions:

The Members are:

Ms. Penelope Beckles

Mr. Gary Hunt

Mr. Stanford Callender

Mr. Fitzgerald Jeffrey; and

Two (2) Opposition Members to be named

And be it further resolved that the House also appoint six (6) Members to serve with an equal number from the Senate to enquire into and report to Parliament on Municipal Corporations and Government Ministries/Statutory Authorities/Enterprises owned or controlled by or on behalf of the State which received funding from the State of more than two thirds of their total income in any one year.

The Members are:

Ms. Penelope Beckles

Mr. Anthony Roberts

Mr. Rennie Dumas

Mr. Mustapha Abdul-Hamid; and

Two (2) Opposition Members to be named.

This issue of the appointment of departmental committees, also known as Joint Select Committees (JSC), has attracted the attention of some members of the media. There has been a certain approach adopted by the media with respect to this matter. Let me state at the outset, that this is not a contentious matter.

I shall read from the *Hansard* of the hon. Member for Tabaquite, in his previous incarnation, when he was—a *neemakharaam*—[*Laughter*] the Attorney General and also the Minister of Legal Affairs. I am reading from the *Hansard* of March 23, 2001, in this honourable House. I will, in due course, deal with the

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Hansard of March 20, 2001, in the other place. On March 23, 2001, then Attorney General, who is now the Member for Tabaquite, begged to move the following Motion. It was very, very similar to the Motion that I have just moved; in fact, almost identical, with the one difference that rather than one committee to look at ministries, corporations, statutory authorities and enterprises controlled by the State, et cetera, there were two committees proposed.

It is necessary for those who wish to comment on this matter to do some reading. I find that far too often there is uninformed commentary on matters by persons who really should read what the Constitution says. They should interpret the Constitution and then there would be a better understanding of the facts. Section 66A of the Constitution requires the establishment of these Joint Select Committees, or departmental committees, as they are also called. Section 66A lists, as I have recited in the Motion, the following entities:

- “(A) Government Ministries;
- (B) Municipal Corporations;
- (C) Statutory Authorities;
- (D) Enterprises owned or controlled by or on behalf of the State...
- (E) Service Commissions...”

So if one does a thorough analysis of this matter, it would be discovered that there are five areas of oversight for these committees. I will repeat them: ministries, corporations, statutory authorities, enterprises owned or controlled by or on behalf of the State and service commissions. Section 66A of the Constitution established a regime whereby these Joint Select Committees would examine, look into or otherwise investigate the activities of these five groups or entities.

2.45p.m.

In 2001, the then Attorney General did not opt to propose to this honourable House that there be five joint select committees, and what the then Attorney General did was propose that there be three. When one looked at the actual presentation by the then Attorney General, the groups included the Attorney General, legal officer in the Ministry of Legal Affairs, Communication and Information Technology, Education and Energy Industries—that was Part I; Part II, Health, Housing, Development and Infrastructure, et cetera and then there was the other one dealing with commissions.

The fact of the matter is at that time, the then Attorney General saw the wisdom of not establishing five additional committees of this Parliament, notwithstanding the fact that if you take a literal reading of the Constitution there are

five areas of activities, and five groups, bodies or entities that require oversight by virtue of section 66A. What the then UNC administration decided to do was not to appoint five but appoint three. We are of the view that there should be two and that is why I say this is not a contentious matter because the previous administration reduced the areas of oversight from five to three and we are simply going with two.

We are of the view, Madam Deputy Speaker, that there is a need for one of these committees to look at service commissions and I do not think there will be any arguments with respect to that—that there should be a committee that will look at the Police Service Commission, and the Teaching Service Commission, et cetera. At this point in time, the other oversight committees of the Parliament; the Public Accounts Committee (PAC) and the Public Accounts (Enterprises) Committee (PA(E)C) are not empowered to look into the activities of service commissions. So there is no doubt about it that it is an improvement and an enhancement of the powers and the authority of Parliament to have a committee that would look into service commissions. The Public Accounts Committee looks at the public accounts laid by the Auditor General and the Public Accounts (Enterprises) Committee looks at the accounts of statutory authorities and state enterprises and so forth. But in the absence of the committees that were established by section 66A, there would not have been a committee to look at the Police Service Commission and so forth, so there is no doubt that we on this side are at one with the other side with respect to the requirement to establish a committee to look at service commissions.

We on this side, as desirable as it may be, do not think that we need to have two other committees to look at ministries and statutory authorities, state enterprises, municipal corporations and so forth. The Public Accounts Committee is already charged with the responsibility to examine the accounts of government departments and ministries and the Public Accounts (Enterprises) Committee is already charged with the responsibility to examine the accounts of state enterprises and statutory authorities.

I am aware of the argument that the Public Accounts Committee and the Public Account (Enterprises) Committee have to examine accounts when they are ready, and I am aware of the argument that these committees can examine matters contemporaneously. However, this system of Parliamentary Committees was borrowed from the United Kingdom where there are 600-odd Members of Parliament. We have a 41-seat Parliament, Madam Deputy Speaker, and when you consider that you already have the Public Accounts Committee and the Public Accounts (Enterprises) Committee, we will be proposing and moving that we establish one of these departmental committees to look at service commissions. We will be proposing

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and moving that we establish another one to look at contemporaneous records of statutory authorities, state enterprises and so forth which brings to a total of four committees. Add to that the Standing Orders Committee, the Privileges Committee, the House Committee and all the other joint select committees of Parliament that will be established in due course over the life of this Parliament, and, as we send complicated and complex pieces of legislation to joint select committees which must, of necessity, be comprised of Members of this House of Ministers, and persons from the other place, and add all of that, it is simply impractical.

I would like to give this honourable House and, by extension, the national community some idea of the demands on the time of Ministers. The other side knows because some Members have been Ministers, and in any given week—there are five days of the week, Monday to Friday—there is a day set aside for Cabinet meetings. We are here today, a meeting of the House of Representatives, the Senate meets on Tuesday, and this Government—and I am sure the one that preceded us—has established another day. In our case it is Monday where we have sub-committee meetings of the Cabinet where the Finance and General Purposes sub-committee would meet, where the Parliamentary Questions Committee would meet, where the committee on industry and energy would meet and so forth, all the sub-committees of the Cabinet have their regular scheduled meeting days on Monday.

So Monday is the meeting day of sub-committees of the Government doing the people's business; Tuesday is the Senate; Thursday is Cabinet; Friday is the House of Representatives. Therefore, the only available day realistically, if you want Ministers to sit on these committees, is Wednesday and if you have a meeting of Public Accounts Committee, the Public Accounts (Enterprises) Committee, the departmental committee on service commissions and all the other departmental committees on a Wednesday, plus a joint select committee meeting dealing with a complex piece of legislation, you can imagine the confusion that will arise. Madam Deputy Speaker, I found myself running from committee room to committee room while simultaneous committee meetings were taking place. I happened to be a Member of more than one committee, having to make decisions as to which joint select committee I would attend and leaving one room to go to another.

In the United Kingdom, from where these committees were borrowed by the hon. Member for Tabaquite, then Attorney General, when any other Parliament where these committees functioned effectively—let us not use the United Kingdom as the sole model—any other committee where there are hundreds of Members, it is an easy task to put back-benchers on these committees, and this is how they were intended to function. These are oversight committees and it is *infra*

dig to have a Minister on a committee overseeing the work of other Ministers, but because there are only 41 of us here, sooner or later, if we go with this large expanded number of committees, you are going to find that Ministers would be on these committees which was never the intention.

Madam Deputy Speaker, so when you add the demands on a Minister's time, because the public, while demanding this level of oversight, also demands performance by the Government, and to use a phrase from the Member for Couva North—he is quite good at catchy phrases, I must say I really admire his capability to make catchy statements—“performance beats ol’ talk any time.” And, therefore, we in the Government have these competing demands of certain elements of the public demanding this continuous oversight and monitoring of Government business and you have the other demanding performance from its Minister, and I am afraid you cannot cut Ministers in two and have them here in the Parliament spending the vast majority of their time dealing with these departmental committees, and also in the field, or in their ministries doing the work they were elected to do.

Madam Deputy Speaker, this is why I say it is not a contentious matter. On the last occasion the then administration brought a similar Motion to this House to appoint committees, they decided to take five areas of responsibility and put them into three. In fact, that is what happened during the last administration, and prior to that, the committees really never functioned I think. I stand corrected, but I think the government collapsed at that point in time, and I think it was the Member for Tabaquite who was the architect of it having come to the Parliament, passed the legislation to create departmental committees under section 66A of the Parliament, and he then crashed the government in 2001 causing the dysfunctional, or the non-functioning of these same committees. I notice he is laughing but this is all a matter of record.

The point is in the past, the five areas were compressed to three committees and we now are of the view there should be two. I also say that the Government is considering looking at other committees of the Parliament, this idea has not been fleshed out but it is considering establishing a bipartisan committee looking at energy policy. This matter, of course, needs to be looked at in much greater detail to see how such a committee will function and how its membership will be comprised. The intention of that committee is to have bipartisan discussions on the way forward in terms of energy policy for the country, which is something we feel is the business of the entire Parliament and if, in fact, we get to the point where the Parliament can establish this committee on energy policy, you can see the demands on the time of Members and Ministers would be even greater. This is something we are looking at in the future.

With those few words, I beg to move.

Question proposed.

Mr. Ramesh Lawrence Maharaj SC (Tabaquite): Madam Deputy Speaker, the hon. Member for Diego Martin North/East has presented this Motion, but as usual, it is riddled with many inaccuracies. I would not be tempted today to get into comments he has made about another incarnation and other matters. I want to tell him however, and some of the Members on that side, that I am fully aware of the Standing Orders and when I have to deal with a motion of misconduct of a Member of Parliament I will come specifically with a motion and enumerate my facts and lay them on the Table. [*Desk thumping*]

3.00 p.m.

So I would not get into the irrelevant matters which they do not and cannot answer when they want to talk about issues.

Dr. Rowley: Did you or did you not bring down a government?

Mr. R. L. Maharaj SC: Did you get involved with gravel in Scarborough?

Dr. Moonilal: That is the question!

Dr. Rowley: Did you bring the government down?

Mr. R. L. Maharaj SC: Give the people back their gravel.

Madam Deputy Speaker: Members, could you please allow the hon. Member for Tabaquite to make his contribution?

Dr. Rowley: He is trying to bring down another government.

Mr. R. L. Maharaj SC: Madam Deputy Speaker, let me get into this matter and deal with the issues. I will not allow the Scarborough Hospital or any gravel or boulders, where it went and the Integrity Commission, to distract me. [*Interruption*] “It have more than gravel, you know.”

Dr. Rowley: Did you not bring the UNC down?

Mr. R. L. Maharaj SC: You want to talk of what you did with the Member for San Fernando East?

Madam Deputy Speaker: No, Members, please! Hon. Member for Tabaquite and hon. Member for Diego Martin West, please, if we continue to allow these distractions—hon. Member, do not allow yourself to be distracted, and speak to me, please.

Mr. R. L. Maharaj SC: I will do so, Madam Deputy Speaker, but I am tempted to say what the Member for Diego Martin West did with the poor Member for San Fernando East. I am tempted to talk about it.

Mr. Manning: Do not be tempted.

Mr. R. L. Maharaj SC: All right; I will take your advice, I will not be tempted.

Madam Deputy Speaker, let us put this in perspective. When this amendment to the Constitution was effected, the whole purpose of this provision was that it recognized that the existing parliamentary committees at that time were not sufficient to provide scrutiny and accountability of a government. It was recognized that there were two main purposes of Parliament. One was for the making of laws and the second was for the Opposition to be able to make the Government account to the Parliament. It was not merely a right of the Opposition; it is a right of the people through the Opposition which is the voice of the people, to make the Parliament account.

We had, at that time, the sessional committees as we have now. We had at that time the Public Accounts Committee and the Public Accounts (Enterprises) Committee and the argument was that these committees were not sufficient to cause the Government to account effectively to the people. So what happened was that although the Opposition at the time, the PNM, objected to the measures, the Constitution was amended and one of the main assets of those committees which have been regarded as the departmental committees, was that those committees were able to make the Government account contemporaneously. That is to say, let us say that you have a state corporation or a ministry in which there is something of great public importance, the committee could have met and summoned the ministry or the corporation to come to the committee to answer questions. It is in that context, the powers given to the committee in respect of ministries and departments were very wide. It was not as limited when it dealt with the service commissions. You would see that the committee was given also the power to have advisers and experts in order to assist it in its deliberation.

So let us say, for example, as we have now, you have problems with respect to a state enterprise buying the private jet for the Prime Minister's use. What could happen under such a set-up where you have people giving different and conflicting answers on the news—stories in the media or on the television—the committee could get the answers; could call Mr. Lok Jack; could call the particular Minister; could call the Prime Minister and ask him questions. That was the whole purpose of these committees. As a matter of fact, we got notice just as the Parliament started that this Motion was going to be debated today. That is how this Government operates. It has

a majority and by majority rule it believes it is in control of the simple majority in the Parliament and, therefore, it can do as it wants. What these committees were intended to do was to put checks and balances on majority rule, not by taking away majority rule, but by making the Government account to the people, to promote openness, transparency and accountability.

Now, for the Government to come today and to say, well, you know when this measure was introduced—and these measures were introduced and the UNC government at the time came to the House and asked for two committees instead of five departmental committees in order—

Mr. Imbert: It asked for three.

Mr. R. L. Maharaj SC: You said the UNC asked for three?

Mr. Imbert: Yes.

Mr. R. L. Maharaj SC: Was it not two we asked for?

Mr. Imbert: Three.

Mr. R. L. Maharaj SC: Okay. As a matter of fact, whatever the position was at that time, the areas of governance have increased. You have more ministries now; you have more Ministers; you have an increase in state corporations; you have an increase in the kind of spending which is done. So if at that time, as the Government is saying, there were three departmental committees, at this time I would have thought the Government would say that there should be five. [*Desk thumping*]

Mr. Ramnath: What has happened with the budget; it quadrupled.

Mr. R. L. Maharaj SC: As a matter of fact, look at the annual budget how it has increased from 2001 to now. As a matter of fact, money is spending today as if there never was a shortage of money at all. So, in effect, the argument that at that time there were two or three and at this time the Government has decided just to have two, does not really show any proper basis for just having two. As a matter of fact, this matter has been raised with us and we took the position that we would like there to be what was the settled practice during the last parliamentary term. The settled practice during the last parliamentary term under the then Government—and it is the same party in government—was that there were three departmental committees and those three departmental committees functioned.

The question which the Government has to answer to the people—not to us, to the people—is, what is the reason for the change of policy? The reason for the change of policy, obviously, is that the Government is afraid of scrutiny. [*Desk*

thumping] The Government does not want to have all these committees chaired by an Independent Senator in which you would have the question, for example, of this private jet, or the question of Mr. Calder Hart and his role in building the Prime Minister's residence, and the question as to what the business community has been asking us for, a total breach of tendering procedures. The Government does not want to face that in a committee system.

So to say that the Public Accounts Committee, the Public Accounts (Enterprises) Committee and other committees can, in effect, perform the functions of scrutiny, is not really an adequate answer. In the last Parliament, when you had the three departmental committees, you had one of the departmental committees which scrutinized statutory authorities and state enterprises which fell under the ministry. What happened was that you had two departmental committees looking at the state enterprises under the ministries and also looking at all the boards and bodies which fell under the Constitution to be appointed. Then you had a separate departmental committee looking at the municipal corporations and the service commissions.

We took the position that if you merely have two committees—and as it is being proposed now, what the Government wants us to agree to, is that you will have one of the departmental committees looking at the service commissions with the exception of the Judicial and Legal Service Commission. So you will have one committee itself looking at the service commissions. Am I correct?

Mr. Imbert: Yes.

Mr. R. L. Maharaj SC: Then you will have another departmental committee looking at all the municipal corporations, all the government ministries, all the statutory authorities, all the enterprises and all the companies. So, in effect, what will happen is that the committees will not be able to do their job; will not be able to effectively scrutinize.

As a matter of fact, I do not want to read today because I think that the Prime Minister could get up and could say that. This country has so many ministries and so many statutory authorities that what has happened is that the Prime Minister thought it was necessary to have a very large Cabinet. If the Prime Minister decided to have a large Cabinet, he cannot use that excuse to say well, these committees should not function. [*Desk thumping*] That is not an excuse. As a matter of fact, that is his prerogative. But in choosing his Cabinet, he should have decided that he also wanted to have accountability. He wanted his Government to account to the people.

So what the Government is taking away today by its majority, is not taking away our rights only; it is taking away the rights of the people to be able to have a government account to them through the Parliament. You are not spiting us; you are spiting the people. But I know it is not concerned with whether they spite A, B or C. Look at what it is doing with the jet plane. Whatever happens, the Government wants a jet plane, it is going to get one, even if it has to buy Lok Jack one after. It is going to get one! Buy it! You want to buy it, buy it! All that we are saying, buy it if you want, but do not deprive the people of the opportunity of having your actions scrutinized.

There is no provision in the Constitution for the fact that if you have five sections of areas, you must have five committees. I agree with that. But what you must do is act reasonably. If a government, with an enlarged Cabinet, with so much money at its disposal, with so many extra state corporations which have been formed—the state companies, the roads company, the sports company, special purpose companies—and you are now asking for a reduction of the committees; you must act reasonably.

3.15 p.m.

I do not think that this Government is interested in accountability. As a matter of fact, all have seen that with respect to questions they do not answer them. They avoid the answers and postpone the questions. We are seeing the manifestation of a government that has decided to use its majority to get what it wants. So be it. If the Government thinks that reducing the number of committees would prevent it from being scrutinized by the Opposition or prevent the Opposition from participating in these committees, that is a mistake. We want to make it quite clear that although we oppose your reduction of the number of committees, we would not do like you when you were faced with this situation.

When these committees were appointed at first, the Opposition took the position that it would not take part in the operation of the committees. We are not going to do that. We have a responsibility to the people of Trinidad and Tobago. [*Desk thumping*] Whether it is two, one or half, we are going to participate. We are going to do the best we can by using these committees to also make you account. We will use all the machinery in Parliament. If you came and misled the Parliament by telling us that money will be used for certain things and it is now being used for other things, we will use whatever powers we have in Parliament or the machinery of the Parliament in order to make you account. As I said before, we will use the motions to make you account.

Members of that Government, I want you to understand that you have the power but we are not going to allow you to exercise that power arbitrarily. You can exercise it but we would be the voice of the people to ensure that the people can judge and assess you.

The hon. Member for Diego Martin North/East quoted what the Member for Couva North said, “Performance beat ol’ talk all the time.” That is the point. Who will assess whether the Government is performing? Members of the Government; Mr. Lok Jack; the friends of the Prime Minister? I heard Mr. Lok Jack on the television when he said that even if they do not buy the plane, that \$500 million will not be used to buy hospital beds. He is the Prime Minister! Lok Jack is the Prime Minister of Trinidad and Tobago and not the Member for San Fernando East. The whole purpose of having a measure like this is to ensure that the Government is assessed by the population. The population determines whether the Government is performing or if it is ol’ talk. That is done on a contemporaneous basis so that the people can assess the Government from time to time. That is what happens.

The hon. Member for Diego Martin North/East stated that Ministers do not have time. Ministers have one day for Cabinet, one day for another event and he listed them. One cannot get away from the fact that Ministers are very busy people. That is no excuse to take away the rights of the people. There has been a settled practice. The PNM administration agreed to have three committees at a time when there was less work.

Mr. B. Panday: Amend the Constitution and increase the numbers.

Mr. R. L. Maharaj SC: This is a case for constitutional reform not only to have an executive President. If you feel that that is the position you should decide to enlarge the Parliament. You cannot use the fact that you have an existing arrangement to take away the rights of the people. I know that that is what you are doing. What you are doing now is the same thing in other areas. You do not care how much the people outside suffer as long as you drive in luxury on a plane. You do not care how they have to suffer while paying high food prices as long as you are happy. That is the modus operandi.

We are totally against the reduction of these committees. We support the principle of having these departmental committees and we shall name persons to these two committees. At this stage, on behalf of the people we still ask the Government in their interest, it will not do the Government any harm, to increase the number of departmental committees to three, so the rights of the people can be protected.

Thank you. [*Desk thumping*]

The Prime Minister (Hon. Patrick Manning): Madam Deputy Speaker, the matter before this Parliament is one of great significance in the context of the constitutional arrangements by which the business of Trinidad and Tobago would be conducted and no amount of trivializing of it would make it less important than it is. I have to tell you that I was a little taken aback by the contribution of the Member for Tabaquite who succeeded in casting much heat and very little light on the matter before the House. One would have expected that someone with the experience of the hon. Member for Tabaquite, would have done considerably better than that and the Parliament would have been in a position to rely on his not inconsiderable experience of which he and hon. Members opposite boast from time to time.

What are the facts? First of all, let us deal with this question of the size of the Cabinet because clearly, there is a philosophical difference between hon. Members opposite and Members on this side. The hon. Member for Tabaquite said that the size of the Cabinet has to be dictated by the size of the Parliament. He was saying it indirectly because he said that the fact that Parliament is of a certain size and the Government has utilized so many Members of Parliament in the Executive ought not to be a deterrent in putting in place, a number of committees to which hon. Members opposite aspire. It is a philosophical approach. I am not going to adjudicate on it.

Mr. B. Panday: You want to get away from scrutiny.

Hon. P. Manning: It is a philosophical approach. If the hon. Member for Couva North does not know any better, he just does not know any better.

Mr. B. Panday: You do not want to be scrutinized.

Hon. P. Manning: The fact of the matter is that the PNM is of the view that at this stage of the country's development, where we have embarked on major transformational work to make this country a developed country by 2020, then the span of responsibility of a Minister ought to be narrow enough that the Minister is not overburdened or overloaded, but the Minister can pay personal attention to the transformation. It is our experience that if that does not take place, then the transformation to which we aspire is unlikely to happen. That is the reality of it. If hon. Members opposite do not share that view, then that is a matter for them. We are in Government at this time and we will apply the processes of government; whatever wisdom we would have gathered over our years of government and what we understand by observing others who would have gone before us. We have done all this. We have come to our conclusion.

The Government being the size that it is today, Ministers will tell you that they are very overburdened with the workload that they have. That is the fact of

the matter. Whether they believe that it is incompetence is entirely up to them. One thing we know is that you get nothing charitable or good coming from them. Let them make their snide remarks. [*Interruption*] It sheds no light on the matter. All they do is to try to raise heat.

It is for us to try to put the thing in proper perspective. If we decide as we have, that we need a large Cabinet, the reason is that the span of responsibility of Ministers must be narrow enough to allow a Minister to give personal attention to the important transformation that has to take place if the country must achieve developed status by 2020. That is the reality of it. [*Desk thumping*]

I have discussed this matter with other prime ministers of the region. We hear it all the time from them. More and more, leaders in the region are coming to the conclusion that the Trinidad and Tobago model is right. [*Crosstalk*]

Let me give you the second point. It is the size of the Parliament. As it now stands, in this Parliament there are four Back Benchers on the Government's side. One is the Deputy Speaker and there are three others. I do not know for how long that will last in the context of the workload that we have to carry out. That is the reality of the matter.

I was present in Parliament when the Member for Tabaquite in the government at the time raised the question about parliamentary committees. As is his wont, he looked at the United Kingdom; imported wholesale what he saw there and imposed it on Trinidad and Tobago without any regard to the circumstances that exist here or that gave rise to the adoption of any particular model in the United Kingdom in the first place. In the United Kingdom, the parliament is over 600 members. In Trinidad and Tobago, it is 41. [*Crosstalk*] Now hear this next one. Hear the level of ignorance coming from the Member for Caroni East. Listen to the argument. There are 1.3 million persons in Trinidad and Tobago and 6 million in the United Kingdom. The United Kingdom has how many ministers? Fifty? Let us say 50 for argument sake, the Member for Caroni East is saying that proportionately we should have ministers in Trinidad and Tobago on that basis. How many have you checked? Tell me! [*Crosstalk*]

Hon. Member: You should have one minister in Trinidad using your argument.

Hon. P. Manning: Let me tell you something. When you come in this Parliament if you do not know what to say, please remain quiet and learn from what we have to say. [*Desk thumping*]

We are trying to discuss a significant matter. We are trying to discuss a serious matter and with whatever resource that is available to me, I am trying to

put a point of view which I hope will convince hon. Members opposite. If you do not want to listen you do not have to come. You are under no obligation to come. You could stay outside if you do not want to listen.

3.30 p.m.

At most, the Executive takes up about 50 of them. So, there would be over 500 available, who are back-benchers. The whole idea of the committee system was driven not by one, but by two considerations. It was not just the question of accountability. What really started it was a need, as the Government of the United Kingdom saw, to try to find some way of involving the back-benchers in the discharge of the Executive's function. That it is what it was. Therefore, what they did, they sought to involve them by giving them an oversight role, supervising the work of the Ministries.

Mr. Ramnath: What is wrong with that?

Hon. P. Manning: Nothing is wrong with it. It is quite right. Nothing is so wrong with it. That is the point I am making. *[Interruption]*

Dr. Gopeesingh: You do not want us to expose your corruption.

Madam Deputy Speaker: Hon. Members, please could we allow the hon. Prime Minister to make his contribution?

Mr. Ramnath: "Yuh" take up the whole question period with one question.

Hon. P. Manning: They asked dotishness for the question. They got an appropriate answer and they now want to make noise. Learn to phrase your questions. We were discussing something else. We were discussing the number of back-benchers in the United Kingdom's Parliament and the justification, reason and rationale that caused the United Kingdom's Parliament to adopt a system whereby you have a large number of committees seeking to do two things, not one. The first was oversight but the other is what drove it in the first place, which was to seek to involve back-benchers in some way in the conduct of the business of government. It is entirely correct and we subscribe to it.

In Trinidad and Tobago, in a 41-Member Parliament, you have four Back-Benchers on the Government's side, how in God's name could anybody on the other side come to the conclusion that even if you want to have a parliamentary committee system—and we endorse that—you could come up with a kind of model, similar to what you see in the United Kingdom. As has been said all the time by the Member for Tabaquite, that is the country where Westminster was developed, that is what it is like, so that is what we should try to put in place;

using the United Kingdom as the model. This has no practical application in Trinidad and Tobago. What it forces us to do is to put on parliamentary committees, Members of the Executive. It forces us to put, into committees, people who have appointments in the Government: Parliamentary Secretaries, Ministers of State and even Cabinet Ministers; putting ourselves in a position where it is himself policing himself. That is what it does.

In fact, that seems to present more special difficulties for the Member for Tabaquite. I want to remind you, when these committees were set up in the first place, it was the Member for Tabaquite who was the Attorney General at the time, they put to chair these committees—not Independent Senators, nor Members of the Opposition—Members of the Government. Now, they are coming with these sanctimonious talks about oversight and accountability. It was a straight case of himself to himself. That is what they wanted. It was not rooted in any way, in any desire for accountability. If a Government Minister is chairing the committee—that is what he did—then they have control of the committee. When they have control of the committee, they could ask themselves what questions they want, or they could prevent anybody from asking questions that they do not want asked. We have moved away from that. [*Interruption*] We saw the problem associated with that approach. That was not an honest approach. We saw the problem associated with that and what we decided to do was to ask an Independent Senator to chair, but that has not worked well.

Mr. S. Panday: Why? How?

Hon. P. Manning: Our experience is that it has not worked well. That is the fact of the matter. When—[*Interruption*] Do your research. I am not doing your research for you. If some of you do not want to understand then do not understand. That is not our issue. We are trying to look at the system and we are trying to see what is the best way to do it. In principle, we agreed with a committee system but we do not agree with a system structured along the lines of the United Kingdom, where you have a large number of committees in circumstances where you have a small number of Members of Parliament. It cannot work.

Therefore, having come to the Parliament on this matter, we are suggesting—because of the practical realities of the situation that is facing us—a reduction of the committees to two; one committee that is dealing with the service commissions and one committee that is dealing with everything else. That is the reality of the situation. I have not yet started to talk about the responsibilities of Ministers and how ministerial time is utilized. We could discuss that at another time.

I want to say one other thing to the credit of the Member for Tabaquite. He did, in the winter of his contribution, in the waning moments of his very irrelevant contribution, raise the question of constitutional realities. That is the crux of the matter. It is a constitutional matter.

As we review the constitutional arrangements, by which Trinidad and Tobago is governed, we are going to have to consider that question and it might very well lead—

Mr. B. Panday: You should have three committees to monitor you. That is the real issue.

Mr. Imbert: Says who?

Mr. B. Panday: Says me.

Mr. Imbert: “Yeah”, but we have the majority.

Mr. S. Panday: Allow the status quo to remain.

Hon. P. Manning: Have you heard what the Member for Princes Town North said? “Allow the status quo to remain.” It sounds good. It is rooted in the same dotishness that led the Member for Tabaquite to come with the approach that they have come. It is a matter for the reform of the Constitution. As we contemplate that issue, we are going to have to decide, among other things, what will be the responsibilities of the Government, what will be the responsibilities of local government as part of that exercise, and what will be the size of the Parliament. The size of the Parliament also impinges on the size of local government bodies and the responsibilities of local government.

We made it clear that we are contemplating an updated system of local government, where you have Executive Councils and where some Executive authority would be given to the local government bodies and that those who sit on Executive Councils would have to be full time as indeed the mayors and chairmen of regional corporations would have to be. We believe that is an advance on the system that now exists, on the basis of experiences with a similar system in Tobago. We believe it to be an advance on the system but there are still many questions that are unanswered, and so the search continues. The dialogue is going on and we are discussing it. The round-table discussions in White Hall are considering all these matters. We will come to the public in due course on the matter, but the search continues.

We are continuing the search for an appropriate system of government that meets the requirements of a Trinidad and Tobago in the 21st Century, and a Trinidad and Tobago that has set for itself, a very great aspiration; a small

developing country, led by a government that is very forward-looking; the aspirations of 1.3 million people who dare to aspire to developed country status and to give their people a standard of living similar to the standard of living in the metropolitan centres of the world. That is what it is all about.

When we come to this Parliament and we suggest, therefore, that there be two committees instead of another number, we are coming to that conclusion because of the practical realities of the governance process. That is the reason. There are practical realities and we hope that hon. Members opposite can reconsider the wisdom of the approach that we are taking and support it.

Thank you very much, Madam Deputy Speaker.

Dr. Roodal Moonilal (*Oropouche East*): Thank you very much, Madam Deputy Speaker. The surprise Motion before us this afternoon addresses the very important issue of accountability, transparency and, particularly, the role of Parliament in providing accountability to the population of Trinidad and Tobago.

The Motion seeks to appoint two committees; a reduction from three in the previous administration, and, of course, to name persons to those committees, including two members from the Opposition in both.

I want to respond briefly to the Prime Minister's contribution. I mean no disrespect at all to the hon. Member for San Fernando East, but the Member for San Fernando East and Prime Minister of this country is the quintessential Trinidadian smart man. The current Prime Minister, in the last administration, made a statement to the effect that: there will be constitutional reform before the next general election. The general election came and went and there was no constitutional reform, none. He speaks all the time about constitutional reform, knowing that there will be none, absolutely none. Like a trickster almost, he speaks to the issue as if the Prime Minister really cares.

The issue here is not the size of the United Kingdom's Cabinet and Parliament. It is not the size of the Indian Parliament. It is not the size of the Parliament in Fiji. The issue is accountability, transparency and scrutiny of the Executive and the role of the Parliament in doing that. The Parliament is not an NGO, the Rotary Club nor the Network of Women's Organization. This is the representative body of all citizens of Trinidad and Tobago, as divided between Government and Opposition.

The Cabinet of the country, in our model of government, until we change it in thy kingdom come, reports and accounts to a Parliament, not at a Cabinet press conference designed to look like George Bush's meeting room, where you announce decisions every Thursday and spend money.

It is only in Trinidad and Tobago that Arthur Lok Jack could have a press conference and indicate that he has taken money, invested in a jet and says even if he returns the money we would not get hospital beds. It is only in Trinidad and Tobago where such an individual could have, I coin the term, the “boldfacity”, temerity and cockiness. That cannot be allowed in any developed country. Madam Deputy Speaker, someone like that in a developed country would be fired forthwith from every engagement in a state organization.

When you behave like that as a leader, your behaviour as a leader has a demonstrational effect. The nuts man would be bold too. The vendor will be bold, because you as Prime Minister take a certain position. Lok Jack can talk like that because he really spoke to the Prime Minister. The Prime Minister talked to him. He “doh” care.

This matter—let us forget all this thing about what the UNC did and constitutional reform—is a clear matter. In the last administration, these committees, for the first time in history, operated in a manner where the national community saw on television who was chairman, CEO and human resource manager. Before, in our system of government, somebody could have been a chairman or human resource manager having served 10 years and members of the public did not know who it was. You could be President of Petrotrin—[*Interruption*]

Mr. Ramnath: Be careful.

Dr. R. Moonilal: —one could have seen your name and no one would have known who you were. For the first time, the public was seeing the interaction between Parliamentarians on a committee and leaders of the state sector being called to account. It was an overwhelming success.

3.45 p.m.

Madam Deputy Speaker, it was in this Chamber when the North West Regional Health Authority came—it was because of that public scrutiny—we learnt of the misuse of public funds and the hiring of Hugh Eastman and his wife. They are their friends. They were hiring people. We learnt that money that was meant for income tax, they took that money and hired PNM hacks. That was revealed here in the public and on national television.

If you look at the other entities such as NEDCO, when they came here—the Government’s motive, goal and intention is to lock off the camera at all costs. They are paranoid by these cameras. They want to lock them off and they want to lock down the committees. They do not want any committee meeting. This is a Lok Jack approach.

Madam Deputy Speaker, their intention is clear. If no parliamentary committee ever meet in life they will be happy. They do not want any committee meetings—whether it is the sessional or departmental committees, as far as they are concerned, they are irrelevant. Those committees have been used in the past to expose corruption and the misuse of public funds to the national community. They have been used to do that, and they will stop at no end to ensure that those committees do not function. They are crazy to say that one committee is going to handle municipal corporations, which is about 14; government ministries, 23; statutory authorities, 105; and state enterprises—have we reached 400 as yet? There are about 300 state entities which will be handled by the over-efficient members of this committee. I would not call their names to embarrass anyone. The Government's objective is to make these committees inefficient and non-functional. That is the objective and to us that is crystal clear. This has nothing to do with the size of the Cabinet. The Cabinet could be large or small.

In several Commonwealth territories, we have the precedent of executive members—those with executive portfolios—serving on parliamentary committees. That is nothing new. In preparing for another role in this Parliament and in another committee, I undertook a brief study of the reports from several committees, and do you know what was interesting?

Madam Deputy Speaker, when one looks at the absentee rate among persons without ministerial portfolio, it could be higher than those with ministerial portfolio. I have examined it. This has nothing to do with Ministers. Sometimes Ministers attend these committee meetings more than Back-benchers. Madam Deputy Speaker, this has nothing to do with the size of the Cabinet, but it has to do with accountability. The Prime Minister made a dangerous assertion. The Prime Minister said that it had to do with the stage of our country's development. What stage of our country's development is the Prime Minister talking about? This is a stage where we are spending moneys that we have never seen or spent before.

There is an article in the newspaper today where a columnist said that this Government spends money that would make Colombian drug barons look cheap, and they spend money with an attitude that would make those drug barons look judicious. That is what BC Pires says in an article today in the newspaper.

They have spent over \$200 million, and the budget is \$45 billion. One would think that they would want more accountability, not less. How is one committee going to deal with all of this?

Joint Select Committees
[DR. MOONILAL]

Friday, March 14, 2008

I had the most fascinating experience in an interaction with a state enterprise under the Ministry of Local Government, and I am going to give you one example. I wrote the Palo Seco Agricultural Enterprises Limited, which is an agency that should be examined here under these committees. They are building box drain and doing infrastructure work. I told them I had two constituents who were in a state of despair and who were terribly distressed and they needed to get two box drains. That is all I asked for. I did not ask for a jet; I did not ask for a mansion; and I did not ask for a yacht, but for two box drains.

Madam Deputy Speaker, I received a reply from the Palo Seco Agricultural Enterprises Limited and this is the reply. It is dated March 07, 2008. I want to put this to one of these committees that would be examining the 300 state entities.

“Further to your letter dated 27th February, 2008, please note that the properties identified do not fall within the constituencies approved for PSAEL.

As such, we would recommend that you seek through our line ministry, Ministry of Local Government, to have this constituency included on the list of approved constituencies for PSAEL.

Denise Knights

CHIEF EXECUTIVE OFFICER (AG)”

What madness is this! What is an approved constituency and what is not an approved constituency? These are matters that should be raised at these departmental committees, so that they can account for what they are doing. They are spending hundreds of millions of taxpayers’ dollars. *[Interruption]* Madam Deputy Speaker, I am going to deal with Abu Bakr later, not now. I want to tell him that nobody has asked me to blow up an airport. Okay! I am going to tell you where you were appointed and why you were appointed. Madam Deputy Speaker, let me get back to this matter here. *[Interruption]* They told him to blow up the airport, but he was hiding in a drain in Diego Martin, and now he is coming here to make noise.

Madam Deputy Speaker, let me get back quickly to my matter here. The Palo Seco Agricultural Enterprises Limited, one of the state enterprises that would be dealt with under this parliamentary committee—I understand this is a subsidiary of Petrotrin. These government ministries must come here, all of them including the agencies that fall within ministries and one committee is going to examine them.

There is another committee dealing specifically with service commissions. In the last Government, it was the belief that given the number of ministries—the Prime Minister agreed; said that because of the challenge of development at this

stage, and given whatever the Prime Minister thinks that he is doing correct, we need more ministers and more agencies.

This Government established NEDCO, NIDCO and the Rural Development Company. They have a list. At the budget presentation, the Government boasted about how many new agencies they have created to deliver. They have actually boasted about that—how many new agencies and entities are coming on stream. That is the reason for having greater accountability; that is the reason for having more committees; because there are more agencies, more entities and, indeed, more money. The Government is spending much more money. There is a pattern. The point I am making to you is simple. To use the Prime Minister's argument: large Cabinet equals more accountability; not less, and large Cabinet equals greater accountability. That is the issue. Large budget equals more accountability, not less, and this is less accountability.

There are times when these committees will not meet. If you read the report of the Public Accounts (Enterprises) Committee, it is public and for the period 2005/2006 they aborted over 13 meetings, because they could not get a quorum, and so the business of the meeting could not continue, which is to examine the Auditor General's accounts and so forth. When you submit 65 reports for the year for one committee and 13 meetings were aborted, one could imagine that you are going to be examining about 10 reports out of 65. You will be overburdened with work.

Madam Deputy Speaker, in this case, it is incumbent upon the Government to first understand the need not for one, but for two committees to deal with government ministries. Personally, I would have felt: Be it further resolved that the House appoint not one, but two committees to deal with municipal corporations, statutory authorities, state enterprises and government ministries, where one deals only with municipal corporations and another with government ministries. You are dealing with 14 municipal corporations with their annual reports and so forth, but they are not interested in that. If they were interested in that, the population would learn that that they do not give local government any money. They squeezed local government, and Palo Seco Agricultural Enterprises Limited is fixing box drains in approved constituencies of which Oropouche East is not one.

So, this "smartmanism" that you are coming to talk about—[*Mr. Manning on his feet*]. I am going to give way in a little while. It was not my intention to wake you up. [*Laughter*] I am going to give you a minute. So, this business about reducing the committees, because you have a large Cabinet and Ministers are busy, Ministers have been busy all the time, every year and in every incarnation of every Government. You need greater accountability, and a pattern has been established here.

During the period 2001—2007, the PNM has removed companies from under the Freedom of Information Act. Their approach to governance is an information lockdown. They prevent information disclosure at all material times. They have removed agencies—NEDCO gone! Central Bank gone! They have moved companies from under the purview of freedom of information. So, the population that would have had an opportunity under the Freedom of Information Act to get critical data does not have that now, because the Government has removed these companies from the Freedom of Information Act. The pattern that I am establishing for you is that of the approach of denying information, denying transparency and denying scrutiny that we are debating today with the Government's determined position to reduce and slash the number of parliamentary committees to securitize the Executive. I am going to give way now to the Prime Minister.

Mr. Manning: Madam Deputy Speaker, I thank the hon. Member for Oropouche East for giving way. In respect of the special purpose state enterprises, I wish to point out, for the benefit of hon. Members, that the Palo Seco Agricultural Enterprises Limited is essentially responsible for South Trinidad from Icacos to Guayaguayare; CISL is responsible for the areas north of the Churchill Roosevelt Highway for most of the East-West Corridor and the area around San Fernando, and the Rural Development Company is responsible for the rest of Trinidad and Tobago, essentially rural Trinidad and Tobago. The boundaries for the area of responsibilities are geographical boundaries and not political boundaries. That is the first point.

Secondly, we have gone out of our way to keep the special purpose state enterprises outside of the politics. [*Interruption*] If the politicians wish to have things done using the special purpose state enterprises, they have to approach the Ministry of Local Government. We are determined to keep the special purpose state enterprises outside of the realm of political decision-making. [*Interruption*]

Dr. R. Moonilal: Madam Deputy Speaker, I just want to remind the hon. Prime Minister that in the letter issued to a Member of Parliament, they have addressed the issue of constituencies. They said that my consistency is not within the approved list of constituencies. I say no more on this matter. I am just putting this to you. I want to respond now to your more substantive issue.

4.00 p.m.

Madam Deputy Speaker, Palo Seco Enterprises Limited could build a box drain in Cocoyea, and if you pelt a stone you could reach Duncan Village but it cannot build a box drain in Duncan Village, because there is a boundary there. You build a box drain in Cocoyea, but you cannot build a box drain in Duncan

Village, and that is the—I do not like using the terms you use—"dotishness" really, of this arrangement, to borrow a term from the Prime Minister. That is the "dotishness".

There is another danger here and this is why we need more scrutiny, not less; more accountability, not less. When the Prime Minister speaks about establishing these, what you call, special purpose committees and so on, that is nothing more than a mechanism to hire, to appoint party hacks, to promote nepotism and to promote the work of the PNM. [*Desk thumping*]

I am the Member of Parliament for Oropouche East, formerly Oropouche, not one day Rural Development Company sent a letter, or generated a phone call, or sent a text message to tell me, Dr. Moonilal, we would like to meet you to discuss what you are doing there; your requests and the constituents' problems, but they are the Rural Development Company. But the Rural Development Company has no interest. You know why? They are taking letters from Harry Ragoonanan to pave road in Oropouche; that is their business. I will deal with that on another occasion.

Madam Deputy Speaker, I was building the case—

Mr. B. Panday: Who is Harry Ragoonanan?

Dr. R. Moonilal: There is a magistrate who waves a baliser flag at meetings; that is her husband. [*Crosstalk*] Madam Deputy Speaker, let me address you. [*Interruption*] Yes, that is the one who tried and dismissed the case with Eric Williams. [*Crosstalk*]

At this time I am building the case that there is no accountability and there is today, in 2008, the greatest need for accountability. Today, we have the greatest need for accountability, because they are spending the most money ever. They have the most government, state entities, organizations and agencies ever. But more important, at a time, when they have been speaking about a procurement regime for four years and nothing has been implemented, they are removing important entities and important functions from the Central Tenders Board.

So the Central Tenders Board is now retrenched; the procurement regime is not in effect. The special purpose agencies are on the move and you cut down the parliamentary committees to investigate and to examine the functions of these entities. That is the conspiracy. It is a conspiracy of information lockdown, of non-accountability; that is the conspiracy we are faced with today.

Another one of the lines of the Member for Couva North—I want to put the pieces together in this puzzle. At the same time when they are making a mockery out of question time; out of that important function of answering questions and accounting

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via the method of questioning in the Parliament— What transpired earlier is nothing more than just a shame; just an obscenity by an already battered Minister of National Security. And he wonders why people are flinging resignation letters at him, right, left and centre. He came today and abused the House, so much so, that there are newspaper editorials that today are condemning the Government on its failure to answer questions and to account.

So, when we have this information lockdown; you cannot answer questions; no procurement regime; retrench the Central Tenders Board; undermine the committees system of Parliament to account. And when the committees do meet they are paranoid about whether the cameras are working. That is the issue, because they do not want the national community to witness first-hand their inefficiency and corruption.

The Ministry of Social Development, now headed by the Member for Diego Martin Central, we discovered just recently, that over \$46 million has been spent on scholarship programmes, bursaries and so on, which were never advertised. *[Interruption]* Okay, I will come back to some of this.

Dr. Gopeesingh: Joan Yuille-Williams, Community Development. *[Crosstalk]*

Dr. R. Moonilal: My friend you are protesting too much. I heard you the ten times you said it.

The Ministry of Community Development, Culture and Gender Affairs spent money for scholarships, bursaries, financial support for students; not advertised. We do not know who got; who did not; who applied and \$46 million gone. You would believe that this Ministry would be allowed to come before—*[Interruption]* excuse me?

Hon. Member: Citizens of Trinidad and Tobago.

Dr. R. Moonilal: Oh, I have no doubt that they would be citizens, but I do not think any came from Oropouche East. We have applications; I have heard from people who have applied to that. You know how they know? A friend told a friend who told a friend and they found out there is a bursary available in the Ministry of Community Development, Culture and Gender Affairs. That is how they found out what is available.

Madam Deputy Speaker, you would think that the Ministry of Community Development, Culture and Gender Affairs would be a key ministry involved in deliverables, delivering services and financial support and so on to the community, and they would be before a parliamentary committee that can examine thoroughly and in a comprehensive way their work, policy and administration.

The Ministry of Social Development—and I know every time he hears that he jumps up like an internet pop-up ad. But the Ministry of Social Development has under their portfolio of dealing with public assistance, disability grants, national—

Mr. Ramnath: Food stamps.

Dr. R. Moonilal: Food stamps; oh yes, the food card programme, the “smart man” card. You would think after hearing the complaints of constituents, after reading about these programmes and the problems experienced, they would be eager to have some level of accountability and scrutiny. The very Member for Diego Martin Central addressed a meeting, I think it was “Bridge of Hope”, was it? [*Interruption*] Oh, correct this time; you must tell me I am correct ten times too.

He said he was shocked that the Ministry took so long to respond to a request from Bridge of Hope. He was expressing shock that his Ministry is not responding to these community groups and so on. [*Crosstalk*] For you it is a joke, of course, but the serious matter is the Ministry of Public Utilities and the Ministry of Social Development. The Ministry of Public Utilities, another ministry and WASA cannot fix a road, after they dig up the road to lay pipes. Instead of coming to the parliamentary committees and accounting for their work and examining their internal management structure, administration, contracting and so on— That is what they want to escape from, because their friends and family are contractors who are destroying the roads.

In fact, the “Minister of nothing works”, is on record; he is a letter writer complaining about the delinquency of WASA. The Minister of Works and Transport himself has complained about WASA and the delinquency with which they do their business. You would think they would be eager to bring such state entities before parliamentary committees. But you see they remember in the last Parliament, the chairpersons of those committees and the chairpersons of those committees had no mercy with the Government. They exposed the corruption, inefficiency to the full glare of the public. So this is why they would reduce the number of committees.

There was a report on CEPEP, \$1.2 billion they could not account for. That was a report from the Auditor General, that CEPEP could not account; they had no paper trail; they had no records; they had nothing to account for almost \$1 billion. You would think that a parliamentary oversight committee would be dealing with that and calling those to account. But the Government response is, that is a systemic problem. In fact, corruption and inefficiency is a systemic problem. That is their approach, no need to expose it at the level of the Parliament.

Madam Deputy Speaker, I want to put this matter on record, that undermining the Parliament is undermining our system of government; it is undermining the

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Constitution of Trinidad and Tobago. [*Desk thumping*] They feel that by cutting down these committees and preventing a quorum, somehow they would stop Wade Mark, Prof. Deosaran and others. They would prevent them from chairing these committees and exposing them and so on. It is the Constitution that establishes these committees. It is the Constitution that gave birth to these committees with a clear mandate. When you undermine them, you undermine the Constitution, which you have taken an oath to uphold.

I think it was the Member for Diego Martin North/East who made the point, that the Constitution does not spell out how many committees we should appoint, but clearly, as the Member for Tabaquite suggested, the Government must act within the ambit of reason; must be reasonable. It is not that you need five committees to monitor the five areas, government ministries, municipal corporations, statutory authorities service commissions. It is not that you necessarily need the five committees now, today, but certainly you need to have the number of committees that, in a reasonable way, will deal with these matters.

I was hoping the Leader of Government Business would have come to the House today—because the Leader of Government Business is the only person who knew this matter would be debated today—and tell us the portfolio of these committees over the last five years. The joint committees of Parliament set up to examine ministries and so on; how many ministries they have been able to examine, how many entities and how many have not been examined.

In discussions with persons who have had the opportunity to work and chair these committees, they would tell you that of the number of reports that they have to deal with, if they have to deal with 100 reports, they would end up dealing with 15. So, 85 per cent of the reports that would go to these committees or the reports the committee may have an interest in, will never, ever be discussed or examined. They would never have the opportunity to call the relevant officials from the State sector to account, to explain whatever inefficiencies and allegations of corruption, nepotism and mismanagement that these reports deal with.

The other thing is, we make a mockery out of the process. When you read one report, they say this report supports the recommendation of the previous report. All the reports giving the same recommendations, and when you interview the chairpersons and members they say, "We do not have the time to look at all these recommendations and take them"—to use your term—"to the next level". That is a term of the Prime Minister. But that next level is on the jet.

What is required is not only examining ministries, agencies and so on, but following up on the recommendations made by committees before. What is the sense you meet every year in parliamentary committees and the same report you have; that too much work; too many reports; they came in late? So, you read the reports of these committees for 10 years and you read the same thing. It is time to take it to the next level. Have committees properly staffed so that they can now look into recommendations of committees before, rather than recommending the same thing, and therefore they would have ample time to examine all these committees.

4.15 p.m.

Mr. Ramnath: The Auditor General is fed up with that.

Dr. R. Moonilal: The Auditor General's office is fed up with this type of situation. You look at the Ministry of Planning, Housing and the Environment, they have embarked upon several programmes building houses all over Trinidad. To this day no committee has met to examine the work of the Ministry of Planning, Housing and the Environment of the new Housing Development Corporation, and unless I am mistaken, they have not yet submitted any auditor's report since they took over the assets and the work of the National Housing Authority (NHA). With a reduced number of committees I venture to say that it will never happen. It will just never happen. And at the heart of this matter is accountability, yes, but it is also good governance.

Do you know, Madam Deputy Speaker, that in the committees as well Members on both sides of the House would make recommendations, would speak to the state enterprise leadership, would make suggestions and raise issues that would be welcomed by state enterprises? That has happened before where Members of the state sector indicated to committees that they are happy for the opportunity to come here because they are getting valuable suggestions on how better to deliver. In fact, in this Parliament, on both sides of the House, we represent constituents whether they are from Pointe-a-Pierre, San Fernando West, Oropouche West and so on, we represent people. So when we meet the state sector officials in the committees and so on, we are able to bring our practical experience, the problems of our constituents to the leadership of the state sector.

In fact, if we are going to overview and examine the work of the Ministry of Tourism—I would like the Minister of Tourism to know that we visited, a few days ago, a mud volcano in the constituency of Oropouche East [*Interruption*] and we intend to put a proposal to the Minister to develop that as a tourist site, so that persons can go there and visit this historic site of the mud volcano. You would never think that there would be a mud volcano active in the constituency of Oropouche East.

Hon. Member: I thought you were the only volcano there.

Dr. R. Moonilal: You thought I was the only volcano there. *[Interruption]* *[Laughter]* Madam Deputy Speaker, we discovered this site, and in interaction with officials from the Ministry of Tourism and the related agencies we can put forward a proposal that they would welcome.

Madam Deputy Speaker, with great respect to my friend from Barataria/San Juan, a very noble gentleman, he would not find where that mud volcano is, if we give him a map. *[Interruption]* But you got lost at Picton Village. When he was the Minister of Housing, I saw his motorcade in Pappourie Road, they got lost looking for the Wellington Housing Settlement. *[Laughter]* It is no fault of the Member for Barataria/San Juan. *[Interruption]*

It is no fault of his, but in interaction with officials from the tourism sector we can discuss this and they will welcome it. I wanted the Government and the Prime Minister to know that the role of these committees is not just to be critical, argue and seek to expose, if there is anything to expose. It is also to generate useful ideas and discussions that would benefit the state enterprise, and invariably, the Government and the people of Trinidad and Tobago. So when you lock-down information, you dismantle the committee system, you undermine the level of interaction between the state sector and the representatives of the people. Eventually you harm the people.

The Government should reconsider this matter. If there is one matter to reconsider it is this matter. I want to appeal to the Government; this is not driven by the Kyoto Convention, the Basel Convention and the ILO. This is a matter that is not in keeping with any treaty obligations. There is no treaty obligation here. This is a matter that the Parliament can reconsider and appoint, not one but two committees to deal with that huge number of state entities that we are dealing with.

Dr. Gopeesingh: What about the Independent Senators.

Dr. R. Moonilal: Because, Madam Deputy Speaker, at these committees there is also another issue. At least the Members of the Government who were there before would be aware.

Independent Senators, whatever we may think of them, whatever you may think of the system of their nomination and so on, there are Independent Senators who sit on these committees—

Mr. Ramnath: “Yuh can’t handle the criticism, eh?”

Dr. R. Moonilal: And they bring to bear some expertise in some areas. Prof. Deosaran comes to light—

Mr. Ramnath: I will be auditing you.

Dr. R. Moonilal:—as a primary figure because he is an expert on crime, national security and so on, and they bring to bear their expertise as well—Independent Senators. When they interact with the leadership of the state sector, again useful ideas emerge. You are also undermining what role the Independent Senators will play.

I read, a few days ago in the newspaper a statement by Prof. Deosaran in which he said in the most diplomatic language that the Independent Senators were anxious to get this committee system up and running. I think the word he used is “anxious”. What he is saying is that the Government is already delaying this process. That is what Prof. Deosaran is saying and he is eager to play his role.

Mr. Ramnath: At minimal cost of —[*Inaudible*]

Dr. R. Moonilal: If you look at the attendance records of previous committees of this Parliament—I tend to look at the attendance record, because, I myself try to keep up a 75 per cent attendance record. I try to keep up a good attendance record, so I look at it at the end of any committee deliberations, and the group that would have the highest record of attendance would be the Independent Senators. They will take a special interest in attending the meetings, in participating, in bringing to bear their expertise, their experience, and in some cases, their academic experience, writing and so on, free of charge. I mean for a pittance, but free of charge. You slash the number of committees, you do away with this experience and you do away with that type of exposure. That is why the Minister of National Security came here today and indicated that he spent—how much it was?—\$75 million for a foreign expert, or so-called expert, Mastrofski—

Mr. Ramnath: \$55 million.

Dr. R. Moonilal: [*Interruption*] And he was reciting, I thought this was an academic function—PhDs. Had the committee been in place, that would have been examined by the committee to see if the people of Trinidad and Tobago got value for money. [*Interruption*] If we got the value for money. [*Interruption*] He spent, today, on one committee alone, I think, \$55 million. The people in Couva, they have how much? A police car?

Mr. Ramnath: Yes, no patrols.

Dr. R. Moonilal: No patrols! One police car. People in Debe in my constituency, we have a police referral centre. It is not a police station, it is a referral centre.

Dr. Gopeesingh: Police post.

Dr. R. Moonilal: When you make a report there, they will tell you, okay, we will refer you to another agency. That is what we have in Trinidad and Tobago, and the Member indicated, he spent \$55 million for all these PhDs., MAs and BScs—

Dr. Gopeesingh: To fight criminal gangs.

Dr. R. Moonilal:—to fight the criminal gangs that are increasing by his own admission. You would think that statement alone should be before a parliamentary committee for scrutiny to examine who they are and what they have done. The long and short is that, that money is a waste. Parliamentary committees can go in detail and look at it.

I am told—the Minister with responsibility can clear the air—that a poverty alleviation project of the European Union, £6 million, approved for this Government.

Dr. Gopeesingh: It went to Guyana.

Dr. R. Moonilal: That was for the sugar. I am told that poverty alleviation figure, £6 million for the Government of Trinidad and Tobago. They spent more than half of it on administrative costs. Those are issues that you should examine.

Madam Deputy Speaker: The speaking time of the hon. Member for Oropouche East 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.

Dr. R. Moonilal: Thank you, Madam Deputy Speaker. Thank you to Members on both sides of the House for your support. I was making the point that when you have a situation where a foreign entity—the European Union—has given a grant, not a loan, that in common language is free money.

Dr. Gopeesingh: You do not have to pay it back.

Dr. R. Moonilal: They got free money for poverty alleviation. They got free money to cushion the effect of the closure of the sugar industry.

Dr. Gopeesingh: That is right.

Dr. R. Moonilal: I think it was £42 million, the equivalent of TT \$360 million. Free money to cushion the effect of the closure of the sugar industry. This Government failed to submit and get approved a national adaptation strategy. They failed! They did

not submit it in time. They have not submitted it, so grant money that is there for the farmers and for the communities, you cannot access it. That is free money. That is not taxpayers' money going for jet!

Dr. Gopeesingh: Repeat it again—[*Inaudible*]

Mr. Ramnath: Mc Nichols might get a—[*Inaudible*]

Dr. R. Moonilal: TT \$360 million in grant in free money from the European Union to assist the farmers and the farming community to adjust in the aftermath of the closure of the sugar industry. [*Interruption*]

They could not submit a programme—National Adaptation Strategy. They failed to do that. That money went to Guyana. Our own farmers and workers could not access free money because this Government was in charge, because the European Union operates on a government-to-government basis. We intend to write the European Union about this. We intend to write the director general with authority over this matter so that we can bring to the attention, the incompetence, the maladministration and the downright discrimination of the PNM in this matter.

Madam Deputy Speaker, that \$360 million in grant could not be accessed under a strong parliamentary committee system; not one committee here that has to examine every single ministry on the face of the earth. Not one! Under a strong parliamentary committee system—you could have asked the Minister of Agriculture, Land and Marine Resources or the Minister of Finance who is responsible to come before that committee. Explain why in four years you could not submit a National Adaptation Strategy. Tell us why! Tell us why the farmers had to suffer. Do you know the farmers and the workers would have been looking at television or in the House in the Public Gallery and listening first hand to officials from the Ministry, to Ministers explaining their incompetence, and that is the reason why they do not want these committees functioning?

You cannot tell me one committee will examine all municipal corporations, government ministries, statutory authorities, all enterprises; owned, operated and controlled. That is madness! It is “best” you amend this and say, look, we will have no committee. Let us have none! It is “best” you do that. Why are you perpetuating this hypocrisy upon the country? Fooling people into believing that you care about accountability when you have removed important government agencies from under the ambit of the Central Tenders Board. You have failed to implement the procurement policy, you have removed important corporations from under the purview of the Freedom of Information Act, you have made a mockery out of the question time in the Parliament, and you come now to slash and burn the parliamentary committee system. [*Interruption*] That is what you came here to do.

So, Madam Deputy Speaker, I want to end where I begin, that the Prime Minister is really the quintessential Trinidadian smart man. He knows what he is doing. Do not think he does not know. You think he like watching TV and seeing Senators and Members of the Opposition grind state enterprise officials on allegations of corruption, mismanagement and so on? They know what they are doing. It is an information lockdown, and to deny this Parliament from functioning. Inevitably, they are undermining the Constitution of the Republic and the democracy of Trinidad and Tobago.

Madam Deputy Speaker, I thank you.

Madam Deputy Speaker: Hon. Member, the sitting of this House is suspended and shall resume at 5.00 p.m. sharply.

4.30 p.m.: *Sitting suspended.*

5.00 p.m.: *Sitting resumed.*

The Minister of Trade and Industry (Hon. Dr. Keith Rowley): Thank you very much, Madam Deputy Speaker. I welcome the opportunity to continue my intervention in this matter which was debated in 2001, and I would have failed in my duty if I had not joined the debate as broadened I should say, or recycled by my colleague from Tabaquite, because there are a few of us here in this House who were here in 2001, when this committee system came to life. And for the benefit of the new Members and my colleague from Couva South who was on a sabbatical, and members of the public who ought not to be misled by the fervour of what was put out today, I simply want to set the record straight with respect to what this Motion means and what the Government's motive is.

A lot of what has been said by my colleague from Tabaquite and especially the Member for Oropouche East, sought to put this Motion in the context of some ulterior motive on the part of the Government, which arose out of recent experience and I join the debate to show that this is not so. Let it be known as a fact, as recorded in the *Hansard*, that when these proposals came to the Parliament in 2001, to create the expanded number of committees, to create these parliamentary committees to oversee the vision of the Government, the PNM was in the Opposition and we objected then, basically on the same grounds that you are objecting now. That is a fact and I demonstrate that to you, Madam Deputy Speaker, by referring, if you permit me, to the *Hansard* of Friday, March 23, 2001.

Madam Deputy Speaker, if you listen to what the Member for Tabaquite said, casting aspersions on the Government's intentions. The Member for Arouca South

at the time had this question put to the Member, who was then the Attorney General and she asked him: "...these committees, will have a majority of Government Members and be chaired by the Government to examine the Government?" That was the question put to my friend from Tabaquite who was then the Attorney General. Is it going to be Members of the Government, chaired by the Government to examine the Government? The very thing that he is painting now as some tremendously horrendous behaviour of the PNM, for attending this grave destruction of parliamentary whatever, listen to his answer to that. He said: "Mr. Speaker, in the Parliament there is a majority government."

So apparently, when the UNC is in government, there is a majority government to do what the government thinks is right, but when the PNM is in government to act as a majority government, it is somehow deemed to be arrogant, to be destroying Parliament and whatever. That was his answer, we are the majority and that was when they were saying that these committees must be chaired by a government member.

Today, you are hearing that when the PNM came in, we moved away from that and improved as we thought, by using the Independent Senators to chair them, and we are being told that the reason why we are changing that now is because we were put under tempo on television by Independent Senators. Let me demonstrate to you that is not so, because you see, even before any committee met, this was the position put to us by the then government, the then Attorney General, who spoke today as the Member for Tabaquite in the Opposition. This is what he had to say: "I want to put on record of this Parliament that the Opposition (meaning the PNM) was always against parliamentary committees to monitor Government." So even before one committee met, even before one Independent Senator took any position, they were already accusing us as they did today of being opposed to monitoring. Therefore, the facts from them are not out. Then he went on to say: "They (meaning us, the PNM) refused to have it, because the PNM's administration could not subject itself to scrutiny."

We were in the opposition, what scrutiny do we have to subject ourselves to. We were speaking from the Opposition Benches then saying, this thing is not going to work properly. So we had no fear of being scrutinized, then we were the Opposition. He was saying that then, so therefore, it cannot be the recent experience which has caused us to be taking this position. We took this position in the beginning based on logistics. We are saying that it could not work and would not work properly and the reason is there. We just do not have the manpower in the Parliament to make it work. My friend from Oropouche said he did an analysis and the analysis shows that Independent Senators are those who come to meetings more frequently.

Madam Deputy Speaker, the record will show as I can demonstrate through my experience, I have been in the Parliament for many many years. I have had the opportunity to chair parliamentary committees and the problem you immediately face is getting a quorum. The committee I chaired on broadcasting is not a committee about finances where the Government is afraid of corruption and was hiding anything, it was simply a gathering of the Members of Parliament to treat with whether or not Parliament should broadcast its proceedings live and we had no end of trouble getting a quorum. I had to cajole, encourage, plan, strategize to ensure that we had a quorum at the appointed time and to ensure that the work was done and to report within the time frame.

The reason being, Madam Deputy Speaker, that a large number of the Parliamentarians, meaning all but Government Ministers, are part-time, not only do we have a small number of Members in the Parliament, but I think the majority of Members are part-time. That is a fact, so you are faced immediately with a logistic problem. People choose to go about their business and they have to make their living. They asked for a compensation for parliamentary committees, that was not granted, and therefore, they gave priority to their other earning endeavours. So whenever you have parliamentary committees—*[Interruption]*

Mr. Ramnath: They should.

Hon. Dr. K. Rowley: Which they should—to deal with anything including broadcasting, you have a difficulty getting a quorum and that applies to these committees that deal with supervising or overseeing government ministries. It is not different, it is the same thing. So if I were marking the paper for my friend from Oropouche East, I would give him zero for logic, *[Desk thumping]* but I know what they were doing. I spent 10 years in the Opposition, so I understand the strategy. I would have been surprised if the Opposition came here today and said yes, we agree and made a case for this. Opposition politics require that you paint the worst face and the face that they painted is that look, this is about the Government wanting to hide its wrongdoing. Nothing is further from the truth.

I entered this debate today, to say that at any earlier time in this Parliament, I had to point out that I had a Ministry which was engaged in a major programme to try to house people in this country and I had to make a choice as to whether I would focus my energies as Minister on the housing construction programme, or spend a significant portion of that in a parliamentary committee looking at my colleagues' ministries. I chose then, and I said so in this Parliament having that choice before me, to focus on the portfolio I had in hand, rather than try to supervise other people's ministries. That is what I did and to the extent that there was any success in that Ministry, it was because I

was able to focus my ministerial time on my portfolio. I could easily have spent hours and hours and days and days in the Parliament, pretending to be in a committee doing what, monitoring somebody else's portfolio.

The bottom-line is, Madam Deputy Speaker, we do not have the manpower in this Parliament for this ambitious committee programme. That is what the record shows. It has nothing to do with the Government having anything to hide. Nothing whatsoever. As a matter of fact, all the accusations made today were made in 2001, when we were objecting from the Opposition Benches because we were objecting on the substance of the arrangements being put forward. So all that talk about PNM having anything to hide, whatever, especially coming from the Member for Oropouche East, who was full-time employee in the Prime Minister's office under the UNC, while he was moonlighting in the NWRHA—

You heard him today talking about, we are afraid to expose corruption in the NWRHA. The man was a full-time employee on contract in the Prime Minister's office and was moonlighting as a consultant in the NWRHA. [*Crosstalk*] Money that should have been spent on patient's issues was spent on paying him a second salary, and he has the gall to come here today and tell the country and tell the Parliamentarians who just came into the Parliament, who do not know that, that what we are trying to do is to hide from corruption in the NWRHA.

Mr. Ramnath: On his own time.

Hon. Dr. K. Rowley: No, on the Government time. He made a comment; he said that we are afraid of Wade Mark.

Miss Kangaloo: King?

Hon. Dr. K. Rowley: Wade Mark? Well, if Wade Mark holds a terror in Rienzi Complex and for you on the other side, he has no terror upon the PNM. [*Desk thumping*] As a matter of fact, in the PNM we classify Wade Mark under "B"—buffoon. [*Laughter*]

Mr. Imbert: The world record for most lost elections.

Hon. Dr. K. Rowley: I will tell you something. When I was in the Opposition, I made a number of allegations against the UNC government and I stand here to be corrected by anybody on the other side, never once were they able to demonstrate that what I have said in the Parliament, allegation-wise, had no substance. Wade Mark, every Tuesday he "is bussing mark" and every single one falls flat because that is the Opposition's politics.

We have no fear of Wade Mark. I will tell you one thing. It was the PNM—I was acting for the PNM, chairing the committee that agreed to put parliamentary proceedings live and direct and we support that still. [*Desk thumping*] Whether you have two committees, or 22, or one and a half, it is still live on TV. And when my colleague from Oropouche East says what we are afraid of, is committee Members grinding state enterprise managers to the dust; yes, not only afraid of it, we put an end to that. [*Desk thumping*] The committee is not about humiliating chairmen of state enterprises or their staff, as I have seen on the other side, when they are chairing a committee, grandstanding on live television, trying to humiliate people who come before the committee to assist the committee with these proceedings. That is how they saw the committee.

We agreed that the proceedings would go live and they will continue to go live. The argument that if you move from three to two, it will no longer have any opportunity for the public to see questions taking place, that again is a shallow argument because whatever the committees do will still be on television. What is going to happen though, is whether this Parliament in a serious debate will determine that it is not how many committees you have, but how effective your committees are, and committees can only be effective if they have the relevant resources, manpower and otherwise to be able to properly examine. [*Desk thumping*]

So as the Government talks about reducing the number of committees, the Government is commensurately committing itself to ensuring that we improve the manpower capabilities of the committees, to make sure that the committees that exist will be far more effective than the numbers that we had before.

5.15 p.m.

Let me give you an example, because I have some experience with this matter in this Parliament. I have served on the Public Accounts Committee (PAC) and other committees. The committee is not really only about Members of Parliament surmising and grandstanding. An effective committee should really have technical staff like accountants and audit type persons on the staff. They would do the first pass and look at the reports, and to the extent that an agency is examined by the technical staff of the committee and no problem is seen, you pass over that. The one that has a problem you bring it forward immediately for closer examination. So the committees need proper staff.

The arguments proffered on the other side gave the impression that what the committees were doing and should do was to examine every single state enterprise, every single year, on every single purchase, on every single day; that is

not feasible. Even if you have three committees and 300 entities, it is still 100 apiece. It is not feasible even then to examine each one in the way they talked about. So it sounds goods; it is Opposition statement politics to say that by reducing the committees you are giving them this big workload, but they have always had and will have a big workload.

The mechanism for examining them is not to increase the number of committees to create more Wade Marks. You need better staffing and permanent fixtures in the Parliament, where the committee staff working with the parliamentarians could be more effective in looking at, in a sampling kind of way, what comes before them. Nothing prevents the two committees that survive, when or if this Bill is passed, from doing what the Member for Tabaquite said, which was right. I agree with him. He said that one of the things the committees should bring to bear on the parliamentary proceedings in monitoring government activities, was a contemporaneous intervention; they must be able to make a timely intervention. What prevents that? Who says that you must have three committees to do that, and if you have two you cannot do it?

If you are operating properly resourced with two committees, then you will be able to do that. That is a decision to be made by the committee. The committee would see what is before it, the staff would sift and bring forward what needs attention or something could arise in the public domain and the committee could make a decision then to do that. The Public Accounts Committee is confined to dealing with reports before it. Once again, you need the kind of staffing that could go through this report.

I run a ministry, Madam Deputy Speaker, and I have the good fortune of having as my personal advisor a gentleman who acted as Permanent Secretary (PS) in another ministry; a very experienced public servant. Do you know what I do? When documents come to me, reports from enterprises like financial statements or board reports, the first thing I do is pass them to him and he does a first pass. I do not have to read every line. I do not have the time to do that. Rather than have them waiting for three or four weeks to get to me, I pass them to him. He goes through them and is sufficiently experienced to pick up anything that would attract my attention. When they come back to me, I am pointed to areas that I should look at to see what has gone on there. I dare say, I get more work done in that way, rather than having to do it myself from page 1 to page 100 to see what happened there. Because he is properly qualified and experienced, he can bring that input to bear. That is what committees need, persons like that who would do a first pass.

It is a fallacy to say that if you do not have these committees there would be no accountability, and expenditure would result in corruption going unnoticed.

Joint Select Committees
[HON. DR. K. ROWLEY]

Friday, March 14, 2008

Who do they think they are talking to? The body for examining financial expenditure still remains rooted in the Constitution; it is the Office of the Auditor General; it is still there. [*Desk thumping*] They examine government expenditure according to the standards of accounting and audit under the Exchequer Act. Parliamentary committees do not interfere with that. In fact, it is their report, after they have minutely examined it, that comes forward to the Parliament and then becomes the subject of the PAC and the PA(E)C.

How can you come here and say that if you do not have the third committee, which logistically is a little nightmare, there is no accountability? It is not a logical statement. It is a good Opposition statement, but what is the truth. It is not that. The Auditor General would still be there doing that first pass of looking at government expenditure. Of course, you would have seen every year that a report comes to the Parliament.

The problem as identified, en passant, by my colleague from Tabaquite, was that there used to be a time when you were on the PAC or PA(E)C and a report would come to you from 10 years ago; as for local government, it could be 15 years ago. Successive governments have attacked that problem, and now I think we are much more current; reports are coming much earlier. But when they come, if you do not have the manpower, the wherewithal to look at them immediately, to screen them immediately, they might come early and remain in the Parliament system for years. So you would have replaced one problem with another. I think that is happening.

I heard my colleague from Oropouche, very loosely, as he is wont to do; he got up and made a statement. There he was, an MP talking in a parliamentary debate. He said the Housing Development Corporation (HDC) had not submitted any report. If you were home watching television and heard that, what would you have said? Do you know what you would say, "Those people in the HDC are spending billions of dollars; look how long we have had the HDC in place and they have never submitted a report." That is what you would think. The question you must ask is, "Submit a report to whom?"

He might very well be right, that the HDC report has not come to the Parliament. But all the HDC's accounts are current with the Auditor General. To the best of my knowledge, the HDC is up-to-date with its reporting to the Auditor General. There was an issue where the Auditor General did not have the staff, and was pretty tardy in dealing with the HDC account. We spoke with them and worked with them and eventually got them to agree to use private sector accounting firms to audit the HDC, and that has removed the bottleneck. The Housing Development Corporation as an agency complies with presenting its report when it is supposed to be presented to the Auditor General.

There were parliamentary reports that we presented, but then the question arose, "Can the HDC present to Parliament, as per its Act, a report different and separate and apart from that which comes from the Auditor General's Office?" That matter is still up in the air, because the HDC Act calls for a report to come to Parliament. The question is, "Does that report have to include its financial statement?" If it does, is it feasible for it to present a financial statement here without the stamp of the Auditor General? This is a grey area which is being looked at, but to say that the HDC has not presented any report is quite wrong, erroneous, misleading and misinformed.

We talked about the whole question of how we would deal with the need to monitor government expenditure and operations. Nobody is saying that there should not be a monitoring mechanism. If we back up, we say that we agree that we do it openly, it is on television. He said that persons would not see their questions being asked by MPs and so forth; that would still go on. Data comes up early, you need staff to be able to go through the data so that parliamentarians can ask the correct questions or not waste time asking questions that are pretty much answered in the text.

To the extent that we need to do that, it may very well be that the answer to this whole thing is to broaden the powers of the PAC and the PA(E)C, if they need to be broadened. I do not know that they need to be broadened, because those committees can summon who they want of the persons who fall within their ambit, to get whatever information they want. The reason it is not done in the in-depth way as it should be, is largely because you just do not have the manpower and the number of hours of parliamentary time to do it. That is rooted in a shortage of manpower in the Parliament. Insofar as we are restricted to the numbers we have here, we try to restrict the workload so as to function in a meaningful way. It may be that sometime in the future we would have a larger Parliament with more people available, but the debate of the size of the Cabinet, as for the committee and all that, is irrelevant.

What comes first, the Cabinet or the committee? Who can answer that question? Do you appoint the Cabinet based on what committee will come later on or vice versa? Those arguments are very sterile? They take us nowhere. They probably sound good if you want to slander the Government, but they take us where? If we say, as they have agreed, that you have problems with getting a quorum in the current arrangement, is it that those persons who do not come, especially when you identify them as the ministers, the Government is saying that we really cannot have three committees tying up ministers when they have full-time responsibilities elsewhere. That is all we are saying.

So we are going to balance it in a way that the Ministers will continue to be doing their ministerial duties in their ministries, and with a reduction in the number of committees it will now give the opportunity for Ministers to get involved as they are required to be involved in their ministries. As a matter of fact, we go further. Ministers really should not be involved in this process of monitoring ministries. Somebody else should be doing that.

Mr. Ramnath: You are saying that?

Hon. Dr. K. Rowley: Yes. I had told you before that I had a choice of doing my ministerial work to get houses built for the people of the country or monitoring the Ministry of Health and Local Government, and I chose not to do that. It does not work; it is a nonsensical arrangement. If you have other bodies to monitor ministries, then fine. So far we have the PAC, the PA(E)C and the Auditor General; we have three layers of monitoring. This is a fourth layer. To get up and say that to not have this plethora of committees in this fourth layer is for corruption to run rife, is nonsense.

If I take you back to the debate in 1991; listen to what the then Attorney General had to say, my friend who is now the Member for Tabaquite, when this matter got life in this Parliament. [*Interruption*]

When you heard 1991 you started to count to see where you were then. [*Laughter*] In 1991 you were safe; it was 2001. It is 1995 you do not want to hear about. I am not going there.

This was what he said when we were putting our objections to the introduction of this system:

"Instead of the Opposition making all these wild allegations of corruption, mismanagement and fraud, they are being given the opportunity, in a legal framework, to discharge their duties to the people of Trinidad and Tobago, and they are refusing."

So when we objected to the structure he was putting in place, on the grounds that I have just argued, he was saying that we were passing up the opportunity to discharge our duties. That was not so; we were objecting to the structure then, and we are doing it now. At that time we were in the Opposition talking about his government's conduct. His description of this government's conduct, as described by us then, was "wild allegations of corruption, mismanagement and fraud". That was March 01, 2001. By September 2005—"When yuh left?" [*Laughter*] I am getting a little confused. [*Laughter*]

When we spoke it was wild allegations, but after a while the allegations got tamed and came home to roost, and then he took over the allegations. He said that they were not only wild, but they were real bad, "I can stay no more; I have to go; Opposition accusing government of corruption." In this case, everything the Government does is corruption and, therefore, you have to have these committees. That is just "ol' talk". This Motion is meant to bring about some practicality to a situation which is dysfunctional.

5.30 p.m.

If you heard my friend talk about the Government's behaviour and you heard him only today, you would think that he genuinely means what he says, but I will tell you, Madam Deputy Speaker, I was in the Opposition when my friend, the Member for Tabaquite, was the Leader of Government Business in 1996. He sat there in a budget debate and would not let one government Member enter the debate. He marshalled the troops and insisted that the next speaker must be an Opposition Member and the Opposition had to speak one after the other with no reply from the Government, because he said if we did not speak he would end the debate.

We spoke continuously right through the night until the next morning and when morning came and every Opposition Member had spoken, we went home, had a shower, had breakfast, returned, and the Government spoke for the rest of the debate without one Member of the Opposition being able to intervene. That was his record, and he has the gall to come here today and say the PNM's attempt to reduce the committees from three to two is somehow disgraceful and detrimental and represents all of that. You are a hypocrite! [*Desk thumping*]

I have been here long enough and I have seen it all. So if he impressed his two new colleagues, which two—one from Timbuktu and the other one is getting his notes together—I am sure he did not impress my friend from Ortoire/Mayaro who was here before in our day, as Sir Learie Constantine would say, but he does not impress me. When he makes these contributions, if you hear him for the first time, they will sound like they have substance you know; invariably, it is another story. Do not take my friend, the Member for Tabaquite, seriously; he is a great pretender. [*Laughter*]

Let me quote from the *Hansard* of March 23, 2001 for you what happened to me when I was objecting to how he was carrying on. The Speaker is shouting at me.

“Mr. Speaker: Order please! I call for order.”

He is speaking to the Member for Diego Martin West. That is me.

“Mr. Speaker: ...Diego Martin West, you will not sit in your seat and yell across the floor...”

I was yelling at him because he was talking foolishness and it is not going to work and the Speaker was telling me that I cannot do that. He said:

“Mr. Speaker: I am on my feet, and you are to remain silent in your seat!”

That was the Speaker scolding me for objecting to him.

Hon. Member: Who was the Speaker?

Hon. Dr. K. Rowley: The Speaker was a man who lost his seat out the road, and was brought to the Parliament. The person who won the seat was over there with us. “Like yuh loss yuh memory?”

I am quoting from *Hansard*, the Speaker telling me he is on his feet and I am to remain silent in my seat because I was objecting to what he was putting across. It will not work, it is problematic.

Mr. Ramnath: The present Speaker?

Hon. Dr. K. Rowley: No, the Speaker then. This is the Speaker of that time. Listen to my friend, the Member for Tabaquite, in that same debate after I was ordered to sit and put my finger on my lips, and when he saw that I was ordered to keep quiet, finger on lips, he had this to say:

“Hon. R.L. Maharaj: The Opposition is showing that they do not know what happens in these matters.”

In other words, he alone understands these matters.

“In all countries in which this system has been introduced, England, South Africa, and Canada the governments are of the majority and the government chairs it.”

Did you hear him today?

Hon. Member: He said that?

Hon. Dr. K. Rowley: Did you hear him today bringing down all manner of brimstone on the PNM?

Mr. Maharaj SC: That was then.

Hon. Dr. K. Rowley: You heard him? His mouth straighten up, he say that was then; his mouth straighten up now. Go all around the world, South Africa, England, Canada, to demonstrate that this is a Parliament with a majority

Government, but if you heard him today without reading this record of our history recorded in *Hansard*, you would not think that he took a position that the majority Government should chair these committees.

Madam Deputy Speaker, I do not expect them to agree because it is good politics on their part as far as they see to oppose it. They think it is good politics to present it as the PNM being a defender of corruption. We have nothing to hide. [*Desk thumping*] To the extent that anything goes wrong in this Government, it will come to light sometime, but we have nothing to hide and we are not putting any system in place to hide anything. What we are putting in place is a system that is realistically structured to meet our current circumstances and we have no difficulty in asking this House to overturn something that we had opposed in 2001, and we are thankful that the people of Trinidad and Tobago gave us the requisite majority to do what we said should have been done then. [*Desk thumping*] It has nothing to do with any independent Senator grandstanding, or Wade Mark grandstanding, or UNC grandstanding because we opposed it before they even had their first meeting and showed their colours. That is the fact as recorded in *Hansard*.

So, Madam Deputy Speaker, I support this Motion and I am sure that however poorly it performed in the past, these committees will perform better in the future.

Mr. Kelvin Ramnath (*Couva South*): Thank you very much, Madam Deputy Speaker.

Hon. Member: Be brief.

Mr. K. Ramnath: I have fought for a very long time for the right to speak for 75 minutes. Madam Deputy Speaker, my friend, the Member for Diego Martin West, is certainly living in the past, and you would expect that when we are dealing with budgets approaching \$50 billion, that whatever occurred 10 or 15 years ago cannot form the basis for organizing our business in 2008. I agree with him on one point, and that is their failure to provide the technical staff for the Parliament in order to assist the committees to carry out its work.

I know he was speaking, Madam Deputy Speaker, under a lot of constraints. Clearly, he was sending a message to his own party and leadership that he is not happy with the way in which these committees operate, but I suggest to him when they have their caucus he may deal with that rather than make it our business here.

I want to join my colleagues, the Member for Oropouche and the Member for Tabaquite and I want to say to my friend, the Member for Diego Martin West, that I was not here when he was talking about the period when he was in the

Opposition. One thing we have agreed upon is that there must be proper scrutiny of Government's programmes, ministries, and so forth. To hear him say today that we have a competing interest between the role of a Minister in his ministry and his role on committees, and he would choose to spend his time building houses as opposed to scrutinizing Parliament supports the position that we are taking today which is, that we ought to have more committees to look at expenditure and the financial performance of the various ministries.

In 1991, my friend the Member for Diego Martin West would tell you that the amount of money available for public housing was minuscule and even before that, perhaps the budget in 1991 could be equal to the amount of money that was allocated to the Ministry of Housing and Development. I find it strange that they will seek to defend the position of reducing the number of committees based on what the government of 2001 said about majority in Parliament.

I have sat on the Public Accounts (Enterprises) Committee (PA(E)C), in fact, I was there in the 1980s and I recall being part of a committee that sent for Professor Julien. It had to do with the accounts of Plipdeco and although the Public Accounts (Enterprises) Committee is a committee enshrined in the Constitution of the country, Professor Julien hired then Queen's Counsel Michael de La Bastide to object to his giving evidence before that committee.

The Speaker at that time hired then Senior Counsel, or QC Ewart Thorne who wrote back to the Parliament saying that we did not stand a chance in the matter, that the Parliament did not have the authority to summon Professor Julien before the committee. At that time, Professor Julien was in charge of one of the biggest projects the country had ever seen, the Point Lisas Development Project where we were building a number of petrochemical plants and developing an estate and so forth.

Up to today, the Standing Orders of this House have not been amended to recognize the existence of a Public Accounts (Enterprises) Committee although the Constitution recognizes it. As you know, the Standing Orders have to be amended and this matter was one which attracted much public attention at the time. So when it comes to accountability, you cannot come to the Parliament today and say we have in place institutions that are there to look at the accounts of these companies when no one bothers to go back to the past and look at the problems these committees have experienced.

We are not here to humiliate the executives of state enterprises. If these executives are not doing their jobs properly or interpreting their functions, and the committee were to ask them questions about how they operate and they cannot answer and they feel humiliated, that is not the fault of the committee.

In fact, Madam Deputy Speaker, we have had officials of state enterprises who refused to come to meetings of the Public Accounts (Enterprises) Committee and until they were threatened, they stayed away from meetings.

5.45 p.m.

One of those companies is Plipdeco, where the chairman, an extremely arrogant former loser in St. Joseph, a fellow called Kayam Mohammed, was literally abusive to the membership of the PA(E)C, a committee at the time which had the majority of PNM representatives. The gentleman refused to come before the committee to testify with respect to major issues that had to do with the purchasing of expensive cranes in Plipdeco. So the issue today should not be what was done then, because I can sit here and tell you about O'Halloran and I can talk about Owai—

Dr. Rowley: Again?

Mr. K. Ramnath: Yes, just as you went back to talk about Ramesh Maharaj speaking in 1991. *[Interruption]* But you did. So I can go back and talk about Francis Prevatt, chairman of the PNM who fled the country. But I am not going to do what my friend from Diego Martin West has done today. What I am trying to do is to assist him in understanding that we need to recognize that there must be accountability and the Cabinet must be accountable to the Parliament of Trinidad and Tobago.

Dr. Rowley: We agree on that.

Mr. K. Ramnath: We are hearing this kind of hypocritical language coming and that is, we must provide the Parliament with adequate staffing. *[Interruption]* You should not talk; you were not here. I will give you a break today. Your narcissism is very well established, so I will give you a chance to talk. *[Interruption]* And in your case it is bipolar. You demonstrated that quality of being bipolar.

Dr. Rowley: You were going good until you digressed.

Mr. K. Ramnath: Tell him not to interfere with me.

Dr. Rowley: We want to hear the point.

Mr. K. Ramnath: The point, I want to repeat for your benefit, is that we are concerned, in 2008, with providing the institutions that must examine state enterprises and government with adequate staff. I would have expected the Member for Diego Martin West—you see, he moves in mysterious ways. When he wants to send a message to the Prime Minister, he passes it through the Opposition. *[Laughter]*

Dr. Rowley: I have better channels than you.

Mr. K. Ramnath: You know, even the Prime Minister, when he spoke today, was saying to the country that his focus on transforming this country into developed country status is more important than examining government expenditure and strengthening the institutions to examine government expenditure. Well, we can do both. You can proceed with—and you know, they should be lucky that I am sitting on this side because I always make recommendations that try to help them out. The problem is that they just do not have the competence.

We can do both. The Government can do its work in transforming the country from whatever status—a crime-ridden country with no police cars and no policemen to do the work—to one of developed country status and at the same time encourage the establishment of institutions to examine how they are spending money. To talk about \$45 billion is really not very accurate, because when you look at the state enterprises, when you look at the oil companies and all the other state enterprises and the kind of money involved, we are talking about institutions of the State, including the direct expenditure of the Government, to the extent of about \$100 billion. I work for a company that sells products that amount to over \$20 billion in half a year.

So why are we not willing to strengthen the institutions? What is wrong with increasing the number of bodies? I will tell you what is wrong. They want to use what was done in 2001 in 2008 and justify it on the basis that the Opposition, which was then in government, had a problem in 2001 with giving persons other than ministers the right to lead committees. What is important for us today is to find the resources. Why did you remove the Independent Senators? If you have a shortage of staff and you have volunteers, why are you claiming that you cannot have the same level of scrutiny because the Government Ministers have too much work to do when the Independent Senators were leading these committees?

There must be a reason for that. It is not because the Government of the UNC in 2001 had placed ministers as head of these committees that must be the reason you want to do it today. You, yourself, changed the rules and placed Independent Senators. Now you are putting the Deputy Speaker who has to extricate herself in an ineluctable situation to preside over the sitting of the Parliament and at the same time preside over committees which scrutinize the operation of the Parliament and who, in her own right, is an elected Member of Parliament with a lot of experience. If you want to make the Deputy Speaker feel that you are not victimizing her, having won Arima on successive occasions and failing to put her as a minister, do not use this opportunity to try to further humiliate her. [*Desk thumping*]

Mr. B. Panday: That Manning is a vicious, malicious person—

Mr. K. Ramnath: Yes, and we really would not want to get into their internal business here today.

Mr. Dumas: Good advice. [*Interruption*]

Mr. K. Ramnath: I do not want to waste my 75 minutes on things like that.

So I am saying that I thought that an experienced Minister, the Member for Diego Martin West, would have come here and said: “You know, there is wisdom in using Independent Senators.” Let me make it clear. I do not believe that an unelected President of a country should have a greater number of appointees in the Senate than the Leader of the Opposition. That is my own position. [*Desk thumping*] And I do not believe that an unelected President of the country should have all the powers that we have given him in the past, including the appointment of all these service commissions, the Chief Justice and so forth. But that is the Constitution of today.

Dr. Rowley: Change it.

Mr. K. Ramnath: We have advocated constitutional change and I thought the Member for Diego Martin West would have stood up here and praised the Opposition and said: “I am prepared to join you in your struggle for constitutional change.” Because you cannot attain developed country status unless you get rid of this archaic, antediluvian Constitution that you have, where I have to depend on a Salaries Review Commission to get \$750 a month to serve on a committee. Do you expect people to be other than part-time? He was talking about part-time Members of Parliament.

Mr. Imbert: You are getting your full salary—

Mr. K. Ramnath: Do not mind my business; do not worry about my business. I work hard for my money, unlike you. The Member for Diego Martin North/East has never succeeded in anything that they have given to him. That is why they wanted to get rid of him, together with the former Member for Diego Martin Central—

Mr. Imbert: I am here and you are there.

Mr. K. Ramnath: But he was saved by the Member for Diego Martin West when he took the Integrity Commission to court, otherwise both of them would have been outside this Chamber here today. So I want to congratulate the Member for Diego Martin West for having the strength to challenge, at least an institution of the State. It shows that he can do it if he wants. He can help to change the

Constitution and modernize it if he wants. He has a lot of respect in his party, and even though the Prime Minister got rid of all those he thought were following the Member for Diego Martin West, even the present Members of Parliament, I am sure, will support him if they had a free vote, before they support the present Prime Minister.

Dr. Rowley: How you get in PNM business?

Mr. K. Ramnath: He knows I am speaking the truth. [*Crosstalk*]

Madam Deputy Speaker: Hon. Member, you are almost speaking like a Member of the PNM, you know. [*Desk thumping*] [*Crosstalk*]

Mr. B. Panday: Such is his generosity.

Madam Deputy Speaker: Hon. Member, I know you are very skilful but use your information wisely in terms of the debate.

Mr. K. Ramnath: I will never accuse you of being partisan at all, not after what they collectively did to you, but I will follow your ruling. May I go back to the point I was making? That is, I had expected an experienced and very senior Member of the Government to come up with a solution, and he knows what I am saying. We have to find solutions.

I will give you an example. The Government has taken the chief executive of the National Energy Corporation and placed him as head of the Rural Development Company. Three box drains and a little piece of sidewalk pavement, as it is called here in Trinidad and Tobago, in the village of Preysal, cost \$8.4 million. In Biche, Coalmine, 100 metres of road, a side street, cost \$1.3 million. The Rural Development Company, although headquartered in the constituency of Couva South, has never called me once, although they all know me personally—in fact, I think the chairman of that company is also the chairman of the board of Petrotrin—to say: “Well listen, we are here to service—as the Prime Minister indicated earlier—the constituencies in Central Trinidad.” Not once have I received a communication.

What they do, they have for the time being, a local government representative—that is a PNM representative—and what they did was to go into the area she represents and start work in that area, and I am very happy for the people. The Prime Minister went to open a sidewalk in Dow Village in California and nobody showed up, not even the councillor.

Mr. Dumas: That is not true.

Mr. K. Ramnath: You did not show up. So when you begin to look at expenditure and you begin to look at wastage, it is very important that we have the institutions to examine them. You cannot, as the Member for Oropouche said, expect two committees, one to look at service commissions and the other to look at everything else, to expect them to carry out their duties of auditing these organizations. I want to also tell my friend from Diego Martin West that the Auditor General is represented at the Public Accounts (Enterprises) Committee and the Public Accounts Committee, and the Auditor General invariably sends out concerns and management letters about the way in which companies over which they have the authority to audit, conduct their business.

6.00 p.m.

You will be surprised to know how many comments are made by the Auditor General with respect to the accounts of many of these companies. There are companies operating in this country that have been given the responsibility to spend hundreds of millions of dollars and they do not have an internal auditor. There are executive chairmen who take the responsibility for tendering committees in these organizations and there is no accountability in them. I am certain that Ministers are fully aware of what happens in their thrust to transform the country, as they say, by spending much money doing many things.

I suggest that not only should we have three committees, but also that we should have put this matter before a joint select committee of the House to look at all the issues surrounding the work of the various committees and then come up with an agreeable position taken by the House of Representatives. The Prime Minister has made his thrust very clear. What he is trying to do to take the country to developed country status cannot work with the present system of administration. Do not blame Ministers for being too busy. If you pay the right amount of money you would get the right people to do the job. They will operate as chief executive officers in a very serious way. If you want to hand out patronage because your political existence is based on support from a battery of Ministers, then you would get people who are not as efficient as they ought to be, if you were to pay them the right salaries and provide them with the right prerequisites.

It is not our fault that today, the Cabinet has expanded to 23 or whatever it is. It is quite possible that you could have a Cabinet of half that number. We increased the number of seats in the general election from 36 to 41 and we are now hearing that we still have a shortage of people to serve on committees. I go back to the point of the Independent Senators. It is clear that there can be no contradiction that the Government does not want Independent Senators to chair these committees. I do not know of

what they are afraid. If they are conducting their business in a proper manner, then they should not be afraid of CEOs and other senior people coming before the committee.

I sat on two committees during the last Parliament. One was the Public Accounts (Enterprises) Committee (PA(E)C) and the other was the committee that looks after ministries. I can tell you that the only time that persons from state enterprises and ministries had difficulty was when they were unprepared. We had a company called Vehicle Maintenance Company of Trinidad and Tobago (VMCOTT) before the PA(E)C. When we began to ask VMCOTT certain questions about what they were doing, they said that the police in this country will not send their vehicles to VMCOTT because VMCOTT could not repair the vehicles on time. It was costing \$200 to fix a tyre and they could have had that done for \$20 at some other shop.

Do you know what we found out? VMCOTT spent \$65 million to acquire spying equipment. A state enterprise that was supposed to repair government vehicles and was losing a considerable amount of money could not account for \$65 million. When they were grilled they finally admitted that it was used to purchase sensitive equipment. Perhaps, the sum of \$65 million is not important to the Government. When you look at the ratio of \$65 million to \$500 million for a jet plane it might be a small percentage. For the rest of the country that is going through very difficult times, when they see that kind of criminal profligacy taking place, obviously, they will question the manner in which taxpayers' dollars are being spent.

I cannot understand when a senior Minister will talk about restricting the workload of these committees without advancing any solution. I sit on a committee that may have to interview about 60 companies. If you look at the record of previous companies you would see that for the term we would have done five or six committees. You have 60 companies, very huge organizations like Petrotrin and the National Gas Company. At the end of a session, sometimes we are able to complete only six. If the provision of technical staff—this is not only about technical staff contrary to what the Member for Diego Martin wants to make the country believe. This has to do with arbitrary decision-making by these executives of state enterprises. I would have more to say about companies in the energy sector when I retire at the end of the year. At this stage I would not like to breach confidentiality and ethics. Many of the members of these committees will have more to say about how companies operate in this country.

I would like to bring Caribbean Airlines before the Public Accounts (Enterprises) Committee and I will try to get my friend, the Member for Tobago East, to help get it on the priority list, so that I could begin to ask Mr. Lok Jack about all the nonsensical remarks he is making in public. [*Interruption*] "I can't." The committee that investigates ministries, we will bring him before that.

The point I am making is that here is a situation as articulated by the Member for Tabaquite, where the entire country is placed in a state of confusion over the spending of \$400 million to \$500 million. One minute it is that I approached the Prime Minister and we had US\$63 million transferred to an account but we did not order any plane and many confusing and conflicting remarks. The population is expecting that the institution of Parliament will clear that. That is the role of these committees. It might be very difficult to get that organization before a parliamentary committee because of the increase in workload that would occur when you have two committees instead of three. You will be surprised to know how inefficient such committees will be in examining the expenditure of government and state enterprises.

What do you have to hide? If you have no problem in having your accounts and performance examined, you should be encouraging more and more investigation into the running of government. You should feel happy that we give you a clean bill of health, if we do, after your ministries and the various state enterprises have been investigated. It appears to me that the Government seriously does not wish to have this issue of accountability settled through a system of parliamentary committees.

When the Member for Oropouche first began to speak, he said that the issue was one of accountability. It is one of accountability. You are a government that for the last five years—when I came in here the Member for Diego Martin West said half the Front Bench is in jail and the other half is on their way. I was sitting here and I was wondering what I did.

Dr. Rowley: I excluded you, I picked you out.

Mr. K. Ramnath: Then, his Prime Minister wanted him to be prosecuted. The Integrity Commission sent the result of an investigation to the Director of Public Prosecutions (DPP) without consulting him. He knows that the Prime Minister was behind that. The whole country knows that. It is like the whole country knows that the Prime Minister wants a jet to fly around the world, but is making Caribbean Airlines the scapegoat. You have willing scapegoats in Caribbean Airlines. [*Laughter*]

I want my friend, the Member for Diego Martin West, to understand that we are on the issue of accountability and it does not matter what was said 10 years ago. What is important today is that we bring the Government of the day to account. [*Desk thumping*]

When we take office very shortly—the people are going to rise up against them. They are abusing the citizens of the country. [*Crosstalk*] With the death of the Congress of the People (COP) in the last election they have no other way of splitting votes to prevent us from winning the election. When we take office, I

would insist with the Member for Tabaquite, that we must be subject to scrutiny and proper auditing as members of government. Whether I am in the government or back bench it does not matter.

The point I wish to emphasize is that the government of the day should never be afraid to account to any parliamentary committee. This is a backward parliament. This is an institution that is irrelevant to First World country status. This does not propel the Government and the country forward to meet the challenges of First World status. We have to reform it. Other countries have gone ahead. If you look at the parliamentary channel—when some Ministers have time they should look at it and they would see what is happening in South Africa, Australia, New Zealand and Canada where the discussion is about how to reform the parliament to make it relevant. No amount of furniture and laptops—[*Crosstalk*].

Dr. Rowley: That was a Freudian slip.

6.15 p.m.

I am hoping that the Leader of the Opposition would teach me some of the techniques that he has. If you notice, he does not have to spend his time listening to what is said on the other side. He spends his time more productively. [*Interruption*]

I would not reply to the Member for Diego Martin West. I want to let him know that I expected a lot more from him. I expected that a person who has been given the mandate to spend billions of dollars in housing to say that he has a difficulty in Parliament having the resources to examine his performance as a Minister.

Dr. Rowley: I said so.

Mr. K. Ramnath: I am looking forward to examining the Housing Development Corporation (HDC). I am also looking forward to asking questions about how houses are allocated in this country. I want to find out, for example, who got houses under the government programme, whether they were qualified for that and whether there was any political patronage. I want to be able to call the people from the HDC and the Land Settlement Agency before the Parliament to show that they have spent our money very well. As departments of Ministries, if they have actually conducted themselves properly, then we will give them a clean bill of health.

Dr. Rowley: They have one already.

Mr. K. Ramnath: From whom?

Dr. Rowley: Me.

Mr. K. Ramnath: The Minister. I think that I have dealt with a lot of the issues that I wanted to. I want to come back to the issue of compensation. You cannot expect people who are not full-time Members of this Parliament to come to Parliament two and three times a week and refuse to compensate them for their services. You cannot expect to pay a Member of Parliament \$750 for the month and in the case of Ministers, nothing.

You notice that the Member for Diego Martin North/East says that it does not bother him at all. I am quite sure that he earns a lot of money from whatever sources; I do not want to speculate. The reality is that if you are going to increase the workload of your Ministers and members of these committees, you must be prepared to pay them. If you notice, they have hinted that they will, in a debate, come up with solutions.

Everything is now placed before the Salaries Review Commission. If electricity and telephone rates go up, as they are indeed going up, and constituency expenses are increasing, you have to wait until this omnipotent Salaries Review Commission gets together and decides every three to four years what they are going to allow these legislators. [*Interruption*]

I am trying to advocate on your behalf. I do not want you to get into any trouble with planes and trains. You can get into trouble with planes and trains and no amount of covering up of these anticorruption clauses that you want to put into these agreements will prevent you from being tempted. Planes, trains and water taxis. Why do you not go to the Cabinet and stand up like big men and women to your Prime Minister and say: We have got to make fundamental changes with respect to remuneration and compensation so that we can ensure that these committees work very efficiently and effectively?

Mr. B. Panday: “Yuh think dey stupid?”

Mr. K. Ramnath: I am not making a case for me today. I am making a case for the public, in the interest of accountability.

As I was saying earlier, there are too many companies that feel that they do not have to run their business in a manner that is transparent. Let me give you an example. The University of Trinidad and Tobago—I know my friend from Diego Martin West does not like anyone to stand up and criticize the eminent Professor who is, perhaps, doing a very good job.

Dr. Rowley: I do not like unfair criticism. Criticism is okay.

Mr. K. Ramnath: The University of Trinidad and Tobago, which is handling more than \$0.5 billion in grants coming from investors, state enterprises and the Government, hired senior counsel to instruct them how to organize their business, so that they will not qualify to appear before the Public Accounts (Enterprises) Committee. They sought to undermine the system of accountability by getting advice as to how they can qualify, since the qualifications are set forth in the rules. If your company no longer has the majority directors appointed by the State, you could possibly be exempted from scrutiny by these committees. That is a very serious matter. We have not heard a word coming from the Government when this matter was ventilated. There are state enterprises that do not wish to be examined by these parliamentary committees. They all use as an excuse—[*Interruption*]

Madam Deputy Speaker: Hon. Members, the speaking time of the hon. Member 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: Thank you very much. I know that the Member for Pointe-a-Pierre is having some difficulty in adjusting to me, having become my neighbour in recent times, through some quirk. For that reason she would not want me to speak much longer.

Dr. Rowley: Are you a good neighbour?

Mr. K. Ramnath: Extremely good. I was making the point that there are companies that are handling billions of dollars that do not wish to be examined by parliamentary committees. The Government knows that. What we have to do is to make sure that these companies can come before the parliamentary committees. You must not be afraid that the Opposition will attack your friends. You should not be afraid of that. The Opposition is not here to find fault. It is there to find fact. I can assure you that these committees are not on any witch hunt.

I am also sure that the Government was extremely grateful when they saw the performance of these committees, particularly as they were televised. That tells the rest of the world that we are moving into a situation of transparency. It is not the subject of debate today, to go into the details of what occurs in the various state enterprises and Ministries, but I can tell you that the public has expressed its position on numerous occasions about the manner in which public finances are being treated in the country. The Government behaves as if they have no one to account to.

When the Prime Minister and his most senior Minister, the Member for Diego Martin West, could get up and say that nothing would stop them from continuing the process of transforming the country into developed society status and not even parliamentary committees must do that, it tells you the mindset of the leadership of the Government. That mindset is: we are going to give our friends the opportunity to do what they want, once we are happy.

Do you think it is easy for people who are waiting on an HDC home? I visited some of their estates and was impressed with some of the homes I saw. People have been waiting, as the former Minister will tell you, for years to get one of those homes. But, while they wait for years, the Prime Minister could boast that his \$150 million mansion could have been completed in seven months. *[Interruption]* Nine. She said seven months. Do you know that was an attack on the Member for Diego Martin North/West? He was trying to demonstrate that he can build the Prime Minister's home and diplomatic centre for \$150 million in seven months and the Member for Diego Martin West is taking seven years to provide a reasonable number of homes for the poor in the country.

Dr. Rowley: That is stretching it a little too much.

Mr. K. Ramnath: I will stretch a little more. Mr. Calder Hart, who is head of almost everything, does not have to listen to any Minister. If the Minister of Works and Transport says: "I want an artery through the port so that I can improve the access into Wrightson Road," and Mr. Calder Hart says no, the Minister of Works and Transport would immediately get silent, which is a difficult thing for him. He would immediately go into a state of depression because Mr. Calder Hart, who has \$15 billion to \$20 billion at his disposal, can decide for this country, what a Minister cannot decide. I know what I am saying. Soon you will find that all the projects that have been allocated to the Member for Diego Martin North/East will be removed from him and that he would be left in his capacity as a Minister with nothing to do, as he was accustomed to doing, writing letters at 5 o'clock in the morning.

How can you defend these state enterprises? They are recently developed state enterprises which give such enormous powers to these chief executives or executive chairmen that your Ministers do not have? The only salvation for this country is to be able to have your parliamentary committees bring Calder Hart, Prof. Julien and all these people who have such budgets, to account before the Parliament. As much as Ministers would like to criticize the Opposition for wanting to bring these people before the committees, they would silently approve of something like that. They support it because the public is saying to them today that they are not happy with the manner in which they are spending taxpayers' money.

I want to assure the Parliament and the country that we on the Opposition Benches have no other interest but to defend the interest of the public and to protect the wealth that has come from the exploitation of our natural resources.

We have no interest in hounding down anybody on the Government side or persons who hold top positions. We want to get to the truth. We want to make sure how our moneys are spent.

6.30 p.m.

Today, the price of oil has gone up to \$110 a barrel, as a country that is a net importer of oil, any precipitous drop in oil prices can result in serious liabilities to companies.

Only a few days ago the Governor of the Central Bank made a very important statement. He said that oil prices may be going up, but the level of production is falling. We should be protecting our income from the oil industry, and not only boasting of how much money we put into the Revenue Stabilisation Fund or the Heritage Fund. The question we should be asking is: are we putting enough of that money into the Heritage and Stabilisation Fund and the Revenue Stabilisation Fund? We have a Government that could not negotiate an agreement with its Caribbean partners for us to continue to supply them with their demand for petroleum products.

Madam Deputy Speaker, the debate can go on with respect to accountability, and how our moneys are spent, but I am hoping that the Government will, at the appropriate stage, say that it is not bringing this legislation to find a job for the Deputy Speaker, who was denied a job based on her competence in the past, by putting her on several of these committees—the Deputy Speaker is on both committees and since her name has appeared first, she might very well be given the chairwomanship of these committees—rather than these committees being established in order to ensure transparency and accountability.

I am sure the Member for Diego Martin North/East will not object to the suggestion coming from the Opposition to have three committees, and bringing back into these committees the Independent Senators so that we can ensure that these committees function.

I know as a matter of fact that the committee chairman, Sen. Mary King, under whom I served, was an extremely efficient person. She would call Members at their homes to make sure they come in order to have a quorum. I also know Sen. Mary King was also a no nonsense person.

As a member of that committee, we went to the Scarborough Regional Hospital, San Fernando Hospital, Sangre Grande Health Facility and all the other health facilities across the country like Mount Hope and Port of Spain. As an Independent Senator leading this committee and looking at ministries, we could not get a more committed person than Sen. Mary King. Although she has not been put in the Senate, for whatever reason His Excellency chose not to put her back, there must be persons in the Senate who can do this work.

Today, we have a Government claiming that Ministers are bogged down and they are very busy with work, and when people offer to do the work, they are saying that they do not want them. The truth is they do not want to be exposed. That is the truth! The truth is the Minister of Works and Transport has been a monumental and colossal failure. [*Desk thumping*]

Madam Deputy Speaker, after six years, he cannot remove the traffic lights at Aranguez and El Socorro and put up some interchanges; after six years he is unable to deal with the traffic problem at Pointe-a-Pierre by simply putting an overhead ramp to take traffic coming from San Fernando into Gasparillo, thus preventing the serious traffic jams under the Pointe-a-Pierre bridge that my friend, the Member for Tabaquite, who only recently was elected has to champion.

There are no police at that Gasparillo flyover, and this Minister who talks about the Opposition wanting to stifle and stymie the operations of the Government is getting the help from the Independent Senators in order to enquire into the performance of his ministry, but he does not want that. He is afraid! After six years there is a flyover being constructed with a sign saying "Hello Trinidad".

I want to know how this firm was selected; how he arrived at the price to build this interchange at Grand Bazaar; and why he chose to demolish the homes of the people from Bamboo and he did not go further east where there is a shopping centre. I also want to know when this interchange will be completed, and why is this Minister so incompetent. The way to do that is for the committees that investigate ministries to be able to call them in at anytime. That is the advantage of those committees that the UNC had set up.

Madam Deputy Speaker, I am not talking here about the Public Accounts (Enterprises) Committee and the Public Accounts Committee, but I am talking about the committees that investigate ministries, so we can call the Minister of Works and Transport immediately to ask him certain questions. If you are coming from the east, do you know what you have to go through to get to Port of Spain? Those of us who are coming from south and the west into Port of Spain, it is a nightmare. The Minister must be accountable.

Parliament is a place, during the sitting of the House of Representatives that does not allow for accountability. Ministers do not come here and account for their stewardship. In fact, they have decided to exploit the question period and make a statement.

In the period when the PNM was in power—that was during the days of Mrs. Norma Lewis-Phillip, the person whom we eulogized today—there was an item on the Order Paper that was always respected and it was called “Statement by Ministers”. If a Minister wishes to make a statement, he can use that item, but now he goes before the media and a Post-Cabinet conference where he is not subject to any kind of cross-examination, except from the media, and he or she makes his or her statement there. The only opportunity we have to call the Government to account is during the question period. You would probably notice that I do not file any questions.

So, the Minister has chosen to answer a question by taking up the entire question period, and not even allowing for a supplemental question, because he does not wish to account. If the Minister of National Security were to be examined by a parliamentary committee, he would have to resign in a very short period of time. What are they afraid of? Obviously, they are afraid of having to answer questions coming from the Opposition.

If they have nothing to hide, and if they claim that they are a Government of accountability, all I am saying is let us have three committees to start with, and move toward increasing the number, so that we can ensure that we have the institutions in place to subserve getting the country into developed country status.

Madam Deputy Speaker, I trust that the length of time I have spoken here would have softened their hearts, although that is impossible for my friend from his colonial past, the Member for Diego Martin North/East. I think I would have to do much more to get him to do it. Maybe I may have to use some moral suasion and some Christianity to convince him. [*Interruption and laughter*] Do not get in my path this afternoon, because I am going to keep you here very long.

Madam Deputy Speaker, I do not support this Motion to reduce the number of parliamentary committees. I am asking the Government to postpone the debate and return here with an amendment to the Motion to increase it to three committees, so that we can continue to do our work on behalf of the people. Thank you. [*Desk thumping*]

Madam Deputy Speaker: The hon. Minister of Works and Transport. [*Dr. Gopeesingh on his feet*] I looked and I waited and I saw no one. Are you going to—

Mr. Imbert: No, let us wind up. [*Interruption*]

Madam Deputy Speaker: Okay, the hon. Member for Caroni East.

Dr. Tim Gopeesingh (*Caroni East*): Madam Deputy Speaker, thank you for giving me the opportunity to join this debate with my colleagues, the Members of Parliament for Tabaquite, Oropouche East and Couva South and to respond to comments made by the Members for Diego Martin North/East and Diego Martin West.

There are certain things that need to be said, because I think the hon. Member for Diego Martin North/East realizes that a number of us sat on some of these committees for a period of time, and the work that these committees did was tremendous, in terms of not really looking to truncate and to pillory the Government on the negative aspects of what went on, but to make recommendations for improvement in the management in a number of areas.

Madam Deputy Speaker, this is just a little example of a report of a joint select committee dated June 28, 2005 [*Report in hand*]. This report has thousands of hours of work embodied in it. This work is really a report for 2005 which looked at the Teaching Service Commission, education in Trinidad and Tobago, and just a few corporations.

In this report, there were a number of recommendations for improvement in the education sector by the Teaching Service Commission from the dialogue that emanated and, as a result, the Minister of Education was—by right, according to the rules—supposed to respond within 60 days of this report being laid. The Minister of Education did respond within 60 days, and she took into consideration a number of recommendations that were made in this report.

The Government is saying that it does not want to have three of these committees to look into the operations and functions of the Government, but I want to illustrate here this evening the voluminous amount of work that is needed to really determine how the Government works and how it should work in a democratic system so that there would be transparency, accountability and probity with significant recommendations for improvement in the management of a number of ministries and state enterprises.

This joint select committee report in 2004 showed that there were 12 ministries. Under those 12 ministries there were 54 statutory boards and similar bodies and 35 state enterprises.

You cannot look at 54 statutory boards, 35 state enterprises and 12 ministries with one committee. The point that we were making that even with two committees that we had during the last few years, we found it difficult to do the work that was needed. These are some of the statutory boards and bodies one has to really look at.

6.45 p.m.

In the Office of the Attorney General, you have the Corruption Investigation Bureau and the Anti-Corruption Squad. You know how many negative things have been said about the Anti-Corruption Bureau and the Special Anti-Crime Unit of Trinidad and Tobago, which is run by a member of the Defence Force—a private brigadier running a police service, not reporting to the Commissioner of Police, but reporting to himself, alone unto himself; a Special Anti-Crime Unit of Trinidad and Tobago run by a private brigadier who, in Parliament, had to be certified as the person responsible for the Special Anti-Crime Unit.

I am drawing these analogies, Madam Deputy Speaker, to show this is just one example in the Ministry of the Attorney General. You have the Law Reform Commission, Council of Legal Education, Hugh Wooding Law School, Industrial Court, Law Reform Commission, Sentencing Commission; that is just one Ministry with statutory boards and similar bodies. Ministry of Community Development, Culture and Gender Affairs, Village Council, Archeological Society, Carnival Institute, Naparima Bowl, Naparima Carnival Commission, National Cultural Commission, National Museum of Art and Gallery, National School of Music; I can go on. Do you really believe that we can really do the work with one committee looking after these? No way.

So, I want to join with my colleagues in indicating that you must realize—and do not hide from the fact—that there is a tremendous amount of work to be done. We on this side are prepared to sit in the committees and help you, and to do the work with the Independent Senators and Members of the Government to even look into your own situations. When you run a ministry you would feel that you are doing a good job, but it is left for an objective evaluation of this and these committees allow an effective evaluation of this situation.

I want to just show there are a number of multi-purpose or what you call special purpose companies that started recently in 2004; I want to focus a little attention on that. In October 2003, the Government established a committee to produce a Green Paper on the reform of the Government procurement system and regime. This is the Green Paper that the Government came up with in 2004. It was laid in Parliament in September 2004.

In early 2005, the committee began work on a White Paper on the procurement regime, and this was laid in Parliament in September 2005. And what has happened since, Madam Deputy Speaker? The Prime Minister, in his budget presentation of 2005/2006, said that the legislation to replace the Central Tenders Board Ordinance Procurement Regime will be forthcoming. For four years the Prime Minister has been speaking about a regime for the procurement of these 15 special purpose companies. He said that would have been in place by the last quarter of 2005/2006; that did not happen, and the procurement regime was promised in 2006/2007.

This Government has been abandoning its old name of renaming this back-in-time state enterprises and brought in new connotation, special purpose companies. These companies are endowed with billions of funds. In 2006 alone, \$2.3 billion was allocated to these special purpose companies, without any procurement regime, procurement principles and practices to govern these 15 special purpose companies and in one year \$2.3 billion was allocated in 2006. In 2007, \$2.5 billion was allocated and in 2008, \$2.8 billion is allocated for these special purpose companies. That makes it approximately \$7 billion in a two and a half year period allocated to these special purpose companies.

How are we going to determine what work is going on in these special purpose companies? My colleagues alluded to one, UDeCott. I want to just indicate the project listing under UDeCott; you have infrastructural development, seven projects, which contained the Port of Spain Waterfront Development, San Fernando Waterfront Development, Port of Spain Port, San Fernando Transit Hub, et cetera. You have restoration work of official residences project, restoration of the Stollmeyer's Castle, Mille Fleurs, Red House, rebuilding of the official residence of Prime Minister. Sports and Arts: four construction buildings; Government offices, nine construction buildings; housing, 10; 34 construction projects under UDeCott. UDeCott being one of these special purpose companies with four directors and himself to himself. It is a runaway horse with Calder Hart responsible for the construction of 34 companies without any procurement regime and without any transparency and accountability in the construction of these. Their Waterfront project alone is \$2.4 billion expected to come to \$3.2 billion. I can be corrected on that, just one project alone.

Here is a gentleman, chairman of UDeCott, running a special purpose company, with no accountability and no transparency, and when he is brought here before these committees, he refuses to testify, filibusters and just wastes time, because he does not want to account. How can we, as an Opposition, sit comfortably, see that \$8 billion is allocated to this special purpose company and there is no accountability of the expenditure whatsoever.

Joint Select Committees
[DR. GOPEESINGH]

Friday, March 14, 2008

How would the people of Trinidad and Tobago feel? Is it not justification for these committees to be in place rather than one, but many more? And the Government has a responsibility to give these committees the wherewithal to do their work. They need to give them the research offices, staff, house them properly, expand the auxiliary staff to help these committees, rather they want to decimate these committees and this is what we find very grave dissatisfaction with. It is unacceptable and when you make the excuses that your Ministers of Government are overloaded and overworked, you may have a justification that they have a lot of work; there is no question, you all work hard, but we are not seeing the benefits of the hard work. We are not seeing the implementation of programmes; this is where you all have fallen down. [*Interruption*] Not you; you just started, your predecessors.

Their predecessors have fallen considerably, in fact, in the whole aspect of implementation. We, as an Opposition, documented pages and pages of unfulfilled promises by this administration over a five-year period. We can give it to you; you can read it; see what your predecessors were unable to do and promises upon promises made in budget speeches.

So, Madam Deputy Speaker, state enterprises were back with a vengeance, and almost overnight, state enterprises which have been retired in theory and practice, had returned under PNM's administration; all run-away horses. After four years of repeated promises by the Prime Minister, we see no procurement regime yet. What are we going to do as an Opposition party? Are we going to stay quiet? Four years of no procurement regime; a promise of White Paper and then a promise of bringing in a procurement regime and you have nothing and you are spending billions and billions of dollars.

The next one I want to go to very briefly is the question of the EMBD, that is the Estate Management Development Company. You know what are the 15 special purpose companies in Trinidad? Community Improvement Services, Educational Facilities Limited, Estate Management and Business Developmental Company, Evolving Technologies, Nipdec, National Commission for Self Help and so on, but I just want to deal a little with EMBD.

The Estate Management Development Company, which functions as a special purpose company since it has been hired by the agricultural ministry to deal with the Caroni lands, has spent \$1.2 billion in contracts to survey and develop the land. Today, we have not seen the results of these surveys and developments because people have not been given titles to their land. But \$1.2 billion has been

spent by a gentleman who runs a ship by himself, and when he is brought to the select committees in Parliament he cannot give explanations of his expenditure and the wanton corruption inside there.

I just want to read what someone had to say, and this is what gives us concern about the whole issue of procurement and transparency in the running of some of these state corporations. In a letter dated August 2007, a surveyor hired by the EMBD by the name of Ganeshdath Ramcharitar, wrote to the then Finance Minister—I want the hon. Minister of Finance to listen to this—Conrad Enill, complaining of corruption. The surveyor said Rao told him that in order to continue getting the contract he must pay CAN \$10,000 in a facilitation fee. Here is the letter; I have a copy here; I would lay it on the Table for the Minister of Finance to have so that she could do investigations.

So, as I said, special purpose companies are a hot bed of corruption. You know what the gentleman said? He said:

“On the 11th May 2007 two cheques were issued to me representing an interim payment of fifty percent...”

This is a letter he wrote on August 10, 2007 to the hon. junior Minister, Ministry of Finance, Mr. Conrad Enill, signed by Ganeshdath Ramcharitar. He said:

“On receiving the said cheque from Mr. Uthara Rao, the chairman of Estate Management & Business Development Co. Ltd. requested the sum of Ten Thousand Canadian Dollars (\$10,000 C.D.) from me and he also informed me that he was leaving for Canada the following weekend and requested same from me, before his departure for Canada. This incident took place at his office between the hours of 6:30 pm – 7:00 pm.

On his return I was called to a meeting which took place at his office in Valsayn in the present of Mr. Jaimungalsingh. After the meeting he told Mr. Jaimungalsingh to leave that he wanted to speak to me. He then asked me about the Ten Thousand Canadian Dollars (\$10,000 C.D.). I replied that, that was not feasible and I was not in a position to meet his demands.

Since my refusal to meet his demands of Ten Thousand Canadian Dollars (\$10,000 C.D.) he has written several letters indicating that I have failed to meet my commitment of my contract—which is land surveying—and he has also refused further payment for invoice submitted on 1st June 2007 for sites completed.

Also he has not instructed me to continue on the sites where the infrastructure work has been completed. Instead, he has instructed another surveying firm to

begin work on the sites where Survey Order was issued to me by the Director of Surveys on the 27th March 2007.”

“In view of the above, I am asking you to resolve this matter”—that is the letter written to the junior Minister of Finance at that time—“in an amicable way and I am also requesting that outstanding fee paid” to me.

7.00 p.m.

I will deposit this letter for you so that you can investigate it. What we heard, that the junior Minister of Finance appointed the deputy to Mr. Uthara Rao to investigate Uthara Rao, himself to himself. Does that not bring out very confidently the need for investigations and the need for accounting by this Government of these state enterprises and statutory boards? I have just given you two examples: one, of EMBDC and the other of UDeCott. I want to deal for a few minutes on UTT.

Madam Deputy Speaker, UTT has spent over \$1.2 billion on the construction of a number of campuses throughout Trinidad and Tobago. We have not seen any audited figures for that expenditure whatsoever. UTT was supposed to be incorporated by an Act of Parliament. It is registered as a company, and therefore, how can we determine the expenditure that is taking place in UTT. There is a former Minister in UTT here and there is a present Minister for UTT. People are given scholarships who are on the staff to do their PhDs. You have a university that is running and there is no accreditation for the students who are graduating. You have a so-called university with students doing O levels; you have a so-called university that is giving PhDs after just three years at a university. *[Interruption]* You have a chairman utilizing his own office along the East-West Corridor and spending \$35 million to fix up the office and utilizing UTT's money to fix up the office. You have a number of campuses, playing fields and so on. *[Interruption]*

They have decided to put UTT up in Wallerfield. Which student is going to go to Wallerfield and O'Meara Complex to go to a university there? So here it is, \$1.2 billion spent by UTT and the czar of the energy sector has now come to be the czar of the education sector, particularly with tertiary education. Because he could not have ruled the University of the West Indies, he could not be the principal there, he wants to come and be the principal of the UTT. *[Interruption]*

That is totally unacceptable in Trinidad and Tobago. A university function and—Ken Julien, I am not afraid to call his name, because he knows that he is doing wrong things. *[Desk thumping]* *[Crosstalk]* This is why he had to resign from a number of boards, and that is not the only reason he has resigned, because he knows the fire is coming. When we get into power we will ensure that he is investigated. *[Crosstalk]*

Uthara Rao will be investigated, Calder Hart will be investigated [*Crosstalk*] [*Desk thumping*] and Harry Ragoonanan will be investigated. These are all bag men! And you know who they are bagmen for. We do not need to tell you, you all know who they are bagmen for. When my colleague says that the Minister of Works and Transport has to keep quiet when Calder Hart speaks, and the Prime Minister tells Calder Hart, "go on with it," he feels he is the lord of Trinidad and Tobago and you are telling us that we must not have committees to investigate you all. [*Desk thumping*] I just gave you three or four; UTT, UDeCott, EMBDC, and so on. [*Interruption*] You asked for it.

Hon. Member: NWRHA.

Dr. T. Gopeesingh: NWRHA. Yes, let me just tell you about NWRHA. [*Crosstalk*] This is the joint select committee report of 2006 and this is what the chairman—let me tell you something—

Hon. Member: It was not existing then. [*Crosstalk*]

Dr. T. Gopeesingh:—I would not be distracted by your irrelevances and nonsensical statements in the back there. [*Laughter*] I have a lot of respect for you, "Christine", do not fall down.

Mrs. Kangaloo: Oh, is me! [*Laughter*] [*Desk thumping*]

Dr. T. Gopeesingh: Yes.

Hon. Member: "Don't fall down, Christine". [*Laughter*]

Dr. T. Gopeesingh: When my eyes confront these four beautiful women—

Madam Deputy Speaker: Hon. Member!

Dr. T. Gopeesingh:—I do not want to be—

Madam Deputy Speaker: Hon. Member for Caroni East—[*Crosstalk*]—could we ensure that we refer to the hon. Member by her proper name. I know that the hon. Member for Couva South indicated that the hon. Member for Pointe-a-Pierre is a neighbour. I do not know if that also is the case, but let us keep—

Dr. T. Gopeesingh: Madam Deputy Speaker, I have a tremendous amount of respect for the person in the Chair and the Chair, and I am guided by your comments. I want to address her as the hon. Minister of Science, Technology and Tertiary Education and the Member of Parliament for Pointe-a-Pierre. [*Interruption*] And my colleague the Member of Parliament for Diego Martin Central asked about the NWRHA, let me just tell him what were the findings by the joint select committee of Parliament on the NWRHA.

Hon. Member: Tell them, tell them.

Dr. T. Gopeesingh: Matters requiring urgent attention: There is little proof of management expertise within the NWRHA and it could be argued that persons in positions cannot fulfil their responsibilities due to lack of relevant training and experience. The organization structure was only recently finalized and approved by round robin of the board of directors, and there were about 10. Do you know what the committee said? It seeks an urgent forensic audit in the following areas—this is what the committee is saying—the finance department, so you know what is happening there? Massive corruption!

Dr. Rafeeq was part of this committee and he will tell you. The finance department needs a special forensic audit, human resource requirement practices; do you know what happened in NWRHA? The wife of the chairman, Hugh Eastman was hired by the authority to employ people within the NWRHA; the CEO, the human resource managers and many others. Do you know how many were employed? We asked a question in the other place—1,400 new people were employed by the NWRHA over a period of time. So, you as a chairman will hire your wife to hire people on a contract. So we want to ask you, if you are really worth your salt, hon. Attorney General, to investigate this allegation made and the statement made in the NWRHA report and refer that to the Integrity Commission, to the Director of Public Prosecutions and the Commissioner of Police, because this is misconduct in public office. I am sure that this distinguished lawyer and MBA and who is now the Minister of Finance, will work with you in determining it. That is wrong! It is morally wrong! It is reprehensible.

So, I hope I have answered your question. The committee seeks an urgent forensic audit into donations from the Living Water Community. Equipment went from the Living Water Community, they could not find it, and the entire procurement process, including the involvement of the PAU and they want an audit into it. Do you know what happened in the NWRHA? And \$109 million went missing, they could not account for it. It was supposed to go to the Board of Inland Revenue and the National Insurance Board, it went missing; \$50-plus million ended up in corruption. [*Interruption*] I just wanted to give a little example of what has happened in a few of the state enterprises—

Mr. Ramnath: That is a brilliant speech you are making there. [*Laughter*]

Dr. T. Gopeesingh: There are 54 statutory authorities and 35 state enterprises, and one of these state enterprises has a number of projects. So when you say that we just want one committee to look after the work and the functions

of all these areas, we are really dancing top in mud. I just want to leave the discussion this evening by giving you a few statements about what is thought about your organization and I am winding up.

Hon. Member: Please.

Dr. T. Gopeesingh: I am quoting from Saturday, October 08, 2005: “New state companies open to corruption by Transparency International”—not Dr. Tim Gopeesingh is saying it, not the UNC is saying it, it is the local branch of Transparency International that has expressed concern that the Government's decision to set up 15 special purpose committees opens the way to serious corruption. In a statement yesterday TTI advised the Government to ensure that its new procurement regime was in place before establishing the new companies. That is 2005 TTI speaking about that. Three years later nothing is in place. Until Government reforms, its procurement regime setting up 15 special purposes committees to implement projects opens the way to serious corruption. Here is what another editorial said, Thursday, November 09, 2006:

“Close the door to corruption. The latest corruption perception index by Transparency International should be enough to convince Government that it needs to implement the long promised revisions of its procurement regime. T&T has slipped in the CPI ranking which as the name implies measures the perception of corruption.”

So, all these editorials from time to time in 2005, 2006 and 2007.

Thursday, March 15, 2007, the *Guardian*: “Financial irregularities in EMBDC.” All of these are telling you—the Government—that your regime is corrupt; there is a lot of corruption existing in a number of your state enterprises, and this is why my colleagues are indicating that we need for the sake of democracy, transparency and accountability to work to determine what is happening in each of the ministries. If billions of dollars are spent and out of your \$200 billion budget you have corruption linked with at least \$15 billion of this \$200 billion, that is enough for anyone to shudder and to recoil unto themselves as a citizen of Trinidad and Tobago.

Look at the number of 100 per cent owned state enterprises. There are about 37 and out of these 37 state owned companies—I want to make my final point on this. I just want to find the notes on it. [*Dr. Gopeesingh looks for document.*]

A Government survey—I want you all to listen to this—found that out of these 37 companies only 10 of them have an internal audit. So we must not audit you here by these committees? And 20 do not have an internal audit function and

17 did not have an audit, so out of 37 companies, hon. Minister of Finance, you are at the helm of the financial situation in Trinidad and Tobago.

Mr. Ramnath: Corporation Sole.

Dr. T. Gopeesingh: You are the Corporation Sole. You are responsible for the expenditure on a day-to-day basis. You have 28 state enterprises spending billions of taxpayers' money which have no internal audit function and the PNM Government has deliberately killed the Central Tenders Board which has been existing for years to ensure that there is transparency.

What I have indicated here just a while ago, is that I join with my colleagues in defence of our situation, in defence of our seeking to ensure that we get the committees that we are asking for, that the Constitution says that we must have, and we must be able to examine the work of a number of your service commissions, your statutory boards and other enterprises, your state enterprises and your ministries. It is only when we do this, then true democracy will reign, then people will see that democracy is at work. And we cannot hide our corruption issues without really coming to reality. We can speak *ad infinitum*, but I have just given you four areas: EMBDC, UDeCott, UTT and the regional health authorities.

I have not even spoken about Scarborough Hospital, the \$100 million, nor the National Oncology Centre, nor the billion-dollar waste and mismanagement in WASA, nor have I spoken about the \$220 million in Petrotrin which Prof. Cudjoe was supposed to do. *[Interruption]* It is unbelievable. I have not spoken about the \$100 million in NHA, the \$1.2 billion in CEPEP, the \$500 million in NIDCO, the whole removal of material from Landate where the commissioner said that somebody must be held accountable. Up to today nobody has been held accountable! So, where are we going? Are you trying to fool us, you cannot fool the public, because the public knows that the corruption that is engendered by your previous administration takes the cake at all times. I have said before, the PNM has invented corruption, they masterminded corruption and they perfected corruption, and your last regime was the epitome of that corruption. *[Desk thumping]*

Madam Deputy Speaker, thank you very much for allowing me the opportunity.

Thank you. *[Desk thumping]*

7.15 p.m.

The Minister of Works and Transport (Hon. Colm Imbert): Madam Deputy Speaker, just let me correct the record. It was the Member for Diego Martin North/East who allowed the Member for Caroni East to speak and I can

assure you, Madam Deputy Speaker, when next I catch your eye and I get up to speak and the Member for Caroni East asks for a favour—[*Interruption*]

Mr. B. Panday: Do not try and threaten anybody.

Hon. C. Imbert: I am threatening.

Mr. B. Panday: Do not threaten anybody.

Hon. C. Imbert:—the Member for Caroni East will not be given that privilege. [*Desk thumping*] I can assure you because we have certain protocols here, Deputy Speaker, and there are certain Members who continuously abuse them and the Member for Caroni East is most prominent.

In fact, it is clear to me that among those people who abuse the protocols of this House—it is clear to me that several Members on the other side are assuming or presuming the imminent demise of the Member for Couva North. There could be no other explanation. [*Interruption*]

Mr. B. Panday: Do not bring me into this; we will start a new debate tonight.

Hon. C. Imbert: Yes, Madam Deputy Speaker, there could be no other reason—

Mr. B. Panday: I would not tolerate your nonsense.

Hon. C. Imbert:—for the gallerying and grandstanding of persons, such as the Member for Caroni East, all of them, jockeying for position to assume the position of the Member for Couva North. That is all. That is all that is going on here. [*Desk thumping*] When we have agreed protocols and Members such as Caroni East, abuse the privileges given to them, spending I do not know how long in tedious repetition, illogical, irrational, completely nonsensical arguments.

If I go into some of the dotishness uttered by the Member for Caroni East—dotishness, I like the word. That word was used in this Parliament today and I like it, dotishness. That is the only description I can give of the contribution from the Member of Caroni East—dotishness—who has told this Parliament in the face of the reality, that there is a shortage of personnel to sit on all these committees. The Member for Caroni East in the face of reality, demands that we have more and more and more of these committees. Who will sit on these committees? Who?

You know, it is the utter boldfacedness. The Member for Caroni East presided over the disappearance of over \$1 million from the accounts of the North West Regional Health Authority. [*Desk thumping and Interruption*]

Dr. Gopeesingh: On a point of order. Madam Deputy Speaker, I stand on a point of order. He is impugning my character and I wish that he desist.

Madam Deputy Speaker: Just one minute. Hon. Member for Caroni East, do you want to refer to the section?

Dr. Gopeesingh: Section 36(5), Madam Deputy Speaker. He is imputing improper motives and I wish that he withdraw that statement immediately. [*Crosstalk*] I have been through the worst happenings; tried by the courts and freed on two occasions, so none of you all can come on a point of order to tell me anything.

Madam Deputy Speaker: Hon. Member for Caroni East, if you would like me to rule on the matter, let us not go into other matters, please. Hon. Member for Diego Martin North/East, in relation to the accusation that you have just made, unless you are going to give further specifics of it, could you please apologize to the Member or withdraw the statement.

Hon. C. Imbert: Madam Deputy Speaker, thank you for inviting me to give further specifics. When the Member for Caroni East was the chairman of the North West RHA, over \$1 million of money belonging to the North West RHA—[*Interruption*]

Mr. Maharaj SC: Madam Deputy Speaker, on a point of order. Under Standing Order 36(10), the conduct of a Member of Parliament cannot be brought into the question unless there is a substantive motion, because the whole purpose of that is that if you make those allegations he would have things to answer. So if you come on a motion, you say what it is and he will answer. [*Interruption*]

Hon. Member: [*Inaudible*]

Mr. Maharaj SC: No, no. Madam Deputy Speaker, the conduct of a Member of the House of Representatives shall not be raised, except on a substantive motion moved for that purpose. [*Interruption*] No, No. You can have a debate, but you cannot—because what happens, it may be on aside you are permitted, but you cannot come now and say the Minister is corrupt and then you have nobody to answer it. [*Crosstalk*]

Madam Deputy Speaker: Hon. Members, I only hope that particular—please, I am making a ruling—section, is a section that we will use a little more often, having regard to some of the accusations and allegations levelled on both sides. Okay? Hon. Member for Diego Martin North/East could we proceed please, as I said—[*Crosstalk*] just one moment—could you simply withdraw that statement, having regard to the section referred to by the hon. Member for Tabaquite, and could we please move on.

Hon. C. Imbert: Yes, Madam Deputy Speaker, I withdraw the statement and I wish that there were these departmental committees in existence, when \$1 million belonging to the North West RHA was the subject of an investigation, and the subject of action when that Member was the chairman of the authority.

Madam Deputy Speaker: Hon. Member—please, I am on my feet—for Diego Martin North/East, I have already ruled, could you please let us move on and not refer any further to this matter. [*Crosstalk*]

Hon. C. Imbert: And, Madam Deputy Speaker, I wish there was a committee when the Member for Oropouche East was on full-time salary in the Office of the Prime Minister and also—[*Interruption*]

Mr. B. Panday: I am telling you that is not true. I am telling you to shut up. [*Crosstalk*] You want this House to break up, let it break up.

Madam Deputy Speaker: Hon. Member for Couva North, please, you have been very nice and quiet during the—please, we are almost—

Mr. B. Panday: Well, let him stop the stupidity, Madam Deputy Speaker.

Hon. C. Imbert: Thank you, Madam Deputy Speaker. As I said, there should have been a parliamentary oversight committee when the Member for Oropouche East was collecting full salary from the Office of the Prime Minister and also collecting money from the North West Regional Health Authority. [*Interruption*]

Dr. Moonilal: Madam Deputy Speaker, Standing Order 36(5).

Mr. Ramnath: You are a fraud.

Madam Deputy Speaker: Hon. Member for Oropouche East, are you saying that was not so?

Dr. Moonilal: Point of order, Standing Order 36(5). [*Crosstalk*] He is imputing improper motives.

Madam Deputy Speaker: Yes. Are you saying what the hon. Member is saying is untrue?

Dr. Moonilal: He is lying blatantly.

Mr. Ramnath: And I am saying he is a liar. [*Crosstalk*]

Madam Deputy Speaker: Hon. Members, if you all do not conduct yourselves, I am going to suspend the sitting of the House. I am speaking to the hon. Member for Oropouche East. Are you saying that the allegation made by the hon. Member for Diego Martin North/East is untrue?

Dr. Moonilal: Madam Deputy Speaker, I am saying that he is lying. It is untrue and he is being malicious, vindictive and nasty. I am further saying that something has to be done about his nastiness which is his pattern, his psychiatric and sociopathic— [*Crosstalk*]

Madam Deputy Speaker: Hon. Members, if you all continue in this vein, I am going to suspend the sitting of this House. Hon. Member for Diego Martin North/East, the hon. Member for Oropouche East has said that the allegation that you made that whilst he was working in the Office of the Prime Minister, he was also a consultant is untrue. If that is the case, could you please desist from making those statements?

Hon. C. Imbert: Madam Deputy Speaker, as you very well know and as all Members here know, I was a Minister of Health and I can say confidently that the Member for Oropouche East was employed by the Office of the Prime Minister, at the same time was collecting consultancy fees from the Ministry of Health. That is a fact and I can confidently say that.

Madam Deputy Speaker: Are you on a point of order?

Mr. Maharaj SC: It has to have procedure. If this is permitted, then it would mean that anybody here can get up in the House and say X, Y— [*Interruption*]

Hon. Members: [*Inaudible*]

Mr. Maharaj SC: No, no, no, it is different from saying the government, but the Standing Order said the conduct of a Member of the House of Representatives shall not be raised, except on a substantive motion. If the Minister believes what he is saying is correct, then he could file a substantive motion and we could deal with that, but he cannot use the position in this debate to go along and make those allegations.

Mr. Ramnath: And continue to violate the use of the Chair.

Madam Deputy Speaker: Hon. Member, having regard to what has been said, could you please proceed and desist from any further comments in relation to that particular matter?

Hon. C. Imbert: Yes, Madam Deputy Speaker, but I wish to make the point that when the person who is now the hon. Member for Oropouche East was collecting two salaries, he was not a Member of Parliament. I am not questioning his conduct as a Member of Parliament, I am questioning his conduct when he was not a Member of this House.

Madam Deputy Speaker: Hon. Member for Diego Martin North/East could you please proceed with the debate. [*Crosstalk*]

Hon. C. Imbert: Thank you, Madam Deputy Speaker. And you know—yes I have heard what the Member for Caroni East has said, that he has to get more nasty with us in this House.

Madam Deputy Speaker, the Motion before the Parliament today is about the formation and establishment of parliamentary committees, but instead of hearing about parliamentary committees, we have been treated to an exposition by the Member for Couva South who—

Madam Deputy Speaker, if we were to apply the same reasoning that the Member for Tabaquite has just introduced into this Parliament, then we cannot have a debate, because the Member for Couva South has accused the Member for Lopinot/Bon Air West of suffering from narcissism; has accused the Members on this side of suffering from all sorts of maladies and so on. We did not get up and get on like little children and quote the Standing Orders [*Desk thumping*] like little babies. We did not get on like little babies when the Member for Couva South was making his childish allegations that have no substance whatsoever. We did not get on like little babies and quote Standing Order 36(10) and beg the Deputy Speaker to stop the Member for Couva South from making these horrible allegations.

Madam Deputy Speaker, the problem with the Members opposite is that they can give, but they cannot take. [*Desk thumping*] You want to give, but you cannot take. You want to throw mud, but you cannot take when people criticize you, and the difference with us on this side is that our statements have substance. We do not make allegations; our statements have substance. I can say with authority that I am disgusted by the utterances of the Member for Couva South, who is collecting a handsome salary from Petrotrin and will get a full pension when he retires; who has worked at Petrotrin without any interference from this administration. He has been an Opposition Member of Parliament, while for six years there has been a PNM Government in this House and he has worked peacefully without any interference collecting his full salary, in fact, collecting a salary from Petrotrin while he is here in this House and also collecting a salary from the Parliament.

7.30 p.m.

And I have listened to this sanctimonious nonsense from the Member for Couva South, who is collecting two salaries from the State, coming in this House and talking about underpaid parliamentarians and the paltry pension that they will get. I have to listen to that arrant rubbish, that sanctimonious nonsense? When I point out the hypocrisy of hon. Members opposite and the deceitfulness of their contributions—they could give but they cannot take. [*Crosstalk*]

We came here today to deal with parliamentary committees.

Mr. Ramnath: I will tell Malcolm Jones what you said!

Hon. C. Imbert: Members opposite have been all over the place. It is necessary to look at the record; records are important because they demonstrate the hypocrisy of the Members opposite. The hon. Member for Diego Martin West read the *Hansard* of Friday, March 23, 2001, and it bears repeating, because people in this country need to understand what they are dealing with. I know that the population understood what they were dealing with in 2007 when they decided to give the PNM administration a second opportunity to run this country; but they must be reminded. [*Desk thumping*] The population, the voters of this country, must be continuously reminded as to why they sent the UNC into Opposition for yet another time. They need to be reminded of the reasons, and the Member for Diego Martin West made the point.

Mr. Ramnath: Why are you repeating it?

Hon. C. Imbert: I will repeat it for as long as I like; I am on my feet now. I will repeat it 10,000 times. [*Crosstalk*]

Hon. Members: Tedious repetition!

Hon. C. Imbert: I am reading from the contribution of the hon. R. L. Maharaj. The Opposition is showing that they do not know what happens in these matters.

The former Attorney General, before he collapsed the government of the Member for Couva North—[*Crosstalk*] You collapsed the government; that is a fact. Madam Deputy Speaker, I was here when I voted in tandem with the now hon. Member for Tabaquite who voted against the government of which he was a part. I remember that day very well, when the government of the Member for Couva North crashed into oblivion. [*Crosstalk*] There were three simple Bills on the Order Paper. The Member for Siparia got up and piloted one of them. I cannot remember what it was. It was a minor piece of legislation.

I had been given the task to indicate that the Opposition was not in support of that legislation. I got up and indicated that because of what was taking place in the country, the Opposition could not support the Bill. The matter went to the vote, and the now Member for Tabaquite voted together with the Opposition. That happened again and again and again. [*Crosstalk*]

I will determine what is relevant until the Deputy Speaker stops me, Member for Tabaquite.

On that day the now Member for Tabaquite [*Crosstalk*] voted with the Opposition and caused the Member for Couva North to call a snap election, causing the collapse of the UNC government, crashing them into oblivion and into permanent opposition. That is why we are here and you are there. [*Interruption*]

Mr. Maharaj SC: You will crash that Government.

Hon. C. Imbert: No problem.

The Member for Couva North is very good at catchy phrases. The phrase "We are here and you are there" was first coined by him. [*Crosstalk*] The now Member for Tabaquite, in speaking in that debate in 2001, made this point:

"In all countries in which this system has been introduced: England, South Africa and Canada, the governments are of the majority and the government chairs it."

I will say it again. It needs to be understood that when the UNC was— [*Interruption*]

Mr. Maharaj SC: You are behaving as though somebody abused you! [*Laughter*]

Hon. C. Imbert:—piloting this legislation, they were firmly of the view that the— [*Interruption*]

Mr. Maharaj SC: I will read it in the Parliament.

Hon. C. Imbert: No problem; sure; all right.

They were firmly of the view that governments should chair and have a majority on these committees. We are not reinventing the wheel today.

Mr. Maharaj SC: Read it again! [*Crosstalk*]

Hon. C. Imbert: No problem. We are not reinventing the wheel. [*Crosstalk*] When I listen to the points made by hon. Members opposite, they want the settled practice to continue with these committees. What is the settled practice? There is no settled practice with respect to these committees. [*Crosstalk*] When they were in government they had a practice; they put government Members to chair the committees. In the last rounds, we put Independents to chair the committees. In this round we are of the view that we have to use the position adopted by the former UNC administration when they first established the committees.

Mr. S. Panday: Why did you change the system, were the Independents no good?

Hon. C. Imbert: You heard what the Prime Minister said; it did not work out. [Crosstalk]

What else is there to say, Madam Deputy Speaker? [Interruption] "Wha yuh vex for?" I was here. [Crosstalk]

Madam Deputy Speaker: Something must have taken place in the tea room for this transformation to have taken place. Please, we are almost at the end of this debate. The Minister is winding up, would you please allow him to make his contribution. [Crosstalk]

Hon. C. Imbert: I do not know what all this carrying on is about. I do not know why the Member for Tabaquite is so uptight. I do not know why the Member for Couva North is so uptight. These are matters of public record. What are you getting upset about? [Crosstalk] All right; it is a matter of public record. I am simply putting these matters in context. The *Hansard* record here is from 2001; I am simply putting 2001 in context. [Crosstalk] I do not know what all this fuss is about.

If one analyzes what the hon. Members opposite said—they said that if we have two committees, rather than three, there will be no opportunity for them to deal with matters of an urgent nature. [Crosstalk] They said that if we have two committees instead of three, there will be no opportunity to—[Interruption]

Mr. Maharaj SC: You will get it from next week.

Hon. C. Imbert: No problem.

There will be no opportunity to deal with matters of an urgent nature; I reject that. We are proposing to this House today that there be one departmental committee to deal with service commissions. [Crosstalk]

Mr. Maharaj SC: You will get it from next week!

Hon. C. Imbert: All right. "How much times yuh go say that?"

We are proposing today that there be one committee to deal with service commissions and the other committee can deal with matters of an urgent nature with respect to government departments, state enterprises, statutory authorities and so on. It does not take away from the Opposition's right to raise matters of an urgent nature in these departmental committees. [Crosstalk]

Dr. Gopeesingh: We are coming at you; do not worry.

Hon. C. Imbert: That is all right. That is no problem.

Madam Deputy Speaker, I do not think there is anything of merit that was uttered on the other side. I join with the Member for Diego Martin West in indicating that what we need to do is to strengthen the support services for these committees. We commit on this side to give the Parliament the necessary resources, to provide the necessary expertise and support for these departmental committees.

Madame Deputy Speaker, I beg to move. [*Crosstalk*]

Question put and agreed to.

Resolved: That the House appoint six (6) Members to serve with an equal number from the Senate to enquire into and report to Parliament on Service Commissions with the exception of the Judicial and Legal Services Commission on their administration, manner of exercise of their powers, methods of functioning and on any other criteria adopted by them in the exercise of their powers and functions:

The Members are:

Ms. Penelope Beckles

Mr. Gary Hunt

Mr. Stanford Callender

Mr. Fitzgerald Jeffrey; and

Two (2) Opposition Members to be named

Further resolved that the House also appoint six (6) Members to serve with an equal number from the Senate to enquire into and report to Parliament on Municipal Corporations and Government Ministries/Statutory Authorities/Enterprises owned or controlled by or on behalf of the State which received funding from the State of more than two thirds of their total income in any one year.

The Members are:

Ms. Penelope Beckles

Mr. Anthony Roberts

Mr. Rennie Dumas

Mr. Mustapha Abdul-Hamid; and

Two (2) Opposition Members to be named.

Dr. Gopeesingh: You are proud of your Chief Whip? [*Crosstalk*]

RETIRING ALLOWANCES (LEGISLATIVE SERVICE) (AMDT.) BILL

[Second Day]

The committee of the whole House resumed its deliberations on the Bill.

[Chairman: Ms. Beckles]

Clause 1 (cont'd)

Mrs. Annisette-George: Madam Chairman, an amendment to clause 1(2) has been circulated.

Mr. Maharaj SC: The amendment proposed in clause 1, that is:

“Sections 3, 4, 6 and 7 shall come into effect from November 21, 1996...and section (4) is deemed to have come into effect from November 17, 2002.”

When I saw this on the last occasion, I put okay on it because at that time I did not see anything wrong with it. I spoke to the Attorney General and I asked her whether she would consider instead of using those words that we use the words “the benefits given in sections 3, 5 and 6 are to take effect”. The reason for using those words is that they are mentioned in the Salaries Review Commission’s report. “Deemed to have come into effect” may give a different impression. I do not know what your draftsman would have told you.

7.45 p.m.

Mr. Imbert: I am guided, but I am told it is not necessary, it is a commencement provision. That is what I am told, and it refers to something that is already defined within the Act.

Mr. Maharaj SC: In any event, the record would have the committee stage.

Mr. Imbert: I understand what you are saying.

Mr. Maharaj SC: Am I correct in understanding that these benefits are not to take effect until November 21, 1996, would not take effect—

Mrs. Annisette-George: Yes.

Mr. Imbert: That is the commencement date for these things. Is that all right?

Mr. Maharaj SC: The other one, the basic salary.

Mrs. Annisette-George: We have agreed to take out the word “basic” and if we are going clause by clause—

Mr. Maharaj SC: Okay. So where are we?

Mrs. Annisette-George: We are on clause 1.

Question put and agreed to.

Clause 1, as amended, ordered to stand part of the Bill.

Clause 2 ordered to stand part of the Bill.

Clause 3.

Question proposed, That clause 3 stand part of the Bill.

Mrs. Annisette-George: Madam Chairperson, as far as clause 3, in the last line of (a) which commences “year’s basic salary of that person” is concerned—

Mr. Imbert: Madam Chairperson, in the last line of clause 3, we wish to delete the word “basic”. The reason we are doing that is that when one looks at the definition of salary in the parent Act, it refers to basic salary. So we decided to take it out to avoid confusion.

Question put and agreed to.

Clause 3, as amended, ordered to stand part of the Bill.

Clause 4.

Question proposed, That clause 4 stand part of the Bill.

Mr. Imbert: Madam Chairperson, in the third line of clause 4, we wish to delete the word “basic” and replace it with the word “total” and that was based on discussions with the Opposition Chief Whip to avoid ambiguity. That is in the third line, and if you go to the penultimate line, delete the word “basic” before the word “salary”.

Question put and agreed to.

Clause 4, as amended, ordered to stand part of the Bill.

Clauses 5 and 6 ordered to stand part of the Bill.

Preamble approved.

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

House resumed.

Bill reported, with amendment.

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

PROCEDURAL MOTION

The Minister of Works and Transport (Hon. Colm Imbert): Madam Deputy Speaker, I wish to move a Procedural Motion and I beg to move that this House continue with its business until the commencement of the debate on the Copyright Bill; complete the matter at hand and, of course, the Motions on the Adjournment.

Question put and agreed to.

RETIRING ALLOWANCES (LEGISLATIVE SERVICE) (AMDT.) BILL

The House voted : Ayes 33

AYES

Imbert, Hon. C.

Manning, Hon. P.

Rowley, Hon. Dr. K.

Nunez-Tesheira, Hon. K.

Gopee-Scoon, Hon. P.

Kangaloo, Hon. C.

Abdul-Hamid, Hon. M.

Dumas, Hon. R.

Ross, Hon. J.

Taylor, Hon. P.

Swaratsingh, Hon. K.

Parsanlal, Hon. N.

Mc Donald, Hon. M.

Hunt, Hon. G.

Le Gendre, Hon. E.

Browne, Hon. Dr. A.

Callender, Hon. S.

Jeffrey, Hon. F.

Hypolite, N.

Regrello, J.
Joseph, R.
Maharaj SC, R. L.
Panday, B.
Ramnath, K.
Moonilal, Dr. R.
Gopeesingh, Dr. T.
Bharath, V.
Panday, Miss M.
Panday, S.
Sharma, C.
Peters, W.
Rafeeq, Dr. H.
Partap, H.

Question agreed to.

Bill accordingly read the third time and passed.

COPYRIGHT (AMDT.) BILL

The Minister of Legal Affairs (Hon. Peter Taylor): Madam Deputy Speaker, I beg to move,

That a Bill to amend the Copyright Act, 1997 be read a second time.

The Copyright Act, 1997 was proclaimed on December 01, 1997 together with several other pieces of intellectual property legislation. The concept of intellectual property relates to the fact that certain products of human intellect should be afforded the same protective rights that apply to physical property. Most developed economies have legal measures in place to protect both forms of property and in Trinidad and Tobago, the former is protected by the Copyright Act, 1997 and other related legislation.

It has always been the intent that these pieces of legislation dealing with intellectual property would enable Trinidad and Tobago to comply with its international obligations and to ensure that minimum requirements with respect to

intellectual property are being met. One such convention that Trinidad and Tobago currently has obligations under is the Berne Convention for the Protection of Literary and Artistic Works. This Convention, Madam Deputy Speaker, creates a framework for the international integration of intellectual property, patents, trademarks and industrial designs.

We also have obligations under the agreement on trade-related aspects of intellectual property rights commonly referred to as the TRIPS Agreement. This international agreement is administered by the World Trade Organization and sets down minimum standards for the many forms of intellectual property regulation including the requirement that nations' laws must be in compliance to protect the rights of performers, producers of sound recordings and broadcasting organizations.

The Copyright Act, 1997 was also intended to extend copyright protection to new areas, for instance, works of mas and computer databases. However, with the effluxion of time, the Act in its present form was found to be deficient in certain important respects. In this regard, in November 2004, Cabinet by Minute No. 3078 agreed to amend the Act to allow Trinidad and Tobago to accede to:

1. The World Intellectual Property Organization Copyright Treaty and the World Intellectual Property Organization Performances and Phonograms Treaty;
2. To strengthen certain provisions which affect the work of the government departments responsible for the enforcement of the Act; such as the police force, Customs and Excise Department and the office of the Director of Public Prosecutions (DPP); and
3. To improve the operation of the Act generally.

8.00 p.m.

On December 17, 2004, the Copyright (Amdt.) Bill, 2004 was introduced into the House of Representatives by the then hon. Minister of Legal Affairs. However, you may recall that some Members on the other side expressed certain reservations about the Bill which necessitated its eventual referral to a special select committee of the House of Representatives for further consideration. That special select committee met on diverse occasions and issued a report to the House of Representatives on August 18, 2005.

That committee, recognizing that it would be unable to complete its deliberations before the prorogation of Parliament, recommended that the Bill be reintroduced into the House of Representatives in the new session and be referred

to a new committee which should be mandated to continue consideration of the issues and to adopt, as part of its records, the work undertaken and the written comments already received by the committee.

Cabinet, by Minute No. 351 and dated February 16, 2006, agreed that the Bill be reintroduced into Parliament together with the recommendations of the special select committee. The Bill was duly reintroduced in the House of Representatives on February 17, 2006 and was then referred to a new special select committee then comprising Mrs. Camille Robinson-Regis as the chairperson, Mr. Roger Boynes, Mr. Hedwige Bereaux, Miss Gillian Lucky and Mr. Subhas Panday. This committee was, however, unable to complete its deliberations and report to the House prior to the prorogation of Parliament on September 15, 2006. The Bill therefore lapsed as a result. The committee conducted an in-depth analysis of the pertinent issues raised during debate on the Copyright Bill as well as the submissions received from various interest groups and identified specific concerns as they relate to infringement of copyright and also the prosecution of criminal offences.

Cabinet then agreed that the Legislation Review Committee should consider the Bill. The Legislation Review Committee reviewed the Bill and consultations were held with various stakeholders, among them the Director of Public Prosecutions, the Copyright Music Organization of Trinidad and Tobago, Pan Trinbago, Trinbago Unified Calypsonians Organization, the Video Club Owners Association and other users and owners of copyright works. The Copyright (Amdt.) Bill, 2008 was introduced in the Senate on January 15, 2008 and passed with further amendments by a unanimous vote on February 12, 2008. The Bill was first read in this House on February 15, 2008.

I will now highlight the various provisions of the revised Bill that is before you today. The Bill includes a preamble which indicates that it will have effect even though inconsistent with sections 4 and 5 of the Constitution, provided that it is supported by not less than three-fifths of all the Members of the House. Clauses 1 and 2 of the Bill provide the short title and interpretations provisions. Clause 3 of the Bill amends section 3 of the Copyright Act to ensure consistency and clarity in the meanings of several terms used in the Copyright Act. This clause also adds a definition of the terms “infringing copies” and “rights management information” to the Copyright Act. The existing Copyright Act of 1997 includes a definition of “infringement” but does not include a definition of “infringing copies”.

As the Act presently exists, it is therefore necessary for a prosecutor to extrapolate, as it were, the definition of “infringing copy” from the definition of “infringement”. The inclusion of the definition of the term “infringing copies” in

the amended legislation, therefore removes all ambiguity as to what constitutes an infringing copy. In addition, the definition of the term “rights management information” has also been included. “Rights management information” is any information that may be used to identify an author, a performer, a work, et cetera, or the terms and conditions of the use of that work, performance, sound recording or broadcast. For instance, when one purchases an item of software and thereafter installs that software on one’s computer, invariably a licence agreement will appear. That agreement outlines the terms and conditions of use of the software and may also require the insertion of the name of the user and a sequence of numbers and letters all of which constitute “rights management information”.

This new definition of “rights management information” is necessary as the Bill before you provides remedies and sanctions for abuses with respect to rights management information pursuant to the World Intellectual Property Organization (WIPO) Copyright Treaty and the WIPO Performances and Phonograms Treaty, or the WPPT. Needless to say, because of Trinidad and Tobago's membership in the World Intellectual Property Organization, this nation is also a signatory to these two treaties.

Clause 4 of the Bill seeks to amend section 18 of the Act to insert new subsections, namely subsections (4), (5) and (6) which confer certain moral rights on performers of live oral performances and performances fixed in sound recordings. A moral right is described as the right of an individual to be identified as the performer of a copyright work and the right to object to any distortion or mutilation of the performances of that work in a manner that is prejudicial to the reputation of the performer. This provision ensures Trinidad and Tobago's compliance with Article V of the World Intellectual Property Organization Performances and Phonograms Treaty. Therefore, with this amendment our calypsonians and artistes, generally, will now be able to demand that they be identified as the performer in any work in which they appear, a right which they do not now enjoy.

Clause 5 of the Bill seeks to amend section 19(1) of the Act to make it clear that the duration of copyright and moral rights in that section refer to the author. Clause 6 of the Bill seeks to amend the existing Act to insert a new section 19A to provide for the duration of the moral rights of performers. Such rights would be protected for a period of 50 years from the year in which the performance was fixed in a sound recording or in the absence of a fixation, from the end of the year in which the performance took place. This amendment is pursuant to Article XVII of the WIPO Performances and Phonograms Treaty. This constitutes a significant improvement on the existing Copyright Act, which did not provide a duration for the moral rights of performers.

Clause 7 of the Bill amends section 21(1) of the Act to extend the list of acts over which performers have an exclusive right to authorize or prohibit the use of their work. Such acts would now include the distribution or rental of a fixation of a performance or copies of that performance. Fixation refers to a recording. This clause would ensure Trinidad and Tobago's compliance with Articles VI, VIII, IX and X of the WIPO Performances and Phonograms Treaty.

Clause 8 of the Bill seeks to amend section 22(1)(e) of the Act to specify to whom the term "rental" applies. Clause 9 of the Bill inserts the words "or indirectly" to ensure that our performers and producers of sound recordings will receive remuneration for indirect broadcast of their works. This particular amendment is also consistent with Article XV (1) of the WPPT.

Clause 10 of the Bill restructures section 26(1)(a) of the Act to render this section unambiguous insofar as it is possible to do so. Clause 11 will amend the heading in Part VII of the Act to clarify the contents of that Part. Clause 12 of the Bill inserts a new section 32A into the Act to permit infringements of copyright to be actionable by a non-exclusive licensee, that is to say, a person who holds a licence authorizing him or her to exercise a right that remains exercisable by an owner of copyright. Any non-exclusive licensee will be able to institute legal proceedings of copyright infringement provided that the licence agreement so gives the licensee authority.

A non-exclusive licensee is similar to a non-exclusive distributor, based on the proposed amendment, where the piracy is in relation to foreign works, non-exclusive licensees such as any of the collective management organizations. For example, the Copyright Music Organization of Trinidad and Tobago (COTT) or the Trinidad and Tobago Copyright Collection Organization, may institute civil proceedings for copyright infringement instead of having to prevail upon the foreign copyright owners to do so.

Clause 13 of the Bill seeks to correct the deficiency in section 34(1) of the Act by removing the words, "the making of which he knows or has reason to believe constituted an infringement of copyright", and substituting the words "which is and which he knows or has reason to believe is an infringing copy of the work".

This proposed amendment removes the requirement of having to prove that the making of the article was an infringement of copyright. What is required now is simple proof that the article in question is an infringing copy and that the accused person either knew or had reason to believe that the copy is an infringing copy.

Clause 14 of the Bill inserts section 34A, the contents of which are, in all respects, the same as the existing section 44, which treats with civil matters, that is to say, infringements of copyright and neighbouring rights. The existing section 44 which was misplaced in the present Act would therefore be removed from its current position and replaced with the new section 44. This is simply a reordering of some of the sections of the existing Copyright Act of 1997 to ensure that the civil provisions are grouped together and not placed with criminal provisions.

8.15 p.m.

Clause 14 will insert a section 34B dealing with rights management information, thus bringing the Act in compliance with Article 12(1) of the World Intellectual Property Organization (WIPO) Copyright Treaty and Article 19(1) of the World Intellectual Property Organization Performances and Phonograms Treaty (WPPT).

Clauses 15 and 16 of the Bill seek to delete the heading for part VIII of the Act and substitute a different heading to clarify the contents of that part.

Clause 17 of the Bill will introduce a new section 41 that describes the offences without ambiguity.

One difficulty under the current legislation is that the prosecution of criminal offences requires the simultaneous construction of several sections. For example, there is this all-embracing section 41 which provides that a person who commits an infringement of a right protected under the Copyright Act for profit-making purposes and with knowledge or having reason to believe that he is committing an infringement is criminally liable. In construing the existing section 41, one must have recourse to all the rights in the existing Act, but which are essentially civil in nature.

The proposed amendment to section 41 seeks to create simple clear provisions for the laying of charges and by extension the prosecution of offences. It is hoped that in doing so the police, prosecutors and the courts will find the legislation as amended easier to interpret. With easier interpretation of the relevant provisions, it is expected that there would be a faster dispensation of justice throughout the courts of Trinidad and Tobago.

In the proposed prosecution of infringement of works created and produced outside of Trinidad and Tobago, one of the specific problems encountered was the view that the legislation as currently drafted requires the prosecution to lead *viva voce* evidence from the makers of the film or the current owner of the copyright. This presents some obvious practical difficulty since it is both unrealistic and impracticable for the prosecution to prove copyright infringement by attempting to contact individual copyright owners, irrespective of where they may be in the world.

The criminal provisions proposed by clause 17 under the new section 41(1) follows section 107(1) of the United Kingdom Copyright Designs and Patents Act, 1988. It creates offences that are constituted by the doing of an act without the licence of the copyright owner. In these cases the accused person alleging a licence or consent would be raising an exception, an exemption, a proviso, an excuse or qualification.

This proposed amendment takes its cue from the United Kingdom where the provisions do not require prosecutorial arms of law enforcement agencies to contact the current owners of the copyright in a particular work. For the offence to be proven it must be established clearly, that at the material time copyright subsisted in the said work and that the person so accused did not have the permission of the copyright owner to copy the said work. The courts have held that the prosecution may prove that copyrights subsist by calling licensees who are able to indicate that copyright exists.

The second limb of proving the offence that the defendant did not have permission to copy a particular work is a presumption that may be rebutted by the defender. Therefore, licensees can be called upon to testify in court that copyright in the work subsists in a particular person or entity and that the defendant did not have permission from the copyright owner to copy the work.

A new section 41A will also be inserted to create penalties in respect of unauthorized public performances. The new section will also provide for the destruction of infringing copies, articles, apparatus, implements or devices in the possession of a person at the time of his arrest or charge.

The new section 41(1) is consistent with the relevant portions of section 107 (1) of the United Kingdom Copyright Designs and Patent Act, 1988.

Under section 41 (3) we have increased the penalty for copyright infringement to \$250,000 while retaining the 10-year term of imprisonment. We on this side wish to send a strong message to those engaged in the sale or reproduction of pirated works. I have noted with grave concern certain pronouncements by the Trinidad and Tobago Association for Media Entertainers and the Trinidad and Tobago Copyright Collection Organization that it is time to license pirates and their call to legalize digital videodisc (DVD) pirates.

It is important to reiterate to the national community that even under our existing legislation that piracy is illegal. It must be categorically stated that pirates cannot be licensed to sell pirated works. Any licence issued to anyone engaged in the sale, rental or manufacture of pirated works purporting to legitimize such activity is indeed fraudulent. CD or DVD retailers of pirated works in possession of such licensee may be charged by the police.

The copyright owner has the exclusive right to reproduce his or her work and in this regard, the copyright owners' permission must be sought for the reproduction of his work. Any unauthorized reproduction of copyright works is illegal and persons engaged in such activities would be prosecuted. I urge members of the public not to be fooled by anyone who purports to give them a licence to reproduce pirated works.

Section 41(4) will be of significant assistance to the law enforcement agencies and will enable any presiding magistrate to make an order in respect of all infringing copies in the possession of the accused person, notwithstanding that charges may have been laid in respect of some and not all of the infringing copies. The new section is consistent with section 108(1) of the United Kingdom Copyright Designs and Patents Act, 1988.

Clause 18 of the Bill amends section 42 which also provides a similar penalty of \$250,000 for offences by bodies corporate. In the existing Act there is no penalty stipulated in the section to address offences committed by bodies corporate.

Clause 19 of the Bill substitutes a new section 44 which states that for any offence, it is sufficient to examine 1 per cent or any five copies whichever is the lesser of the entire number of infringing copies seized and where such examination establishes that the examined copies are infringing copies, it would be presumed until the contrary is proven that the entire number of copies is indeed infringing copies.

Section 44(1) is drafted in a similar manner to section 55 of the Malaysian Copyright Act, 1987 which provides for the examination of 1 per cent or any five copies.

The new section 44 will also empower the presiding magistrate when deciding upon the severity of a sentence to take the entire number of infringing copies seized at the time of arrest into consideration.

Clause 20 amends section 45 to create a new section 45(6) to empower the police to seize any infringing copies, apparatus, implements and devices used for transporting or marketing infringing copies of a work performance, sound recording or broadcast that appears to be abandoned. Additionally, a police officer may tender such infringing copies, apparatus, implements or devices into evidence and apply for an order from the magistrate for the destruction of same.

Clause 21 inserts a new section 59 in the Act to provide for section 3 of the Limitation of Certain Actions Act No. 36, 1997 to apply to actions to recover any sum recoverable under the Act.

While the Bill seeks to facilitate the prosecution of copyright offences it will also permit Trinidad and Tobago's accession to the WIPO Copyright Treaty and the WIPO Performances and Phonograms Treaty. These treaties are also known as the WIPO Internet Treaties. With the advent of the Internet another layer of statutory protection of copyright has become necessary. Whereas national copyright laws have been concerned mainly with protecting copyright infringement within borders of a particular state using analogue technology, the Internet allows its users to infringe copyright using digital technology from any location. Such ready access to information allows easy and anonymous copying, distribution and other exploitation of works without the permission of the copyright owner. It was indispensable that new binding international norms should be developed by the member states of WIPO to address copyright infringement in this digital era.

Trinidad and Tobago was represented at the diplomatic conference for the conclusion of the WIPO Copyright Treaty and the WIPO Performances and Phonograms Treaty. At that time, the delegation was of the view that Trinidad and Tobago should not deposit instruments of accession, but should defer accession until the various stakeholders and interest groups were consulted and a regional meeting to discuss the two treaties and possible accession was held. The Government of Trinidad and Tobago hosted this regional meeting.

In 2000, the then government recommended accession to the two treaties, but deferred accession with the director general of WIO until the Copyright Act of 1977 was amended to ensure compliance with the said treaties.

The views of the Secretary General of Caricom were also sought on Trinidad and Tobago's accession. It was agreed that accession by this country will not adversely affect other Caricom member states. For years, the Government of Trinidad and Tobago has acknowledged the importance of the WIPO Internet Treaties.

It was in fact the Members on the other side who initiated the move to make national copyright law compliant with the provisions of the WIPO Internet Treaties. Trinidad and Tobago is however yet to be a signatory to the WIPO Internet Treaties. To date the WIPO Copyright Treaty has been signed by 64 states worldwide, with Jamaica and St. Lucia being the only Caricom signatories.

The WIPO Performances and Phonograms Treaty has been signed by 62 states. Again, Jamaica and St. Lucia are the only Caricom signatories to date. Both the WIPO Copyright Treaty and the WIPO Performances and Phonograms Treaty make it incumbent on member states to provide remedies for the alteration or removal of rights management information.

Under Article 8 of the WIPO Copyright Treaty, the right of communication to the public is the right to authorize any communication to the public, whether by wire or wireless means, including the making available to the public of works in a way that the members of the public may access the work from a place and time individually chosen by them. This covers on demand an interactive communication via the Internet.

8.30 p.m.

While the existing Copyright Act of 1997 provides an exclusive right to communicate or work with the public, the definition of the term “communication to the public” does not use the expression contained in the WIPO Copyright Treaty that covers, on demand, interactive communication via the Internet. In this regard, the proposed amendment to the Copyright Act of 1997, as outlined in clause 3 of the Bill, will catch communication to the public via the Internet.

The existing Act of 1997 makes no provision for legal remedies against the circumvention of technological measures or the alteration or removal of rights management information. What is particularly important is that the WIPO Performances and Phonograms Treaty provides that performers and producers of phonograms enjoy the right to a single, equitable remuneration for the direct or indirect use of phonograms, published for commercial purposes for broadcasting or for communication to the public. This is premised on the basis that each contracting party shall accord to nationals of other contracting parties, the same treatment it gives to its own nationals.

Accession to the WIPO Performances and Phonograms Treaty would therefore ensure that all performers, when performing overseas, will receive the reciprocal standard of protection as is accorded nationals of other countries who are party to the WIPO Performances and Phonograms Treaty. For example, the performer would be entitled to receive royalties for the broadcast of his or her song recorded. As you may be aware, our performers have been pleading the justice of their respective causes for quite a long time for this country to accede to the WIPO Copyright Treaty and the WIPO Performances and Phonograms Treaty.

In this regard, the proposed amendments contained in this Copyright (Amdt.) Bill, 2008 are timely and opportune and represent the culmination of the efforts of determined nationals of this country, both within and without our Parliament.

In closing, I therefore wish to commend the Members of the Senate, the special select committees, the staff of the Intellectual Property Office of the Ministry of Legal affairs, the law enforcement agencies and all the various stakeholder organizations who have spent a significant amount of time in reviewing and proposing the various amendments contained in this Bill.

The Government of Trinidad and Tobago has been and will continue to be a watchful guardian in its quest to ensure that the creativity of our people is both encouraged and nurtured.

Madam Deputy Speaker, I beg to move.

Question proposed.

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 28, 2008 at 1.30 p.m. That day is Private Members' Day. I have been advised that the Opposition will be continuing the Motion on food prices.

Madam Deputy Speaker: Hon. Members, before I put the question on the adjournment, there are five matters to be raised on the Motion for the Adjournment: two by the Member for Tabaquite, one by the Member for Princes Town North, one by the Member for Oropouche West and one by the Member for Caroni Central. Tonight, we will deal with the two Motions on the Adjournment raised by the Member for Tabaquite.

Mr. Ramnath: When are we breaking for dinner?

Social Welfare Grants (Government's Need to Review)

Mr. Ramesh Lawrence Maharaj SC: Madam Deputy Speaker, I would like the record to reflect that I would have preferred others but the Government could not deal with the others so I would deal with my two Motions. Can I deal with the one dealing with the grants first?

I sought leave of you to raise this matter: The urgent need for Government to review upwards the social welfare grants now available to citizens, for example: funeral, rehabilitation, housing, medical, equipment, clothing, dietary, unemployment, temporary assistance, school uniform, special child home and health.

Over the last few months, having regard to persons whom I have seen in the constituency and throughout Trinidad and Tobago, they have been talking to us, the party, about the inadequate sums which these grants provide. To be fair, these grants do assist persons in Trinidad and Tobago, but it is felt that the time has come for the Government to reconsider or consider again the quantum of these grants.

I know a lot of issues in this Parliament can be very adversarial, but I think this is an issue in which one should really look at the justice of the situation and the Government should determine whether it should continue, give a commitment or tell the national community what it is going to do with these grants.

As I understand it, one of the social welfare grants is a funeral grant. The sum given is \$3,500 for persons in need to bury someone. I have checked with funeral homes and this sum of \$3,450 cannot reach near burying someone. As a matter of fact, I have seen homes where they do not have money, cannot afford the burial and they actually have to go and beg, and beg and beg to get some money to pay the funeral homes. In some cases, the funeral homes assist.

There is a grant called the rehabilitation grant. The sum is \$3,500. That is if a citizen is in serious distress such as losing his house in a fire or his home was flooded because of whatever the drainage or emissions are. He or she is given the sum of \$3,500 to buy beds, a stove and kitchen utensils. Two beds cost in excess of this sum of money. It is not really sufficient, even to buy a bed sheet, pillow or blanket to keep warm. Most of our senior citizens must have pillows, I understand, as a medical requirement. I think that any government would want to look at this again.

There is another grant called the housing grant. I am told, and from what I have read, that the present housing grant is \$5,000. If a senior citizen wants to repair his or her home \$5,000 cannot do it. A load of gravel, two sacks of cement, five sheets of galvanize, two pieces of board and 10 blocks would cost way in excess of this sum of money.

There is another grant called the medical equipment grant. The sum given is \$3,500. One of the largest increases we have seen is in medication and medical equipment. What kind of medical equipment can this buy? As a matter of fact, I understand that a wheelchair costs more than \$3,500.

House rent—a person in dire need would receive assistance to pay his or her house rent up to a maximum of \$800 per month but only for three months. In Trinidad and Tobago, it is very difficult to find accommodation for \$800 per month. Even if you do, you are only getting it for three months.

When the Government has to house families—I would just give an example, the Roy Joseph Scheme in San Fernando—they have to be housed for 24 months. It has cost the Government \$29.3 million. This gives you an idea of how much it costs for housing.

There is a clothing grant and the sum given is \$200 per person. This grant is given to someone if he or she is in serious distress, lost his home in a fire or his entire home is flooded out and seeks assistance from the Government, he obtains this sum of \$200 and is expected to buy clothes. I do not want to go into the prices, but if it is a gentleman, a pair of pants, shirt, undergarment and socks would exceed that. He probably would have to do without shoes.

There is a school book grant of \$500 per child. I think that sum could be looked at again. I do not think that sum can buy school books for even a kindergarten child.

With respect to school transport, the grant is \$140 per month. When one looks at big areas, I do not know how that could get some of our children to school. Take for example, from Cumuto/Manzanilla and the child has to travel to Sangre Grande, I do not think that is sufficient.

There is also a dietary grant of \$300. This grant, I understand, is intended for people who need food which provide special nutrients. I do not know if the person can buy food with fibre, egg, milk or other nutrients with the sum of \$300. I am told that having regard to the price of cheese, fish and chicken, it is very difficult to assist.

Then there is the urgent temporary assistance grant. If someone is in urgent financial distress, he is given a grant anywhere between \$1 to a maximum of \$500 after going through a lot of bureaucracy. I am told by persons who have gotten this grant that they had difficulties in receiving it and it really was not sufficient.

The school uniform grant is \$200 every two years. I think this should be looked at again. This is information I have, I am subject to correction, from parents and children.

There is a special child grant of \$300, which is granted to a parent with a physically challenged child under age 18. I do not know how this could really help this child. I think if you have a physically challenged child and the parent has to assist that child, I do not know how this sum could help the child.

Home help—persons who are bedridden are given \$300 per month up to three months. The grant of \$300 is provided to citizens who are bedridden. I do not know—but, what can this do? A person who has a very active life and becomes bedridden because of some ailment and has lost his mobility, I do not know if he can get a person to help, but I am told that people cannot get persons to help for \$300 per month.

I have brought this matter to the attention of the Government. I hope that in this matter we would not be told what the grant was under the UNC. There was less money and inflation was at a different stage. The issue really is that this seems to be a matter in which people can perceive that a grave injustice is being done to them.

8.45 p.m.

I do not want to politicize this matter, but one has to understand that the resources of the country should be equitably distributed, and people should feel that it is so being distributed. I think this is an issue where Members on both sides of the House should feel that there is need to look at it again, and to see whether we can do something about the weaker sections of our community to build the social capital in Trinidad and Tobago.

Madam Deputy Speaker, thank you very much. [*Desk thumping*]

The Minister of Social Development (Hon. Dr. Amery Browne): Madam Deputy Speaker, I thank you for the opportunity to respond to the Motion on the Adjournment as raised by the Member for Tabaquite. I must state from the outset that Trinidad and Tobago is blessed in so many ways; not least of which is the fact that we are led by a Government that cares for all the people of our beloved country. Madam Deputy Speaker, this fact was recognized by the population a few months ago when they joyfully returned the PNM to Government with an even stronger majority than before. [*Desk thumping*]

Each Member of this administration recognizes the serious responsibility placed on our shoulders to govern well, and to focus on continued national development to improve the lives of even the most vulnerable of our citizens.

This Motion represents yet another sad effort by Members opposite to use the privilege of speaking in this House to spray our population with as much negativity as possible. It is not their first effort. [*Interruption*] They want us to feel that this is the worst country in the world; the social issues that we are facing are unique to Trinidad and Tobago; and that everywhere else is paradise.

The grants that the Member for Tabaquite referred to are administered by the Social Welfare Division of the Ministry of Social Development, and are paid under the line vote "Urgent Temporary Assistance". These grants are commonly referred to as Emergency Cases Fund (ECF) grants. As you know, these grants are not new provisions, but were instituted with the introduction of the social assistance programmes in the then colony of Trinidad and Tobago, before I was born.

Madam Deputy Speaker, in the year 2004, the Social Welfare Division found that the system for administering these grants was time consuming and undertook a complete review of the process. The operations of the division were streamlined, and officers now have increased capacity to process these grants and currently assist many more persons in accessing the grants.

Additionally, a critical decision was taken to allow technical officers of other service delivery units within the Ministry of Social Development to present cases for the grants directly to the central office of the Social Welfare Division, rather than referring their clients to a social welfare district office as previously obtained.

The presentation by the Member for Tabaquite was encrusted with a number of hyperbolic adjectives, which he must be proud of, and at the core of it was yet another failed attempt. What we witnessed was yet another failed attempt at one-upmanship by the Opposition that has nothing to do with caring for the vulnerable in this country.

It has been no secret that the Ministry of Social Development, for the last several months, has been conducting an internal review of the recommendations from a number of stakeholders, including members from our local public assistance boards and social workers with the aim of developing a comprehensive and impactful increase in the grant assistance that we are now able to provide. That has been no secret.

This process is a complex one, if it is to be done as well as it must be done to make a difference in the lives of recipients. It involves careful analysis and rationalization of what currently exists; a strategic assessment of the existing gaps; and the forecasting of the potential impact of the proposals and the social and economic landscape of our country.

I am pleased to report that this process has advanced to the point where a draft Cabinet Note has been formulated, and which is now being reviewed by technical officers within the ministry. The outcome of all this would be a comprehensive proposal that would establish a strengthened and improved system of assistance grants for the consideration of Cabinet. This includes proposed new increases for some of the grants by over 100 per cent of what currently obtains.

The Ministry of Social Development is going well beyond just addressing the quantum of these assistance grants as was recommended by the Member for Tabaquite. We are modernizing and computerizing the entire system of social welfare through the implementation of an Integrated Social Enterprise Management System; the first Caribbean country to take this bold but essential step toward greater efficiency in the processing and programming of all our grants and assistance programmes.

Madam Deputy Speaker, the Member for Tabaquite has gotten wind of these developments and in his tried and tested fashion, he is laying the groundwork for telling the people that he first broached the initiative. I am by no means imputing improper motives to the Member for Tabaquite, and I wish to remind this honourable House of his many contributions toward nation building, not least of which was the Christmas gift he gave this country in 2001, by helping to topple the most uncaring and corrupt government by the UNC in the history of Trinidad and Tobago, to use his own words. [*Desk thumping and laughter*] We have the article here.

Madam Deputy Speaker, Members opposite are notorious for making dramatic statements in this House to the effect that this administration does not care for the people of Trinidad and Tobago. They have said this many times, but just because you keep repeating something, Member for Oropouche East, it does not mean that it is true, and today they would be exposed in that duplicity.

Our record speaks for itself when it comes to assisting persons in the society who need a helping hand. Over the years 2001—2007, the People's National Movement has increased the expenditure on Public Assistance from \$108 million to \$155 million, an increase of 43 per cent. For the same period, we increased expenditure on the Senior Citizens Grant from \$548 million in 2001 to \$1.1 billion in 2007, an increase of 98 per cent. From the years 2001—2007, this caring PNM Government increased annual expenditure for the disability assistance grant from \$50 million to \$174 million. [*Desk thumping*] That is a whooping increase of 248 per cent. Madam Deputy Speaker, that is not all. For the same period, expenditure on urgent or emergency assistance grants increased from \$557,000 to \$6.9 million in year 2007, an increase of not 100 per cent, 200 per cent, 500 per cent, 800 per cent, but 1,140 per cent. [*Desk thumping*] This assistance is unparalleled in the history of Trinidad and Tobago. [*Desk thumping*]

Madam Deputy Speaker, the People's National Movement has no rival in this country or in the entire region with regard to providing for those in need. [*Desk thumping*] The UNC is privileged to sit in this House with such a caring Government, and they should never violate that privilege by pretending to have any authority to speak about social assistance. Do not violate that privilege. [*Interruption*] We care about all the people in this country; the rich and poor, and people of all races.

I wish to assure the Member for Tabaquite that he is seeking to initiate a process that is already in train, and he knows that. [*Desk thumping*] He is asking this Government to review the grants when he knows full well that we are already reviewing the grants. [*Desk thumping*]

I also wish to assure the national community that we on this side will continue to see through the thin manoeuvre of the Opposition. We are going to expose them for what they are, and we would remain committed to the full and equitable development of our beloved Trinidad and Tobago. [*Desk thumping*]

Madam Deputy Speaker, I thank you. [*Desk thumping*]

Senior Citizens Grant
(Government's need to Increase)

Mr. Ramesh Lawrence Maharaj SC (*Tabaquite*): Madam Deputy Speaker, I got your leave to raise the urgent need for the Government to increase the pension entitlements of the Senior Citizens Grant, having regard to the continuing rising cost of living and inflation. I would not be provoked into dealing with this matter in any other way, except in the way in which the poor people of Trinidad and Tobago would want it to be dealt with.

The question is, having regard to what is happening in Trinidad and Tobago now, and what they are seeing their money being spent on, whether the Government will consider the request of the Opposition. It may be that the Minister who has to answer this Motion will take the same line as the previous Minister, but I am not going to be tempted to deal with this matter in any other manner.

The Pension Act which was in existence provided that a person who satisfied the criteria of being 65 years or over, their total income should not exceed \$2,500; they must not live out of the country for a total sum of five years during the last 20 years, but they must live in Trinidad and Tobago for over 60 years.

The Government took steps recently in the Finance Act of 2007, and amended the Old Age Pension Act by repealing and replacing the title of the Old Age Pension Act to the Senior Citizens Grant Act. The Explanatory Note in the Bill pointed out that they changed the concept of the legislation. What this has done is that it was changed to "discretion" to give such a grant, and the Act gives the power that it is subject to review to maybe an increase or decrease or to be discontinued.

The reduction to the Senior Citizens Grant or old age pension has already started with effect from January 01, 2008 for some people, notwithstanding the fact that old age pension has already been paid for January and February 2008.

Prior to January 01, 2008, a retiree over the age of 65 who satisfied the other conditions and whose income did not exceed \$12,000 per year was entitled to an old age pension of \$1,250, and when added to the National Insurance Pension of \$1,000, if entitled, it resulted in a total income of \$2,250.

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However, those retirees who are entitled to a National Insurance Pension will receive an increase in the NIS pension from \$1,000 to \$2,000 per month from January 01, 2008. This increase in National Insurance Pension, when added to the increase of the Senior Citizens Grant will now be equivalent to \$3,650 per month which exceeds the income ceiling of \$2,500 per month and, therefore, the Government is invoking section 3(5) of the Senior Citizens Grant Act which was formerly the Old Age Pension Act, and the effect of that would take away \$1,150 of the Senior Citizen Grant, effectively reducing the Senior Citizens Grant to \$500 per month.

In respect of pensioners of Caroni (1975) Limited, a former Caroni (1975) Limited worker who had at least five years service with the company was entitled to a company pension of \$650 per month.

When they were promised VSEP, they were told that there would be an increase of their pension. When the Senior Citizens Grant income ceiling was increased, they were entitled to their company pension of \$650 plus old age pension of \$1,000, plus national insurance pension of \$1,000, a total of \$2,650 per month. However, with national insurance pension increasing to \$2,000 per month, and their company pension of \$650, this resulted in a total income of \$2,650 a month, which exceeds the income ceiling of \$2,500 per month. They would lose their Senior Citizens Grant, old age pension and would only receive \$150 per month.

9.00 p.m.

Madam Deputy Speaker, the Central Bank recently in a report and release, which is dated February 22, dealt with the question of inflation. They said food price inflation, which has been the main catalyst of headline inflation, registered an increase of 20.8 per cent in the 12 months to January 2008, compared with 16.8 per cent in December 2007.

Comparing the 12-month increase ended January 2008, with those of December 2007, the prices of bread and cereal rose by 14.1 per cent; milk, cheese and egg prices rose by 28.4 per cent; meat prices rose by 13.7 per cent; fish rose by 17.2 per cent; fruits rose by 34.8 per cent and vegetable prices rose by 30.2 per cent. The upward movement in the food prices sub-index is reflected in price increases in a number of basic food items.

For instance, the price of cheese rose to \$56 per kilogramme in January 2008, from \$47.50 in December 2007. The price of eggs rose to \$18 a dozen in January 2008, from \$14 in December 2007, while the price of Carnation evaporated milk rose to \$5.25 in January 2008 from \$5 in December 2007, and it talked about

agricultural commodities. Core inflation, which excludes the volatile food price component, rose in January 2008 to 5.7 per cent and the report goes on to talk about other increases, in alcohol beverages, et cetera.

Madam Deputy Speaker, the point I am making is that having regard to inflation and the rising cost of living, I do not think the people are interested in finding out what the UNC government did; what was the pension then; I think every knows that. The population is not interested in finding out what kind of moneys the Government had for the budget and what the budget is now. [*Crosstalk*] The issue is—and they could gallery if they want—that the Government is spending millions of dollars on very lucrative projects, and having regard to the cost of living, the plight of these pensioners, whether the Government would consider increasing the pension having regard to all the circumstances.

Thank you very much.

The Minister of Finance (Hon. Karen Nunez-Tesheira): Thank you, Madam Deputy Speaker. This Motion is like many of the others that have been moved by the other side, laced with mischief and misinformation. Why do I say that? Because implicit in the Motion, and as my colleague on this side has said, the other side wants to portray this Government as heartless and uncaring, and nothing could be further from the truth.

I know that the Member for Tabaquite has indicated the criteria for, what we now call, the Senior Citizens Grant, but I want to indicate, the criteria are simple: residency, age, and income, \$30,000 a year. What is interesting about it, there is no requirement for you to make any contribution. All you have to be is over 65 years, resident in Trinidad and Tobago and making an income of under \$30,000.

I want to address something that the Member for Tabaquite mentioned, when he spoke about the NIS and the Senior Citizens Grant. What he did not say is that the Senior Citizens Grant is reduced based on the person being in receipt of an NIS benefit of \$2,000. So, to take the Senior Citizens Grant, extrapolate it and treat it as if it were not related to the NIS benefits, is to create misinformation to the listening public. If you are getting NIS \$2,000, then the Senior Citizens Grant is adjusted downwards. In other words, you get a maximum of \$2,500 from this Government.

At the heart of this Motion

is the question of poverty and poverty alleviation. What do we mean by poverty? Poverty is hunger; it is a lack of shelter; being sick and not being able to see a doctor; not

having access to an education and not knowing how to read; not having a job and not having an opportunity to earn a living.

I could go on and on, but the point about it is, at the heart of this Motion is the issue of poverty and poverty alleviation and it brings me to the issue of the poverty index. When we speak of the poverty index, I know we are all aware that in the 1990s, the poverty index was in the 33 percentile; today it is 16.7 per cent. When we look at it, we like to benchmark and when we do the benchmarking, we look at the other Caribbean islands. The percentile for the other Caribbean islands is still in the 30 percentile, but then we go to what we call the developed countries. Do you know that in the United States, the most powerful country in the world has a poverty index of 13 per cent? Do you know that the United Kingdom has a poverty index of 17 per cent? [*Crosstalk*] Yes, that is so. But one of the things I want to point out is when one looks at the poverty index, it does not take into account non-cash benefits.

Madam Deputy Speaker, when I started I talked about what is poverty. You see, when we talk about the poverty index in Trinidad and Tobago, I do not think many people in Trinidad understand that the poverty index does not include the non-cash benefits, which the citizens of Trinidad and Tobago enjoy. Before I go on to indicate some of those non-cash benefits, I want to speak about the allocation and distribution of Senior Citizens Grant for January 2008, \$130,305,343, benefiting over 68,000 people from areas as Caroni, San Fernando, Siparia, St. David, St. George East and Tobago.

Mr. Imbert: For one month?

Hon. K. Nunez-Tesheira: That is correct. I want to say, Madam Deputy Speaker, and I want to come back to the point I started with—what is poverty—and it brings me back to that poverty index and the non-cash benefits. When we speak about the Senior Citizens Grant, we are really talking about poverty alleviation, so we have to look at it in a holistic way. We cannot just take it and look at the grant in a vacuum, we have to link it to the issue of dealing with poverty, and one thing this Government stands for, is a caring Government. We continue to care; we continue to deliver, because we continue to care. That is not just a catch phrase, and I can back it up. [*Interruption*] Well, if you want to say that.

You know when the hon. Member for Diego Martin West was dealing with another Motion and talking about the issue of running his Ministry of Housing, he was right, because under his stewardship, under this Government, we were able to build 26,000 houses, and that deals with the issue of providing shelter. [*Desk thumping*] What was their record? Now I understand why they want so many of

these committees, because their record was about 500. I do not want to exaggerate—

Hon. Member: 461.

Hon. K. Nunez-Tesheira: How many?

Hon. Member: 461.

Hon. K. Nunez-Tesheira: Thank you, 461. I went on their website and it said they built 1,600 houses. [*Interruption*] Yes, that is the truth. It is not only a question of providing shelter; we have eliminated the down payment for mortgages. We are allowing persons who are eligible for a mortgage, a loan of \$15,000 towards the purchase of household appliances, and I could go on and on about those non-cash benefits the people of Trinidad and Tobago enjoy, because of this caring Government. We deal with health; we know CDAP; 145,000 persons, including senior citizens, have been the beneficiary of CDAP for illnesses: hypertension, diabetes, glaucoma, arthritis, asthma and cardiac disease.

We go on from health, because we are talking about poverty eradication and transportation. We subsidized the sea and air bridge to Tobago at the cost of \$1 billion; bus passes for senior citizens and for our school children. When we look at education, it is well documented, from nursery to tertiary, and not even the United States can boast of that. I heard Barack Obama talking when he was projecting himself and saying what he would do; that he would give a \$4,000 grant to persons going to university. We do not have to do that; we give you \$15,000 help—free education from nursery to tertiary.

It is not only that, when our school children go to school—the Member for Tunapuna has spoken to that—we give well-balanced meals, Member for Fyzabad. Not only meals, transport; not only transport, free books, because older people have grandchildren—you know that is the point. In Trinidad, older people take care of their grandchildren and their children. So it is not only that, and public utilities. We look at the rates at T&TEC, our water bills. When we speak about the Senior Citizens Grant, we are talking about the issue of poverty alleviation and this Government has been a caring Government.

I want to end and make the connection between the relationship of inflation to the cost of living, because that is what, according to this Motion, we have to debate. Trinidad and Tobago is not insulated from the world economic environment. However, this Government has been carefully monitoring the

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situation and has been proactive in ensuring the maintenance of an acceptable standard of living for our senior citizens. Why do I say that?

In 2001, the Senior Citizens Grant amounted to \$720 and the inflation rate was 5.6 per cent. Between 2001 and 2007, the Senior Citizens Grant was raised four times and again, in 2008. From an inflation rate of 5.6 per cent in 2001, the rate increased to 7.9 per cent in 2007, while the Senior Citizens Grant was increased from \$720 in 2001 to \$1,650 in January 2008, an increase of more than 129 per cent over the period. So when the other side, Member for Tabaquite, talks about the cost of living and inflation, this Government takes into account the cost of living and inflation in adjusting the Senior Citizens Grant.

Madam Deputy Speaker, over 60,000 retirees are benefiting from that programme and those benefits include a retirement pension from \$1,000 to \$2,000; retirement grant, from \$200 to \$2,000; a widow and widower's pension of \$400; a dependant parent pension of \$200; a funeral grant of \$4,000 to \$5,000 and, most importantly, provides for all benefits to index to inflation. You see that? We index the benefits to inflation every five years.

Madam Deputy Speaker, I think that in moving this Motion, I again have to thank the other side for giving me an opportunity—as they seem to like to do; this is the third time—to showcase once again, the caring Government that we have.

Thank you, Madam Deputy Speaker.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 9.15 p.m.