

HOUSE OF REPRESENTATIVES*Friday, May 23, 2008*

The House met at 1.30 p.m.

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

Mr. Speaker: Hon. Members, I have received communication from the hon. Roger Joseph requesting leave of absence from sittings of the House for the period May 19—23, 2008. The leave which the hon. Member seeks is granted.

ORAL ANSWERS TO QUESTIONS**Prime Minister's Visit to Jamaica****(Cost of)**

- 118. Mr. Jack Warner** (*Chaguanas West*) asked the hon. Minister of Finance:
- A. What was the cost to the State for the Prime Minister to travel to Jamaica by private jet on or around March 19, 2008?
 - B. What was the purpose of this visit to Jamaica?

The Minister of Works and Transport (Hon. Colm Imbert): Mr. Speaker, forgive me, I was a little slow off the mark. We have answers to questions No. 121, 138 and 139 available, and I would ask that the other questions be deferred for a period of two weeks.

Question, by leave, deferred.

The following questions stood on the Order Paper:

Chaguanas Magistrates' Court**(Functioning of)**

- 119.** Could the hon. Attorney General advise when will the Chaguanas Magistrates' Court become functional in the premises rented by Government on Ramsaran Street, Chaguanas? [*Mr. J. Warner*]

De-shifting of Schools**(Details of)**

- 123.** Could the hon. Minister of Education state:
- (a) the schools which have been de-shifted together with the date of de-shifting of each school; and

- (b) the estimated and actual costs of de-shifting of each school mentioned in (a) together with a breakdown of expenditure for each in the areas of (i) construction (ii) equipping (iii) furnishing and (iv) any other costs? [*Mrs. K. Persad-Bissessar*]

**Sport Company of Trinidad and Tobago
(Projects Undertaken and Cost)**

- 137.** With respect to the Sport Company of Trinidad and Tobago (SPORTT), could the hon. Minister of Sport and Youth Affairs state:
- (a) the total expenditure incurred to date by this special purpose company, all projects undertaken and completed for inspection from the inception of this entity to March 2008;
- (b) the individual cost for each project identified and the names of the various contractors; and
- (c) all ongoing projects, its estimated cost thus far, location and proposed completion dates? [*Mr. W. Peters*]

**Local Government Reform
(Consultations on)**

- 141.** Could the hon. Minister of Local Government state:
- (a) how many consultations were held on local government reform; and
- (b) the venues, dates and public attendance at each consultation listed in (a)? [*Mr. S. Panday*]

Questions, by leave, deferred.

**Home Improvement Grants
(Details of)**

- 121.** **Mrs. Kamla Persad-Bissessar** (*Siparia*) asked the hon. Minister of Planning, Housing and the Environment:
- With regard to the Home Improvement Grants, could the Minister state:
- (a) the number of persons, according to parliamentary constituency, who have applied for grants in 2007 and 2008;
- (b) the number of persons, according to parliamentary constituency, who have been given grants in 2007 and 2008;

- (c) the sum of money given in grants, according to parliamentary constituency in 2007 and 2008; and
- (d) the criteria and procedure used to determine the giving of grants?

The Minister of Planning, Housing and the Environment (Sen. The Hon. Dr. Emily Gaynor Dick-Forde): Mr. Speaker, the Ministry of Planning, Housing and the Environment collects information on applications for Home Improvement Grants on a national basis as opposed to a constituency basis, therefore, parts (a), (b) and (c) of the question do not apply.

Households seeking to access the Home Improvement Grant must apply on the application form that can be obtained from the Ministry, the Ministry's website or as printed in the press. There is no cost for this form and it can be photocopied.

The following are the criteria for eligibility to obtain the Home Improvement Grant and the selection assessment and financing process:

- (1) The applicant must be a citizen of Trinidad and Tobago and of the minimum age of 18.
- (2) The applicant must be residing in the home.
- (3) The applicant must own the land or has permission to occupy the land.
- (4) The gross household income does not exceed TT \$60,000 per year or TT \$5,000 per month.
- (5) The applicant must not have benefitted before from either this programme or the Inter-American Development Bank funding Home Improvement Subsidy Programme.
- (6) The scope of work proposed properly falls within the home improvement repairs; and
- (7) The applicant provides approved estimates of repairs and approved time lines for these works to be undertaken.

With respect to the selection process, all applicants are entered into a database and a random selection draw is conducted. Successful applicants are informed of their selection via telephone and mail and subsequently invited to an assessment interview.

The original documents submitted are checked and verified and returned to the applicant and the photocopies placed on file. A document check-list is prepared in duplicate of all documents submitted and those to be submitted. One

copy is placed on file and the other given to the applicant as a reminder of all outstanding documents. These documents must be submitted by the deadline date given.

When the assessment interview is concluded, the status of the file will be determined as follows:

- either pending, that is awaiting further documentation;
- recommended, that is the applicant has met all criteria and would be forwarded to the supervisor for further action, that is for an initial site visit;
- the third option is that the application has been denied. This is where the applicant has not met the stated criteria.

Finally, there is the financing process. Once the file has been recommended, it is forwarded by the supervisor for a first site visit where a field officer visits the home to be repaired to ensure that repairs stated on the quotation for repair works can be carried out. The field officer will then forward an initial report indicating the findings, along with a stipulated time frame for repair works to be completed and a recommendation to the coordinator of the programme of first tranche payment.

The coordinator then approves the application for preparation of the agreement and the approved file is forwarded to the Permanent Secretary for approval for payment. Once approval is given by the Permanent Secretary, the applicant is scheduled to come in and sign with the Permanent Secretary, who acts on the Government's behalf.

The grant is disbursed in two tranches. The first tranche is given upon the investigation and verification of the proposed works and the second tranche is disbursed after the investigator views the initial repair works effected, collects relevant bills and returns a satisfactory report. Once the repair works are satisfactorily completed, a completion report is submitted by the visiting officer and the file is returned for storage.

Thank you, Mr. Speaker.

Mrs. Persad-Bissessar: Mr. Speaker, unless I did not hear properly, I have not had answers to (a), (b) and (c) of the question.

Mr. Speaker: I think I recall the Minister saying it was not applicable.

Sen. The Hon. Dr. E. Gaynor Dick-Forde: Mr. Speaker, let me repeat, if the hon. Member did not hear: The Ministry of Planning, Housing and the

Environment collects information on applications for Home Improvement Grant on a national basis and not a constituency basis, therefore, parts (a), (b) and (c) of the question do not apply.

**Industrial Port, Guayaguayare
(Moneys Budgeted and Completion Time)**

138. Mr. Winston Peters (*Mayaro*) asked the hon. Minister of Energy and Energy Industries:

With respect to the construction of an industrial port at Guayaguayare, could the Minister state:

- (a) what is the comprehensive proposal for such a venture, the monies budgeted for this development and the time frame for commencement and completion;
- (b) whether this project has, as yet, been given the necessary approvals by the Environmental Management Authority (EMA);
- (c) if the answer to (b) is in the affirmative, when was this approval granted;
- (d) whether any contractor/s has/have been selected for this development; and
- (e) if the answer to (d) is in the affirmative what is the name/s of the contractor/s?

The Minister of Works and Transport (Hon. Colm Imbert): Mr. Speaker, on behalf of the Minister of Energy and Energy Enterprises, the comprehensive proposal for the construction of an industrial port at Guayaguayare consists of the following elements:

- Land development: existing land is 4.0 hectares as port backland; reclaimed land, approximately 3.6 hectares;
- Construction: the construction of the following is planned:
- new berths comprising of 435 metres of berthing space;
- ballasts and marine fender installation for the new berths;
- a channel and turning basin requiring 300,000 cubic metres of dredging for a maximum depth of 9.58 metres;
- a jetty of 85 metres in length for the coast guard;

- access road approximately 1.2 kilometres long;
- a new security system including close circuit television, security alarm and fencing;

Construction on the reclaimed area will accommodate the dock, off loading and marshalling area, modular cargo handling, mud mixing, cement supply, pipe lay down, storage yard, car park and an administration building. Rehabilitation of the existing buildings and yard paving is planned. The estimated cost of the project is US \$79,981,499.

Additionally, application was made to the Environmental Management Agency (EMA) on December 02, 2005 and a request made by the EMA for an Environmental Impact Assessment (EIA). A firm was selected on October 26, 2007 and the EIA is in the process of being completed. The expected submission date to the EMA of the EIA is June 06, 2008 and the design work for the project is expected to be completed by October 2008.

Construction will commence on receipt of the Certificate of Environmental Clearance and completion is scheduled to be 24 months thereafter. A transparent process for the selection of a contractor was undertaken. Three bids were received, evaluated and the firm of GLF Construction Corporation was selected as the firm that met the requirements.

**Early Childhood Care and Education Centres
(Mayaro/Rio Claro Region)**

139. Mr. Winston Peters asked the hon. Minister of Education:

With respect to the Early Childhood Care and Education Centres, could the Minister state:

- (a) the number of these centres which were built in the Mayaro/Rio Claro region during the period January 2006 and February 2008; the individual cost of each centre and its location;
- (b) whether any of these facilities are still under construction in the Mayaro/Rio Claro region, the location, the costs incurred thus far and the status of the works done;
- (c) whether remedial/refurbishment works will be undertaken to any Early Childhood Care and Education Centre/s within the Mayaro/Rio Claro region in this fiscal year; and

- (d) if the answer to (c) is in the affirmative, which Early Childhood Care and Education Centre/s is/are earmarked for these works, the cost of the venture and the scope of works proposed?

The Minister of Works and Transport (Hon. Colm Imbert): Mr. Speaker, on behalf of the Minister of Education, permit me to share with this honourable House the philosophy on the development of Early Childhood Care and Education Centres in Trinidad and Tobago.

The philosophy underlying early childhood care and education in Trinidad and Tobago is that all children can learn; each child, regardless of economic status, physical or emotional challenges, ethnic background or gender, has a right to high quality education in order to realize his or her full potential.

Over the years, the role of the Government has been a facilitative one, but within recent times, the focus has changed to the provision of an enabling environment, which requires that we offer high-quality early childhood care and education services to the nation's children, families and communities. Therefore, while partnerships in the provision of ECCE services continue with community groups, non-governmental organizations arguments which provide a compelling case for commitment and heavy such as SERVOL, denominational boards, the Government of Trinidad and Tobago has made decisions informed by several investment in early childhood care and education.

These arguments include:

- a scientific argument, one in which scientific research demonstrates that the early years are critical to later success;
- a human rights argument, which highlights children's rights to live and to develop their full potential;
- a moral and social argument, which states that, through children, humanity transmits values such as living together harmoniously for an appreciation and protection of the environment;
- an economic argument, which underscores the benefits to the society through increased productivity of children and saving of social costs in areas such as school repetition, juvenile delinquency and drug abuse;
- a social equity argument, which explains the advantages of early education for all by addressing socioeconomic and gender related inequalities;

- a social mobilization argument, which suggests that children provide a rallying point for social and political action that can help to build consensus and organization for the common good;
- a programme efficacy argument, which stresses that the success of other programmes is improved by incorporating an early childhood focus on healthy mental and social development;
- The final argument is based on changing social and demographic circumstances, especially the increased survival rate of vulnerable children and increased numbers of women in the labour force, which has resulted in the need for more and better provision of child care and education services.

1.45 p.m.

It is on these bases that the Government of Trinidad and Tobago, through the Ministry of Education, is implementing a comprehensive Early Childhood Care and Education (ECCE) Programme, aimed at internalizing the early childhood sector, expanding access to all to ensure a place for every person, every infant and four-year-old children by 2012, and ensuring the provision of high quality education and services in quality facilities, in line with international standards.

Specifically, with reference to the question, to date, three early childhood care and education centres have been built in the Mayaro/Rio Claro region. These are as follows: San Pedro Government ECCE, completed in June 2007, at a cost of \$2.27 million; Mayaro Government ECCE Centre, completed in November 2007, at a cost of \$1.81 million and the Ortoire Roman Catholic ECCE Centre, completed in February 2008, at a cost of \$1.5 million.

In response to part (b) of the question, the Ministry of Education continues in its quest to provide quality early childhood care and education in the Mayaro/Rio Claro municipality and construction on the Cuche Government ECCE Centre is expected to commence in this fiscal year, at a projected cost of \$2.88 million. The process for the award of this centre is being initiated by the Education Facilities Company Limited.

With respect to parts (c) and (d) of the question, the response is, yes. Repairs will be undertaken at eight government-assisted ECCE Centres in the Mayaro/Rio Claro municipality. These centres are: Ecclesville ECCE Centre; Guaya United ECCE Centre; Little Angels ECCE Centre; Little Joys ECCE Centre; Mafeking ECCE Centre; Navet ECCE Centre; Newlands ECCE Centre; and Radix ECCE Centre.

Discussions are also planned with Servol, to undertake repair works at the centres which fall under the management of Servol.

I wish to advise that Guayaguayare Government Early Childhood Care and Education Centre was identified for construction, but suitable land has not yet been found in this area. This ECCE Centre was housed in the Guayaguayare Community Centre, but the centre was asked to vacate the premises to facilitate repair works to the community centre.

The National Gas Company of Trinidad and Tobago undertook the responsibility to repair the Guayaguayare Community Centre as part of the company's community outreach programme. Consequently, the ECCE Centre had to be relocated to facilitate the repair of the community centre. The ECCE Centre is currently housed on rented property that was redesigned by NGC to meet the required standards of an early childhood care and education centre, via a two-year tenancy agreement. All legal documentation and relevant quality checks were conducted by officers of the ECCE Unit, Planning Division and the Legal Department of the Ministry of Education, via collaboration between the Ministry of Education and NGC.

The Ministry of Education continues to liaise with representatives of the Guayaguayare community to identify suitable lands for the construction of a permanent ECCE centre when this two-year tenancy agreement comes to an end.

Finally, allow me to disclose the scope of works of the aforementioned early childhood care and education centres as follows: plumbing and electrical repairs; repairs to cupboards in kitchen; replacement of doors to toilets; general installation of floor tiles; refurbishment of toilet area; additional shelving; installation of guttering; and internal and external painting.

The average estimated cost for each centre, in terms of the refurbishment is \$75,000. Therefore, it is calculated that the total cost for repairs to the eight ECCE Centres outlined above is \$600,000. This work has been assigned to the Education Facilities Company Limited together with MTS and Nipdec for implementation. The projected completion date, barring unforeseen circumstances, is September 2008.

**DEFINITE URGENT MATTER
(LEAVE)**

**Provision of Adequate Health Care Services
(Ministry of Health's Failure)**

Dr. Tim Gopeesingh (*Caroni East*): Mr. Speaker, in accordance with Standing Order 12 of the House of Representatives, I hereby seek your leave to

Definite Urgent Matter
[DR. GOPEESINGH]

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move the adjournment of the House for the purpose of discussing the following matter as a definite matter of urgent public importance, namely, the failure of the Ministry of Health to provide urgent satisfactory and adequate health care to patients presented for elective surgery at the San Fernando General Hospital.

The matter is definite as it pertains to a specific matter, namely, the postponement of surgeries at the San Fernando General Hospital.

The matter is urgent because patients requiring emergency and elective surgery are being postponed as a result of failure or refusal by the South West Regional Health Authority to compensate the anesthetists for work in excess of 40 hours per week.

The matter is of public importance because extremely poor management by the executive of the SWRHA is resulting in the non-performance of elective and emergency surgery cases.

Mr. Speaker: Hon. Members, I investigated the contents of the Motion moved by the Member for Caroni East, and I am certain that it no longer qualifies as a definite matter of urgent public importance.

ARRANGEMENT OF BUSINESS

The Minister of Works and Transport (Hon. Colm Imbert): I am not so up to mark today, Mr. Speaker. Mr. Speaker, I beg to move that the House be suspended temporarily. We had a meeting of the Finance Committee before the sitting began and the Committee had almost completed its work. However, it is necessary to complete the work of the Finance Committee.

I beg to move that the House be suspended temporarily to allow the Finance Committee to complete its work.

Agreed to.

1.53 p.m. *Sitting suspended*

2.02 p.m.: *Sitting resumed.*

JOINT SELECT COMMITTEE

(UDECOTT ENQUIRY)

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

Whereas concerns have been expressed in the public domain with respect to the operations, procedures and practices of the Urban Development Corporation of Trinidad and Tobago (UDeCott);

And whereas the Government considers it necessary to establish the truth as it relates to the processes and procedures utilized by UDeCott, lest the population be misled by uninformed speculation;

Be it resolved that the House of Representatives appoint three Members to serve with an equal number from the Senate to enquire into and report to Parliament on the Urban Development Corporation of Trinidad and Tobago (UDeCott) with regard to its administration, operations, functions, manner of exercise of its powers, performance of its duties and responsibilities and method of functioning, with particular reference to its procurement procedures and practices;

Be it further resolved that this Committee be empowered to send for persons, papers and records; appoint specialist advisers to provide information and elucidate matters of complexity and to adjourn from place to place; and that the meetings of this Committee shall be held in public and shall be broadcast live via both television and radio, and that this Committee report its findings to the Parliament by September 30, 2008.

Mr. Speaker, the Motion before the House today follows the announcement by the hon. Prime Minister in the other place with respect to the establishment of a joint select committee to look into the practices, procedures and operations of UDeCott, and it arises from concerns that have been expressed in the public domain.

Now, before I get into the heart of the matter, it is necessary to clarify certain issues, because there have been some inaccurate reports in the media, which have led to uninformed speculation, and it is therefore necessary to correct the record.

The hon. Prime Minister, in announcing the establishment of the committee had indicated quite clearly that it was intended that this particular joint select committee should be held in public and should be broadcast live via the electronic media. That somehow became confused by the media with the manner of operation of the other select committees—the departmental committees as we call them—where there is some confusion with respect to the provisions of the Standing Orders and the provisions of section 66A of the Constitution and the practice.

At the present time, there is some confusion with respect to the proper application of Standing Order 81 with respect to the practice that was implied or intended in section 66A of the Constitution, but we on this side, and I in particular had made it quite clear at a press conference that with respect to this particular

Joint Select Committee
[HON. C. IMBERT]

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select committee, it is our intention to move a Motion that it be held in public and it be broadcast live. So, it was necessary to clear that up, because there are certain media practitioners who do not seem to get things right. Having dealt with that matter, let me move on now to the question of section 66A of the Constitution itself.

There is another fallacy in the public and, particularly, amongst certain sections of the media, that section 66A of the Constitution is an entrenched provision, but it is not. When the Constitution was amended by the former administration to include section 66A, we had quite a debate in this Parliament over whether that could actually be done, and the then Attorney General, who is now the Member for Tabaquite, had brushed aside the points we had made on this side—we were in Opposition at the time—and passed the enabling legislation with a simple majority. The then Attorney General had claimed that it was possible to amend the Constitution with a simple majority. We did not accept it then and there is considerable doubt about the propriety of that now.

The fact remains that section 66A of the Constitution, which established the joint select committees to enquire into ministries and government departments, service commissions and so forth is not an entrenched provision, and has no greater constitutionality than simple legislation on our books. Therefore, there is no supreme law that indicates that sittings of these joint select committees must be held in public. I think people need to do their homework before they talk out of turn.

Now, dealing with the instant matter, we on this side believe that the most appropriate forum and the most appropriate mechanism for enquiring into the practices and procedures of UDeCott is a select committee of the Parliament. We believe that it should be comprised of Members of this House and Members of the other place, in order to give the necessary broad spread of inputs into this committee, and to bring to bear the various expertise that exist in the two Houses.

There is ample precedent for this, and I do not need to belabour the point. It does not matter how sanctimonious the Members opposite may try to be and how pious and self-righteous they may attempt to be, we know that there is ample precedent for the appointment of joint select committees to enquire into ministries and agencies such as UDeCott.

In fact, I would not speak about this in any great detail, but it is a matter of public record that in 2001 when the first committees were established by the Members opposite, the Opposition PNM declined to participate in those committees,

and the government of the day proceeded to establish the committees nevertheless; both comprising Members of this House and also of the other place, and they proceeded to conduct the business of select committees without Members of—

Mr. S. Panday: Mr. Speaker, on a point of order, the Member is misleading the House.

Mr. Speaker: That is not a point of order. If it is that you are saying that the Member is deliberately misleading the House, you can file the appropriate Motion.

Mr. S. Panday: Okay, thank you.

Hon. C. Imbert: As I said, the committees were established without the Opposition on the committees, and they proceeded to conduct their meetings. Is the Member saying that they had no meetings? Did you have any meetings?

Mr. S. Panday: No.

Hon. C. Imbert: Okay, I stand corrected. I would be guided. *[Interruption]* Mr. Speaker, I reject that assertion of the Member for Princes Town North. The fact of the matter is that the government of the day was faced with exactly the same situation and proceeded nevertheless.

With respect to this particular matter, we have asked that the committee “be empowered to send for persons, papers and records; appoint specialist advisers to provide information and elucidate matters of complexity and...and that the meetings of this Committee shall be held in public”. I think it is necessary to put into the public record the true facts with respect to the concerns that arose with respect to the practices, operations and procedures of UDeCott.

The furore over the UDeCott—the bacchanal, the confusion or the concerns, whatever you want to call it—first arose because there was a point of view that UDeCott was operating without proper oversight and was operating at large, as it were, without any control by Cabinet and the ministry that is responsible for UDeCott and so forth. The particular problem arose with respect to the existence of hotel accommodation in the Port of Spain Academy of the Performing Arts. Mr. Speaker, it is necessary to deal with this issue, because many things have been said about this matter, and it is necessary to correct the record.

Mr. Speaker, from my own research, in terms of the historical antecedents of the design of the Performing Arts Academy in Port of Spain, and my own research in terms of the Cabinet approvals and the other regulatory approvals and so on with respect to this particular project, these are the facts as I know them to be.

Joint Select Committee
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My research has indicated that on January 19, 2006 the Cabinet approved financing arrangements with the Government of China for a US \$100 million loan to finance the establishment of two academies of the performing arts in Trinidad; one in Port of Spain and the other in San Fernando. So, on January 19, 2006, the Cabinet approved the financing arrangements for the US \$100 million concessional loan from China.

On January 20, 2006, the day following the Cabinet approval, an agreement was entered into by UDeCott and Shanghai Construction Company, detailing the responsibilities of the parties and containing a proposal from Shanghai Construction company which referenced a 60-room hotel and a project size of some 25,000 square metres or about 280,000 square feet.

So on January 19, 2006, the Cabinet approved financing arrangements with the government of China for the establishment of these two academies, and on January 20, 2006, UDeCott and Shanghai Construction Company entered into an agreement detailing the responsibilities of the parties.

On May 12, 2006, agreements were signed at a formal ceremony in Port of Spain where the Prime Minister was present in his capacity as Prime Minister and also the Minister of Finance at the time, Chinese officials, officials from the Ministry of Foreign Affairs, officials of the UDeCott and Shanghai Construction Company.

2.15 p.m.

On May 12, the formal execution of the agreements took place. The financing agreement signed by the hon. Prime Minister, in his capacity as Minister of Finance, defined the project, which would be the construction of two academies of performing arts, by the contract particulars in the agreement between UDeCott and Shanghai Construction.

So, the Prime Minister signed the financial agreement, which gave Trinidad and Tobago access to this US \$100 million, and in that financial agreement the project, which was being financed, was referenced as what is described in the construction agreement between UDeCott and Shanghai Construction, which had been signed on January 20, 2006. When you examine the construction agreement between UDeCott and Shanghai Construction, you see that the project had included a 60-room hotel. So, by May 12, 2006, all of the agreements had been signed and there was a clear understanding that there would be an approximately 60-room hotel contained within the Performing Arts Academy in Port of Spain.

With respect to the Performing Arts Academy in San Fernando, the agreement indicates that that would also contain hotel accommodation. That was the arrangement at the time in 2006, but there was no distinction as to the type of hotel; the size of the hotel and so on.

Further reinforcing the design parameters of this project, the Ministry of Planning, Housing and the Environment had indicated that as one of its major pillars in the Vision 2020 project—the first development pillar—to develop innovative people, that there would be a number of major projects that would be executed over a period of time between 2006 and 2020 to achieve a number of goals and objectives. And one of them was the development of innovative people, which involves the arts, as well as other matters involved in the development of our human resource.

In the Vision 2020 plan, there is a clear identification of a 59-room hotel within the Port of Spain Academy of the Performing Arts and also identification of another hotel in the San Fernando academy. Cabinet approved this plan, so this will now be the third time or the fourth time—

Mrs. Persad-Bissessar: What was the date of the programme?

Hon. C. Imbert: November 09, 2006 Cabinet approved the Vision 2020 plan, with a 59-room hotel in it. It is on page 59 of the Vision 2020 Operational Plan. That follows the approval on May 12, 2006 where the agreement contained the 60-room hotel. So, we started in January 2006, May 2006, and November 2006; there is a clear understanding and expression that contained within the Academy of the Performing Arts in Port of Spain, there would be a hotel. It is variously described as a 60-room hotel and a 59-room hotel.

On August 17, 2007, Cabinet approved the 2008 Public Sector Investment Programme (PSIP) and that included a provision of \$190 million for the continuation of the two performing arts academies; the one in Port of Spain and the one in San Fernando. Within the PSIP document, which was laid in this Parliament—because I have looked at all these documents myself—in the budget debate of 2007, there is a description of the two performing arts academies and included in that description, is the presence of hotels.

So, we have hotels being established as part of these two projects—January 2006, May 2006, November 2006 and August 2007—and it was laid in the Parliament. So, it is not just a question of Cabinet approval; it is not just a question of a Vision 2020 plan; it is in the Public Sector Investment Programme.

Mrs. Persad-Bissessar: How many rooms?

Hon. C. Imbert: Sixty rooms.

Mrs. Persad-Bissessar: PSIP page?

Hon. C. Imbert: No, no, the PSIP does not tell you about the rooms; the PSIP gives you a provision of \$190 million for the continuation of the construction of the two performing arts academies with the hotels. *[Interruption]* Yes, with the hotels. In August 2007, as I indicated, the 2008 PSIP was laid in the Parliament, indicating clearly that there were hotels in the two academies; one in Port of Spain and one in San Fernando.

To answer the question of the hon. Member for Siparia—who is just being facetious, in my opinion—as I indicated, within the Vision 2020 plan, it says a 59-room hotel; within the construction agreement between Shanghai Construction and UDeCott, there is a 60-room hotel. In the PSIP, there is a reference to hotels. If you wanted the plans for the hotel to be laid in the PSIP, we would see if we could accommodate you on the next occasion that we have a Public Sector Investment Programme document in this Parliament.

Mr. Maharaj SC: We would ask you for some other document; if you do not have it, I will give you a copy.

Hon. C. Imbert: No problem. The question of a hotel appearing within this project—*[Interruption]* no, I am dealing with the facts—also is available in the public domain in a series of websites. It is on the Ministry of Finance website; Ministry of Planning, Housing and the Environment website and the UDeCott website.

Mr. Speaker, it is necessary to put these facts into the public domain, because in all of this there has been a lot of uninformed speculation particularly by certain elements in the media, with respect to the number of approvals and the process by which the designs for the performing arts academy evolved, and it is necessary to correct the record. The Members opposite can make whatever interpretation they wish to make of this, but it is necessary to correct the record.

The other allegation that followed after that; I heard some media personality screaming on the radio about this—

Mrs. Persad-Bissessar: What you have with the media today?

Hon. C. Imbert: "Yeah, yeah, yeah" I heard them screaming and it is necessary to say these things. There are certain media personalities who scream;

they scream every afternoon on the radio; they shout and scream. I heard them myself shouting and screaming about the alleged non-existence of the hotel in the performing arts academy; it is necessary to say so.

So, the next allegation—after the allegation about the non-approval of the hotel was addressed—was that UDeCott had unfettered access to public funds and was loose in its operations. [*Interruption*] One of the reasons we are seeking the establishment of the Joint Select Committee is to deal with precisely that allegation, because we are certainly not dealing with the hotel in the academy, because I have enquired into that. [*Interruption*] Yes, that is all right. Mr. Speaker, I see the hon. Chief Whip wants to tell me what to debate. You cannot tell me what to say.

Hon. Member: Call the name of the person.

Mr. Speaker: Order!

Hon. C. Imbert: Mr. Speaker, having addressed that matter, the next issue raised in the public domain are questions regarding the processes, procedures, procurement practices, operations, manner of exercise of its powers, performance of its duties and responsibilities; method of functioning, and so on, of UDeCott. I am reciting here from the Motion, because we are asking this House to examine the processes, persons, administration functions, et cetera of UDeCott to deal with precisely this allegation that UDeCott has unfettered access to public funds and is loose in its operations.

From where I sit in the Cabinet, Mr. Speaker, I can tell you from my own experience, that from time to time, UDeCott will seek the permission of Cabinet—as it is required to do, through its line Minister, like any state enterprise that is engaged in the management of projects for the Government—for financing; for the execution of projects; for the management of projects; for variations to projects and so on.

It is easy for the Members opposite to make wild allegations, but I can tell you that from what I see, whenever UDeCott requires financing and approval for something, that requires Cabinet approval, it approaches the Cabinet through its line Minister. There have been a series of Cabinet decisions with respect to financing of UDeCott projects and the design parameters for the UDeCott projects; the scope of works; terms of reference and variations to the scope of works. There have been reports on reasons for delays on projects and all sorts of things that I can tell you, with the permission of the Prime Minister, of course. I am speaking in a generic fashion with respect to UDeCott.

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I do not accept the allegation that UDeCott is loose and out of control and so on, but that will be borne out by the enquires of the Joint Select Committee of Parliament.

I also think it is necessary to put on the record the facts with respect to the alleged work stoppage on the Performing Arts Academy. Again, I saw a report in a newspaper that work had stopped on the Performing Arts Academy following the exposé in the media.

I also saw allegations that there was poor material being used on the project, specifically steel. Let me deal with the facts. I, myself enquired when I saw the story in the newspaper; it was given blazing headlines that work had stopped. I, myself checked on it and I saw Chinese workers on the site, so I thought to myself, well how is this possible if this project has stopped. It turned out that the day in question, was one of the most important public holidays in China, it was May Day—[*Crosstalk*]

Mr. Speaker: Order!

Hon. C. Imbert:—which is known all over the world as International Labour Day and since the Peoples' Republic of China had come into office based on a labour platform—the rights of the workers and so on—May Day is one of the most important Chinese public holidays and this particular day happened to be May Day. So therefore, the workers were given some time off, as is their custom, to celebrate and observe May Day. So, the work had not stopped and that report was both untrue and mischievous. [*Interruption*] The work resumed the following day.

With respect to the defective steel, what happened was that a shipment of steel was on its way from China; the shipment was delayed and in order not to delay the project, the contractor and the project managers on the academy project decided to use locally available steel to replace the steel that was on the water on its way to Trinidad. The investigations into the quality of the steel were investigations into the quality of the local steel, not the foreign steel. [*Laughter*] So, once again, because the Chinese contractor—you have to understand this is a design build project and you could laugh but a lot of the problems in the local construction sector have to do with the fact that the manner in which construction is done in the local sector, does not result in the best value for money to the total benefit of the population.

2.30 p.m.

In the Academy for the Performing Arts the approach that is being used is the turnkey approach or in layman's terms, the design/build approach. Turnkey means

all in, and it means that the contractor will do everything; the contractor will do the necessary site investigations, will do the design of the project and will construct the project. And this particular project, the Academy for the Performing Arts is being done on a turnkey basis—

Hon. Member: Like the Brian Lara Stadium.

Hon. C. Imbert: No, that project is not being done on a turnkey basis.

Mr. Manning: That is the point. [*Inaudible*]

Hon. C. Imbert: That is a very good point, that project is not being done on a turnkey basis.

Mr. Manning: And that is what caused it, that.

Hon. C. Imbert: You see because Shanghai Construction is responsible for both design and construction, you cannot have a situation of the contractor blaming the consultant and the consultant blaming the contractor, because they are one and the same. [*Interruption*] Because the contractor has to guarantee the quality of the work that he has designed it was necessary for Shanghai—there was steel from China or wherever it was coming from, the shipment was late, they had to use local steel, and in order to ensure that the local steel was at least of the same standard as the project required they had—to investigate the local steel, but somebody turned that around into the Chinese are using inferior steel from China on the project. Nothing could be further from the truth. Mischief! A lot of mischief in the system. [*Interruption*] The persons who are spreading this mischief they know better.

Hon. Member: Why are you bad talking “Rowley” so? [*Inaudible*] [*Laughter*]

Hon. C. Imbert: Mr. Speaker, I also saw a programme on television where the Minister of Planning, Housing and the Environment and the Minister in the Ministry of Finance appeared on a television station on an evening programme and I saw a number of allegations being made with respect to a number of projects, and allegations were made by the moderator or the presenter that a number of UDeCott projects had not been tendered. This was the clear allegation made.

Let me go through now the specific projects: It was alleged that the contract for the Beverly Hills Project was awarded to a particular contractor and that that contractor was not the lowest bidder. From the information that I have, from the documents made available to me, there were three contractors that tendered on this Beverly Hills Project, the lowest tender was \$30.4 million, the second tender

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was \$31.5 million and the highest tender was \$32.7 million. The fact is that the contractor that tendered the lowest, \$30.4 million was awarded the contract. So the allegation that was made on that television station, that for the Beverly Hills Project, UDeCott had not awarded the contract to the lowest bidder, was untrue. Not true!

The Ministry of Legal Affairs Tower: Again, an allegation was made with respect to the integrity of the tendering process on that project. On that project there were six bids: one for \$301 million; one for 346 million; one for \$368 million; one for \$381 million; \$383 million and \$408 million. After examining all the bids, UDeCott determined that the first contractor was already extremely busy on a number of other projects, as was the second contractor, they were out to full capacity; the workload of these two contractors was so substantial that the view was that they did not have the necessary capacity to take on another major project and therefore the bid was awarded to the third lowest contractor.

Hon. Member: That was the corruption. [*Crosstalk*]

Hon. C. Imbert: It will come, it will come—

Mr. Speaker: Order!

Hon. C. Imbert: Mr. Speaker, there is nothing secret about all of this.

While we are on that, and I want to repeat something that I said, people are just getting involved in uninformed speculation. I had the misfortune to see correspondence from as responsible an organization as the Chamber of Commerce. I saw it last week.

Hon. Member: Attack them.

Hon. C. Imbert: I am going to state the facts! You can interpret it how you wish. I saw correspondence coming from the Chamber of Commerce to the Ministry of Finance, and a clear statement made that one of the things that is bothering the Chamber of Commerce is that the Urban Development Corporation is awarding contracts willy-nilly, is awarding contracts without tenders and so on. A number of projects were listed: the Ministry of Education building; the Ministry of Legal Affairs building; the UTT Signature building; the eTecK building and so on.

In all of the cases, bar one, which is the Academy for the Performing Arts, where it was part of a financial arrangement with the Government of China, concessional financing through their Exim Bank which requires the use of Chinese contractors and Chinese consultants and so on, as part of the process—anybody who has done anything to do with finance will know that once you are

dealing with Exim Bank financing at a rate of 2 per cent with a moratorium of five years and so on, which is what is occurring on that Academy for the Performing Arts, it comes with conditions. Once you have Exim Bank financing, whether it is from Trinidad and Tobago—we do it—whether it is from France, whether it is from England; one of the conditions is the use of goods and services from the host country.

So the only project where there was not competitive tendering in Trinidad and Tobago was the Academy for the Performing Arts, because it is part of Exim Bank financing. But every other project: the UTT complex, the Ministry of Legal Affairs Tower, the Ministry of Education Tower; every single one was tendered and this fact was in the public domain. Yet you have a responsible organization like the Chamber of Commerce stating categorically that these projects were not tendered and this is a reason why they are insisting on an enquiry into the Urban Development Corporation. *[Interruption]*

A lot of uninformed speculation, *[Interruption]* uninformed speculation and it is necessary for me to come to this Parliament today and to deal with these issues. There is much more to this issue than meets the eye. Far more than meets the eye. *[Interruption]* Far more to this matter than meets the eye, there are all sorts of things going on in Trinidad and Tobago and it is clear to me when I listen to the noises outside there; when I listen to the interest groups; when I listen to the persons and I see the persons who are making noise, they are certainly not neutral, impartial, and patriotic or anything like that. Certainly not! *[Interruption]* Every single one and I want to make it clear that I am talking about interest groups. I want to make it absolutely clear because there are some people who do not understand *[Interruption]* the English language, a group is comprised of at least two persons. *[Interruption]* If they used to read the Bible they would understand that. Okay? That a group is comprised of at least two persons.

Mr. Ramnath: Do not mess with people like that, rogue like you. *[Laughter]*

Hon. Member: Oh no.

Hon. C. Imbert: I see utterances from all sorts of interest groups—

Mr. Ramnath: Use proper English “nah”.

Mr. Speaker: Order!

Hon. C. Imbert:—with respect to *[Interruption]* the calls for an enquiry and so on into UDeCott, but in each case *[Interruption]* each one of them has an axe

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to grind. Each one of them is in a dispute, a contractual dispute, whether it is over their own performance, whether it is over their own incompetence—and I am not afraid to say that—whether it is over monopolistic tendencies, whether it is over cartels that may exist in the sector and so on.

Hon. Member: Have a commission of enquiry.

Hon. C. Imbert: Each one of these noise makers has an axe to grind. Each one of them wants the status quo to remain. [*Interruption*] Each one of them is uncomfortable with the situation that currently occurs where the Government is moving to make contractors responsible and accountable for projects, so that the people of this country will get value for money, because at the root of all of this is value for money. At the root of all of this is the timely delivery of projects; at the root of all of this is access for everyone, for every citizen in Trinidad and Tobago, to the economy; at the root of this is access for everyone to the economy, and not some little group, some little cartel, some little cabal, some little monopolistic grouping.

Mr. Ramnath: You are not talking about Junior Sammy there?

Hon. C. Imbert: So, we have come to this House today to deal with a number of issues and we have come to ask the Parliament to agree with us to establish a joint select committee of Parliament.

Mr. S. Panday: You have not consulted us.

Hon. C. Imbert: I have a lot of time, you know. I have 75 minutes. [*Crosstalk*] I have only just begun.

Mr. Speaker: Hon. Member opposite, you are giving a running commentary while the Member is presenting his Motion. We have a Hansard reporter who sits directly opposite you and it must be difficult for her. Please!

Mr. Ramnath: We have to move her from there. [*Laughter*]

Hon. C. Imbert: Mr. Speaker, there is so much uninformed commentary outside there and some of it is purely mischievous. At a press conference last week we made the point that on a number of Government projects the contractor is months behind schedule and when you examine the root cause of the problem they blame the consultants. When you ask the contractor, why are you behind schedule? He says, “It is the consultant fault, the designs are not complete, they made 1,000 changes, 1,000 variations to the designs, the soil information was bad” and all sorts of things but they are blaming the consultants.

When you go to the consultants, the consultants say it is the contractor, he cannot read drawings properly, he is incompetent, he cannot do his work, he does not have the financial capability, he does not have the human resources, he does not have the equipment, he does not have the experience. So, while all of this is going on, while the contractor is saying it is the consultants' fault, the consultants are incompetent and not providing the information and the consultants are saying the contractor is incompetent, he cannot do the work, he is not capable of doing the work and so on, what happens? The public of Trinidad and Tobago suffers.

When a project is two years behind schedule because of a squabble between contractors and consultants—and people need to understand it is not Ministers that do engineering drawings, you know, not Ministers that do architectural plans; we do not do bills of quantities; *[Interruption]* we do not invite and evaluate tenders; we do not manage and supervise projects. *[Interruption]* What has to happen in this situation, people have to be honest and if they do not want to be honest they will have to be made to be honest. *[Interruption]*

Let me use a typical example: I had the honour and privilege to turn the sod or to commence, to officiate at a ceremony for the restoration of Queen's Royal College sometime ago. The start date was January 15, 2007 and the contract completion date was April 14, 2008, so if that project has been done properly the restoration of Queen's Royal College would have been completed.

Hon. Member: Who is that, the Chinese?

Hon. C. Imbert: Not at all! Not at all, no Chinese here at all. *[Interruption]* What we have in this situation is that as of today, which is beyond the contractual completion date, only 60 per cent of the work has been completed and 40 per cent of the work remains to be completed. I asked the staff at the Ministry of Works and Transport to briefly summarize for me what are the problems. What caused this? Slow progress by the contractor as reported by the consultant, indicating the contractor's inadequacy in the following areas:

- inadequacy in methodology and working on historical restoration;
- inadequacy in appropriate skill levels;
- inadequacy in manpower resources;
- inadequacy in management capabilities;
- inadequacy in material procurement.

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So the consultant is saying that the contractor does not know what he is doing, he does not have the appropriate resources and he does not have the management capabilities. The consultant is saying that about the contractor.

Mrs. Persad-Bissessar: How were they selected?

Hon. C. Imbert: What does the contractor have to say about the consultant: When you ask the contractor what is your story? The contractor says, "You do not have the proper human resources, you do not have the proper management, you do not know what you are doing."

2.45 p.m.

Mr. Speaker, hear what the contractor had to say, "The consultant changed the specifications and the general nature of the restoration work; the consultant increased the scope of the project." So what happens with QRC? Everybody on this project is local: local contractor; local architect; local structural engineer; local project manager; local mechanical engineer; local electrical engineer. [*Interruption*]

Mrs. Persad-Bissessar: Local Minister!

Hon. C. Imbert: Yes, that is true.

When I officiated at the commencement of this project, in my speech I warned the contractors and consultants. I indicated to them that there was a history in Trinidad and Tobago where projects were not completed on time; they were not completed within budget. All sorts of reasons were advanced for the incomplete nature of the works. The contractor blames the consultant; the consultant blames the contractor, while the public watches on.

I warned them. I pleaded with them to make sure that the Queen's Royal College Restoration Project did not fall into that category; that the designs would be completed; that the contractor would mobilize his resources; would do his work diligently and that the work would be completed on time and within budget. I said, "Let us make this project a shining example of how local consultants and contractors can work together for the betterment of Trinidad and Tobago." What are the facts? The entire construction period has elapsed and only 60 per cent of the work done; contractor blaming consultant, consultant blaming contractor; and it now appears this project may be finished in December 2008 or in 2009; God alone knows. That was an example.

You asked what the role of the Government was. Under the conditions of contract, if it is proven that the consultant has not managed the project properly, there is very little you can do. So you put your fate in the hands of these

professionals; you ask them to do a good job, and then at the end of the job you discover that you cannot fire them; it is not as simple as that. If, in fact, the consultants had incomplete designs; if, in fact, they made a number of variations and changes; if, in fact, they changed the scope of works, then the contractor is justified to claim that he has been unable to complete the job within time or budget. *[Interruption]*

It is not so simple, Member for Siparia; you as an attorney should very well know that. This is a legal quagmire. This is why the Government is moving to design/build, so that the designer and builder are the same entity. *[Crosstalk]* So you would not hear, "Is de contractor fault; is de consultant fault."

I used a good example of the fiasco that took place with the Churchill Roosevelt Highway between Arima and Wallerfield. Anybody who has to drive up to East Trinidad would have seen the fiasco that took place with respect to that highway construction project, where the work was literally abandoned.

Mr. Ramnath: You picked your friends!

Hon. C. Imbert: It was literally abandoned for one year.

I hear the Member for Couva South saying that the reason is because we picked our friends. Nothing could be further from the truth. For that project, Member for Couva South, tenders were invited and the contract was awarded by the Central Tenders Board, not by the Government; not by this Minister; not by anybody on this side. It was awarded by the Central Tenders Board; both for the consultants and the contractors.

You looked and saw nothing going on for a year. The public was complaining that they had all this inconvenience on the highway; that they saw huge mounds of earth; they saw a backhoe every now and then scraping around the side; they saw two men here and maybe a loader over there. For a year, nothing was happening. The Ministry of Works and Transport decided that it was necessary to take action, to enforce its rights under the contract and terminated the contract.

Mrs. Persad-Bissessar: What is the relevance?

Hon. C. Imbert: What happens? I will bring in the relevance, Mr. Speaker. The Member for Siparia wants to know about the relevance. I am talking about the persons who are making the noise outside there; the persons who are demanding an enquiry into UDeCott on this particular project. When the Ministry of Works and Transport eventually exercised its rights and terminated the contract—or in local parlance "fired the contractor", if you want me to put it that

way—we got a 100-page document from the contractor. One hundred pages of the mischief of the consulting engineer; that was what the contractor said. The contractor said, "I could not do this job, because I did not get survey levels; I did not get engineering designs; the drawings were badly done; I could not do the job, because the engineer refused to give me the information necessary to do the job; I just had to sit there and wait on the engineer to provide me with the information."

Mr. Ramnath: Who were the contractors?

Hon. C. Imbert: It is not, "Who were the contractors?" It is, "Who were the consultants?"

The consultants were a firm of engineers. One of the principals in that firm, who is now being cited by the contractor as being responsible for everything that has gone wrong on that project, is a former President of the Association of Professional Engineers. I saw a press conference with all these gentlemen around a table, every one of them making noise; as I looked, I saw a particular individual. *[Interruption]*

Mr. Ramnath: Emile Elias.

Hon. C. Imbert: He is an engineer; he is a professional man; he is not an unprofessional man.

I see this particular individual, sitting at the table most boldly demanding an enquiry into UDeCott; this individual who is a principal of the firm and was actively in that project that was a total fiasco. As we in the Ministry try to reconstruct the documentation, there are huge gaps in it. It is going to be very, very difficult for us, as the client.

Dr. Gopeesingh: Why did you not monitor it all the time?

Hon. C. Imbert: I hear the Member for Caroni East saying something. He just does not understand, or maybe he does understand and is trying to be too clever.

The point I made was that under the contractual arrangements in these projects, the traditional approach, the person who gives instructions to the contractor, the person who supervises the contractor, the person responsible for management of the project, is the consulting engineer; not the Minister; not the Government; it is the private sector engineer who has been given the contract by the Central Tenders Board to supervise the contractor, who was also given the contract by the CTB. The only thing the Government does is pay the money; that is all we do. *[Crosstalk]*

I am making this point because when I hear these interest groups making these noises, they are as guilty or more guilty than anything that I have seen in terms of the documentation before me. [*Crosstalk*] I know what I am saying. They are as guilty or more guilty in terms of incomplete designs; in terms of poor supervision and poor management of projects; in terms of incompetent management of projects.

Dr. Moonilal: "It must have a press conference tonight."

Hon. C. Imbert: That is all right. In terms of variations without the client's approval; in terms of not handling matters properly, they are as guilty or more guilty than what I have seen of the document before me.

Mrs. Persad-Bissessar: As guilty and more guilty than whom? [*Crosstalk*]

Hon. C. Imbert: Than UDeCott; listen to what they have accused UDeCott of: not doing designs properly; not supervising projects properly; not managing projects properly; proceeding without regulatory approvals, and being a law unto themselves. Those are the accusations at the doorstep of UDeCott.

When I look into that Churchill Roosevelt Highway project, what do I see? I see incomplete design; I see poor supervision; I see poor management, et cetera. It is extremely difficult to take these persons seriously. However, this does not mean that we as a government—[*Interruption*] [*Crosstalk*]

Dr. Gopeesingh: You are licking up your Prime Minister's best friend, Harry Ragoonanan.

Mr. Speaker: Order!

Hon. C. Imbert: We intend to be responsible. As a government and as a politician, and I am sure as hon. Members opposite who have experience, you have to filter the noise. There is a lot of noise outside; you have to filter the noise and see if within the noise there is anything of substance that would warrant an enquiry or investigation. [*Crosstalk*]

We on this side are satisfied that it is necessary to have an investigation into UDeCott. That is why we have come before the Parliament today in terms of asking for a select committee to enquire into UDeCott.

You must ask yourself: Why is the focus on one organization?

Hon. Member: \$30 billion!

Hon. C. Imbert: That is the reason? If UDeCott has done anything that requires action on the part of the Government, I would be the first to insist that such action be taken.

Mr. Sharma: Nonsense!

Hon. C. Imbert: Mr. Speaker, hypocrisy is not the correct word. If we are going to investigate UDeCott, then we need to investigate everybody who works on UDeCott projects.

Hon. Members: Why not?

Hon. C. Imbert: You want to investigate this project and that project; you want to investigate the Performing Arts Centre; we need to investigate the Customs building; we need to investigate the Government campus; we need to investigate the Scarborough Hospital; if you want to investigate UDeCott. [*Crosstalk*] I am glad that you agree.

I am hoping that this joint select committee that is going to investigate UDeCott, understands its mandate. I expect that we would have full participation from hon. Members opposite, after all those statements that they made in 2001 and so on. [*Crosstalk*]

Mr. Speaker: Order!

Hon. C. Imbert: I did not bother to bring the *Hansard* with me, but I will get it if the Member for Tabaquite wishes to challenge me. After reading the *Hansard* record of the Member for Tabaquite, the same situation arose where the then Opposition PNM said that it was unwilling to participate in the JSCs because we felt that there were too many of them.

The Member for Tabaquite said, "Doh worry, we will go on without you."

Mr. S. Panday: Go on without us!

Hon. C. Imbert: What I found so interesting about that was when I saw an exchange between the Member for Diego Martin West, it is in the record, and the Member for Tabaquite, over the composition of the committee, the fact that a government minister would have been chairing the committee and the fact that the government had a majority on the committee. That was in 2001. I saw an exchange between the hon. Member for Diego Martin West and the then Attorney General, with respect to these committees. [*Crosstalk*]

The hon. Member for Tabaquite spared no mercy condemning the PNM for daring to raise those issues, that a government Member would chair the committee; that the government had the majority. I remember his words. He said, "In England and in all the Commonwealth jurisdictions, it is a fact of life that the government will have a majority on these parliamentary select committees." He was most eloquent in his speech.

The Member for Tabaquite can correct me if I am wrong. He was the Member for Couva South then. He was most eloquent, when I read it, saying that all over the world those select committees of Parliament that enquire into government departments and enquire into state corporations, as a matter of right, had a majority of government members. The Member for Diego Martin West protested about that situation; that there would be a majority of government Members and that the committees would be chaired by a government member. He was actually told to take his seat by the then speaker, deceased Hector McClean. He was warned by the Speaker.

3.00 p.m.

He was warned by the Speaker that he was out of order and that the Speaker would not tolerate any more interruptions from him, and all the Member for Diego Martin West was saying at that time was that the Member for Tabaquite was declaring that it is normal; it is traditional; it is conventional, all over the world for these select committees to have a majority of government members and to be chaired by government members. It is there in the *Hansard*.

So that when I saw earlier this week, the Member for Tabaquite carrying on about, he does not think a joint select committee is appropriate because there will be a majority of Government Members, I had to laugh, because it is exactly the same position that he pushed through this Parliament in 2001. I would probably use the famous words of the Member for Chaguanas West: “Yesterday was yesterday and today is today.”

Dr. Moonilal: And today you want a ticket; you want 100 tickets.

Hon. C. Imbert: Mr. Speaker, that could be the only explanation. So all those words uttered by the Member for Tabaquite are hollow, empty. When I saw him this week declaring that these committees will have a majority of Government Members and it is a toothless bulldog—empty, hollow words. We raised that with him in 2001 and he dismissed that as nonsense. That is what happened in 2001.

We believe that a select committee is an appropriate instrument. That is what the Parliament is for. The Parliament is designed for its Members to enquire into Government departments. Select committees are designed for the Parliament to enquire into the operations of ministries. It is so ironic. Look at what he is saying: Select committees are designed for the Government to hide the truth. You did not say that when you came into this Parliament in 2001 and you railroaded through that improper amendment to the Constitution where you established joint select

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committees with a simple majority, with a majority of government members, with government members chairing them. He did not say that then. That is all right; that is okay. [*Crosstalk*]

Mr. Speaker: Order!

Hon. C. Imbert: But, you know, all those people who are making noise about UDeCott, let me give you an example of the kind of problems that we in the Government face. The Ministry of Works and Transport building, as people will know, is at the corner of London and Richmond Streets, so that I had a bird's eye view in July 2006 when the scaffolding collapsed at the customs building in the Government campus—a bird's eye view.

Mr. S. Panday: You going for Elias.

Hon. C. Imbert: No, I am simply telling you the kind of problems that the Government has to deal with, with respect to the traditional approach to these projects. Consultants blame contractors; contractors blame consultants.

Mr. S. Panday: You are grinding your own axe now.

Hon. C. Imbert: No, no. I think it is necessary for the public to understand what happens on these projects. So I had a bird's eye view when the scaffolding collapsed on the customs building. I could see it outside my window. The project was going a bit slowly before the scaffolding collapsed, but after the scaffolding collapsed, the project came to a dead halt and did not resume for some considerable time. Now, when I look out my window I see two men on scaffolding on top, putting on one piece of glazing; another fellow around the corner, putting up a piece of cladding. I have been looking at this now for more than one year, because the scaffolding collapsed in July 2006.

The project, as far as I know, was supposed to be completed in 2007. We are now in May 2008 and the project has not been completed and I enquired into this project and I asked what the problem was; what happened here. And the response that I got was that the contractor found himself in a new environment. After the scaffolding collapsed, the contractor found himself in a new environment and had some difficulty in adjusting to the safety requirements of that project and the project is now more than six months behind schedule.

I think it is necessary and I am going to lay this in the Parliament—

Mrs. Persad-Bissessar: What is that?

Hon. C. Imbert: I am going to give it to you. It is the Final Report on the Scaffolding Collapse Evaluation, Customs and Excise Building, Port of Spain, Trinidad, prepared by Genivar, August 2006.

Mr. Manning: You have more reading to get.

Hon. C. Imbert: You see, you say investigate UDeCott. Well, let us investigate everything to do with UDeCott—

Mrs. Persad-Bissessar: Well, set up the commission of enquiry.

Hon. C. Imbert:—because I want to know how did UDeCott allow a situation to occur with respect to what I am now going to read, on this project. I want to know! I will ask the joint select committee to tell me how did this happen! How did this scaffolding collapse, on the customs building? Because UDeCott is responsible for that project. You see, there is a tendency in this country to blame the Government for everything.

Mrs. Persad-Bissessar: Who is to blame; UDeCott; Calder Hart?

Hon. C. Imbert: I do not know. You draw your own conclusions. I am not going to draw any conclusions for you.

I am also going to lay in the Parliament the Structural Assessment Report done by the designs engineering branch of the Ministry of Works and Transport in October 2006 on the Collapse of Scaffolding at the Site of the New Customs and Excise Building, Government Campus, Richmond Street, Port of Spain. But just to tell you that I want to know—

Mr. Ramnath: It should be an OSH report, not your Ministry.

Hon. C. Imbert: No, we reported to OSH on this. Just to assist the Member for Couva South, this is part of a series of reports that were sent to the Occupational Safety and Health Authority. The terms of reference of this study done by the—

Mr. Ramnath: It is a bogus report.

Hon. C. Imbert: It is a bogus report? I see. The terms of reference of the study, the Structural Assessment Report, done by the designs engineering branch of the Ministry of Works and Transport—

Mrs. Persad-Bissessar: The date?

Hon. C. Imbert: October 2006. The terms of reference to investigate the collapse of the scaffolding with a view to determining the likely causes of the

failure of the structure. The methodology involved the visual inspection—How much time do I have again?

Mr. Speaker: You have eight more minutes.

Hon. C. Imbert: The methodology involved the visual inspection of the debris, the area where the collapsed scaffolding was erected, material sampling, engineering study and examination of specifications and standards and interviews of persons who either witnessed, who were on the structure or in the building at the time of the collapse. I will just give a summary of some of the findings.

There appeared to be a lack of adequate bracing in the outer frames of the structure; no bracing whatsoever on the inner frames of the structure; the bracing that was erected was not connected at the same load points as the ledgers and transoms; the ties at roof's levels were not secure; the ties at roof levels were being removed as the glazing for the solar panels were being installed; there was a lack of base plates; there was evidence of significant corrosion; there was inappropriate welding done to the scaffolding.

Mr. Ramnath: Who were the scaffolding contractors?

Hon. C. Imbert: I do not know. That is for you to figure out. The conclusions of the Ministry of Works and Transport are that the failure of the scaffolding was due to a combination of the following: a lack of adequate bracing; a lack of adequate tie back members; the use of a less secure anchorage system; an improper method of anchoring or tying the structure to the building frame; lack of base plates; adverse changes in component properties caused by corrosion, and so on.

This is the Ministry of Works and Transport's report on the reasons the scaffolding collapsed.

Mrs. Persad-Bissessar: Who was responsible for that?

Hon. C. Imbert: One of the noise makers.

Mr. Manning: I will tell you.

Hon. C. Imbert: Let us go now to the report from Genivar. I will go straight to Genivar's conclusions. This is another expert report: The quantity of tie ends was insufficient; many of the connections showed brittle failure; vertical poles showed ductile behaviour. [*Interruption*] You are calling names, not me.

When you look at the information from Genivar: the sway bracing was installed in one direction only; no internal bracing was provided; the combined

observation suggests insufficient bracing, resulting in a shaky scaffold with little internal rigidity. The lack of bracing is presumed to be one of the major factors contributing to the catastrophic collapse.

So whose fault is that?

Mrs. Persad-Bissessar: Tell us.

Hon. C. Imbert: What do these reports tell you? They tell you, the material was inferior; they tell you it was not erected properly; they tell you it was old; they tell you there was no bracing. What happened there? Persons were seriously injured. A man lost his leg. This is no laughing matter. It is clear from these reports that there were a lot of defective workmanship, inferior materials, improper workmanship, and so on, on this site. Whose fault is that?

Mrs. Persad-Bissessar: Tell us.

Hon. C. Imbert: Is it the Government's fault that the contractor used inferior materials?

Hon. Members: Yes!

Hon. C. Imbert: Is it the Government's fault the contractor did not put adequate bracing?

Hon. Members: Yes!

Mr. Speaker: Order?

Hon. C. Imbert: Is it the Government's fault the scaffolding was not put up properly?

Hon. Members: Yes.

Hon. C. Imbert: Is it the Government's fault the scaffolding was almost 20 years old? That is the Government's fault?

Hon. Members: Yes!

Hon. C. Imbert: It is not the contractors fault? I see. Well, I think we need to enquire into that, because, you see, when these noise makers; they are so sanctimonious when they talk, you would think that they have never done anything wrong in their lives. The way they walk about this country—these noise makers walk about this country as if they are holy men! Paragons of virtue! Patriots!

I have just read out information which indicates serious negligence and I think this is something that we need to enquire into, and when we establish this joint

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select committee, we need to enquire into construction practices of UDeCott; the construction practices utilized by contractors, utilized by UDeCott. We need to enquire into the professional conduct of consultants utilized by UDeCott.

Mr. Ramnath: And the role of the Government.

Hon. C. Imbert: Yes, what is the role of the Government; what is the role of the public; where is the accountability for all of these problems in the construction sector. I am asking that when we establish this joint select committee of Parliament, that it be given a very broad mandate and it enquire into all aspects of UDeCott projects and all persons connected and associated with UDeCott projects; consultants and contractors, so that finally the public will understand the truth with respect to the way certain groups and individuals operate in the construction sector with respect to UDeCott projects.

I beg to move.

Question proposed.

3.15 p.m.

Mr. Speaker: Before I call the hon. Member for Tabaquite, I want to alert Members on the Opposition Benches to Standing Order 33(1). Whilst it is normal in Parliament to have a little crosstalk, one must not engage in running commentary. May I tell you that the parliamentary behaviour of both the Member for Tabaquite and the Member for Chaguanas West has impressed me very much. I will say no more.

I call on the hon. Member for Tabaquite. [*Desk thumping*]

Mr. Ramesh Lawrence Maharaj SC (Tabaquite): Mr. Speaker, I rise to make a contribution on this debate which I think is probably one of the most important debates this Parliament may have in the life of this Parliament for this term of the Government.

As I listened to the hon. Member for Diego Martin North/East, I was convinced that this hon. Member did not seem to understand the purpose of this debate. [*Desk thumping*] The hon. Member for Diego Martin North/East behaved as if this was the commission of enquiry or the Joint Select Committee hearing. That is not what this Motion is about. As a matter of fact, he made a very revealing statement when he said that the private sector is as guilty or more guilty than UDeCott, he was admitting that UDeCott from the Government's point of view was guilty of misconduct. [*Desk thumping*] Therefore, the issue having

regard to the misconduct of UDeCott which the Government has admitted to, whether having a Joint Select Committee of Parliament was the appropriate machinery and mechanism for discovering the truth.

In the Motion filed in his name, he talked about the Government considered it necessary to establish the truth. The question which arises is: Is the Government seriously interested in establishing the truth with a joint select committee of Parliament in which the Government's Members—we will come to that later—among other things have decided issues in this matter. [*Desk thumping*] This is not a joint select committee hearing in which under the Standing Orders and the Constitution, the committee is looking at administration policy, et cetera.

This is in relation to where the information that has been published has shown and some of the information that I will give today in this honourable House will show and the question arises: Is there a pattern of bid rigging in UDeCott? Is there a pattern of the manipulation of the evaluation of bids in UDeCott? Has UDeCott disregarded its tendering procedures? Has there been manipulation, or proper pre-qualification process to companies so that they may be able to tender? Has there been overruns and in those overruns, has the contractor accepted the responsibility for the overrun, but the Government has spent millions of dollars in order to finance the contractors' overrun? Have there been conflicts of interest and official corruption?

The Government has to convince the Parliament and the national community, that a commission of enquiry is not the proper mechanism to discover the truth. Why is the Government hiding from a commission of enquiry? If the Government knows that there is nothing to hide, why is it hiding from a commission of enquiry? That is the issue. The Government has admitted that a public hearing is necessary in this matter. The Prime Minister made a statement and said a public hearing by a joint select committee. Therefore, he knows there are factual matters which exist which necessitate a public enquiry. The issue is not to attack the private sector. You may not agree with the private sector or their concerns, but they believe that they have raised legitimate concerns. Therefore, you cannot be arrogant and dictatorial. You cannot say that you have the majority in government and you could do what you want. You were on this side of the House when I was sitting there as Attorney General.

When questions arose about overspending and breach of tendering procedures, you, the hon. Member for San Fernando East; the hon. Member for Diego Martin North/East and the hon. Member for Diego Martin West stood here and said that the public must not be short-changed; there must be a commission of enquiry.

Why are you running now from it? What do you have to hide? Mr. Prime Minister, what do you have to hide? [*Desk thumping*] Is there something to hide? Since you got into office as Prime Minister, from 2002—2007, you appointed five commissions of enquiry. When there was the 18/18 and you were negotiating, you said that you wanted seven commissions of enquiry; that is 12. “Why yuh hiding? Why yuh afraid of it like jumbie?” Why are you afraid? You owe a duty to tell this population why you are afraid. I will probably help. I will help you today to make up your mind.

I will put this debate in a context of what has been happening in Trinidad and Tobago. There have been almost unanimous voices in our beloved country for there to be a commission of enquiry into the operations of UDeCott. Members of the public; the private sector; the trade union movement; individuals and groups including the business community believe that having regard to what they have brought to the attention of the Prime Minister—I have a folder in which I have filed the concerns which have been expressed to the Prime Minister from 2002—2007 in respect of UDeCott—have asked for an enquiry and a forensic audit. They have pointed out to the Prime Minister that there has been a lack of transparency and breaches of tendering procedures.

I will deal with facts today. In dealing with facts I would deal with some issues. In a short while I will deal with UDeCott and the Customs and Excise building and what happened in the tendering process by UDeCott with respect to that building. I also want to mention what a forensic expert said about UDeCott. I will deal with the Tarouba contract as it relates to the cricket aspect and the Ministry of Legal Affairs, Richmond Street project. Then, I will deal with why a commission of enquiry and not a joint select committee.

Before I deal with that, I want to put on record that we do not in any way doubt the effectiveness and importance of joint select committees. [*Desk thumping*] It is recognized that joint select committees deal with certain matters. These are matters which cannot be dealt with effectively and in the public interest with a joint select committee. I will come to that.

I want to read from a book named *Investigating Corruption and Misconduct In Public Office, Commissions of Enquiry, Powers and Procedures*.

Mr. Speaker: Author.

Mr. R. L. Maharaj SC: Sorry. The author is Peter M. Hall, Queen’s Counsel, 2004. Before I read the part I want to deal with commissions of enquiry I want to read to the Parliament so that the hon. Prime Minister would hear these

words and he may be reminded that in government public trust is the most important commodity. [*Desk thumping*] If the public does not have confidence in the government and what it does, there can be serious repercussions for the enjoyment of the rule of law.

You will see political history mentioned in another book I want to read to you, *Corruption and Government* in which when the public does not have trust and confidence in government, you would see what has happened in some other countries. I think that you are aware of it. The people take the law in their hands. The people decide to remove the government when they have lost confidence in the government.

In the preface to the this book, the author quoted very famous words, Confucius told his disciples Zo Kung—this is important because this case has a lot of Chinese elements in it—that three things are needed for government: weapons, food and trust. If a ruler can't hold on to all three, he should give up the weapons first and the food next. Trust should be guarded to the end. Without trust we cannot stand.

Mr. Prime Minister, without trust of the people in the Government, “yuh” cannot stand. I tell you that the way you are going, the people will compel a general election in Trinidad and Tobago. Within a year this Parliament would be constituted differently. You will not be sitting there. [*Desk thumping*] The Speaker might still be sitting there, but you will not be sitting there.

Mr. Ramnath: Not if I have my way. [*Laughter*]

Mr. R. L. Maharaj SC: Let me go to page 637. I will like the Prime Minister to pay attention. There was a famous case in Australia concerning commissions of enquiry. I will quote the case because you may want your Attorney General to look at it. It is Klauff and Libi 1905, Two Commonwealth Law Reports at 139, Griffith Chief Justice. Ten basic reasons for appointing royal commissions, that is a commission of enquiry or public enquiries have been identified included amongst which are the investigation of allegations or impropriety concerning an aspect of government and the resolution of public controversies about key issues.

3.30 p.m.

So it is normal, as you did in 2002—2007, whenever there is a matter which involves public disquiet and there is need to satisfy the population that the Government is not condoning the wrongdoing; that it is clean and that it is acting in the public interest, you do not appoint a committee comprising Government

Members, especially if they have a majority, to make a decision. You promote more lack of confidence and trust when you do that.

Let me go straight into the meat of this and deal with the first matter I wanted to deal with, that is the customs and excise building. Mr. Speaker, quite recently, a Canadian forensic auditor had cause to investigate and express an opinion in relation to UDeCott's dealings with the tendering process in respect of that building. The name of the Canadian forensic auditor is Bashir Rahimtullah.

He stated that, in conducting his work at UDeCott, he was provided with doctored files. Certain files were hidden from him; certain pertinent evaluations were hidden from him; certain pertinent evaluation reports for the award of the contract were lost and unavailable, according to UDeCott; certain persons who had taken part in the evaluation could not be found, according to UDeCott.

Those statements have been made public. So there is a forensic auditor employed by the Integrity Commission to look at this process at UDeCott and an opinion given from the facts that he has seen—doctored files. This is a state-owned company. That alone demands, not a joint select committee to investigate it, but a commission of enquiry in which the commissioners would have the powers of a High Court judge to deal with the matter.

I will not deal—

Mr. Manning: Mr. Speaker, I thank the hon. Member for Tabaquite for giving way. Are you aware of UDeCott's response to that allegation? Do you have the response of UDeCott? If you do not, I can make it available to you. I just wanted to make it clear that was one side of the story and there was a response by UDeCott on that issue.

Mr. R. L. Maharaj SC: I understand that Mr. Annisette gave a response a few days ago, but he did not publish the response. There are two sides to a story. The fact is that the Government cannot decide. You cannot have Government Members on a committee deciding the matter and expect people to have confidence in it. [*Desk thumping*] It is as if the Government has a case and puts itself to decide the case, so that it is prosecutor, judge and jury.

Mr. Manning: Are you suggesting that in joint select committees which look into the work of departments under the control of a government, there should be no government members present?

Mr. R. L. Maharaj SC: I am not saying so. I do not believe that the Prime Minister does not understand. Quite recently, in this Parliament, there was a

second report of the joint select committee appointed to enquire and report on Government Ministries. The joint select committee does not make a finding on who is speaking the truth. When you look at all the findings, they say that there is need for better tendering procedures, but it does not make a finding on who is speaking the truth. This is a matter in which you are saying one thing, the private sector another and UDeCott another. You need someone with the trappings of a judge to decide the issue; otherwise anyone would believe it is a biased determination.

Mr. Manning: Mr. Speaker, I really have to thank the hon. Member for giving way. It is not my intention to unduly interfere in his contribution—and he is doing quite well. Are you suggesting that the joint select committee has no power to make findings and recommendations?

Mr. R. L. Maharaj SC: I will try to explain. I am not disputing that joint select committees have the power to make findings or recommendations. I am saying they have particular roles in specific matters, but where there are controversies as to conflict of story, Government Ministers cannot properly determine whether the Prime Minister is speaking the truth.

You have made a statement, for example, that a certain Minister of yours was guilty of "wajang" behaviour. He has disputed that and has called on all the Members to open their mouths, and not one has. [*Desk thumping*] The majority of the people have voted for you. There are billion of dollars involved in this issue. Their moneys are jumping up and you want to put Ministers—some of them junior except the Member for Diego Martin North/East—to determine whether you are speaking the truth or not? What do you expect them to say? A former President of the Senate said publicly yesterday: What do you expect them to say? If they even genuinely want to think otherwise, you see what happens here.

One of your top Ministers, the person you want to be the next Prime Minister of Trinidad and Tobago, the Minister of Local Government, in a press conference, said: "The Prime Minister has spoken." Papa Doc used to say that.

I want to put on record the facts about this tendering process which showed that there was bid rigging. If there was bid rigging—the Prime Minister knows of this—and I will show you how. As a matter of fact, the Minister who was fired by this Government had the portfolio for Planning and Development. The records that I have found, public documents, showed that he had cause to examine the tender process in respect of the award of that contract. The Minister had cause, in April 2003, to investigate information that UDeCott was engaging in favouritism,

manipulation and conflict of interest in respect of the award of the contract; that UDeCott was violating its own published tender requirements in an effort to award the contract to HKL, a company owned by Mr. Karamath.

His contractor did not meet several of the requirements set out by UDeCott in its own tender documents. UDeCott bypassed the report of the evaluation committee of the board to evaluate the bids. The report was unfavourable to HKL, the lowest bidder. The board decided to replace the evaluation committee with an individual who was disposed to promoting support for the award to HKL. These are facts the hon. Prime Minister knew. The Minister met with the board of UDeCott, confronted them with these serious allegations and information. None of the members of the board who was present at the meeting contradicted, challenged or dismissed any of these allegations. The chairman of the board, Mr. Hart, was present and gave the assurance to the Minister that nothing would be done that would not withstand public scrutiny and that he, Mr. Hart, was in total support of the position of transparency and accountability. Those were only words, however, because actions showed otherwise.

At the end of the meeting, the chairman, Mr. Calder Hart, asked the Minister privately, from what I was told, to meet with Mr. Karamath as Mr. Karamath wanted to meet with him. The Minister, quite rightly, refused and said he was not prepared to meet. Imagine, a chairman of a board run with public moneys, in the light of the allegations made before that board, asking the Minister responsible to meet with Mr. Karamath. What are the implications? Why would Mr. Hart have an interest in the Minister meeting with Mr. Karamath?

Mr. Speaker, there was a very distinguished lawyer on that board; a man called John Mair. He expressed concerns at that meeting and wanted to resign because of the gross irregularities which were being conducted by the board. The then Minister met with Mr. Mair. One of the questions asked was about the role of one Derek Outridge, the quantity surveyor. Mr. Mair expressed the view that Mr. Derek Outridge should be kept far from UDeCott.

The then Minister requested the Permanent Secretary to do an investigation and to report to him. *[Interruption]* I am giving you the facts. If you want to dispute it, I can then produce the document. These are public documents. You should worry. I am going to read from another document just now about CH Development. Do you know who is CH Development? I will tell you.

The report of the Permanent Secretary supported the fact that the report of the quantity surveyor, Mr. Derek Outridge, had awarded unearned points to HKL.

3.45 p.m.

She said—the Permanent Secretary was Mrs. Victoria Mendez-Charles—if that was not done, the contract may have been given to Johnson International, which would have gotten a better score. The board, however, still wanted to give the contract to HKL, in spite of the unchallenged information which the Minister had made to the board of favouritism and manipulation of the tendering process in favour of HKL, although an evaluation committee report of May 12, 2003, stated that HKL had failed the evaluation process. In spite of the assurances given by the Chairman, Mr. Calder Hart—do not worry Mr. Minister, I take your point. I want to be able to be open and transparent. I want you to be proud of me—the board continued to try to give the contract to HKL.

The Minister decided to have another meeting with the board. The Minister met with the board on August 19, 2003. Mr. Hart told the board and the Minister that he was trying to salvage the tendering process. Imagine a flawed tendering process, but he was trying to salvage the process.

Again, the chairman decided to bring in Mr. Outridge, the quantity surveyor. It looks like he is a person that Mr. Hart could rely upon. His report was: “Yes, you should have a retendering, but in spite of the evaluation and the retendering, the board should give the contract to HKL.” These are serious matters. These are matters which a former Minister of Government has put on record in the public records of this country.

The Minister decided to approach the Prime Minister and saw the Prime Minister, the hon. Member for San Fernando East, some time at the end of July 2003. Do you remember that meeting? No, you would not remember that. The Minister decided to write a firm letter to UDeCott, which he wrote on August 05, 2003. You did not get a copy? You did not read it, the letter in which the Minister said that the tendering process was flawed and was being manipulated? The Chairman, Mr. Calder Hart, agreed with the Minister. He admitted on August 27, 2003, that the whole tender process was flawed from the beginning to the end.

The lawyer on the board, Mr. Mair, totally agreed and endorsed that the award was flawed from the beginning to the end. Do you know, Mr. Speaker, that shortly after the Minister of Planning met the Prime Minister to raise with him these gross irregularities of manipulation of bids, favouritism and possibly official corruption, the Prime Minister had a Cabinet reshuffle and reassigned Minister Rowley to the Ministry of Housing on November 07?

Mr. Speaker, the rest is a matter of history, because there were fresh bids and another company got the contract. The fact that another company got the contract—[*Interruption*] NHIC got the contract and there were fresh bids—that Minister was no longer in the Ministry.

What happened then? Somebody—perhaps the Prime Minister could talk the truth today, since we are talking about truth—got the Integrity Commission involved. For the Minister standing up against Mr. Calder Hart, he was accused of misconduct and of not being committed to integrity and abuse in his office. I think it is only fair—I am not holding any brief for the Minister—for me to put on record. I am holding brief for the people of Trinidad and Tobago. [*Desk thumping*]

The Minister went to court to challenge the investigation and the court ruled in his favour. The issue is that the Prime Minister of Trinidad and Tobago and his Cabinet colleagues must be imputed with knowledge. All of them are just as guilty as the Prime Minister. They all imputed with knowledge that you had bid-rigging and improper behaviour and you decided to do nothing about it. You decided to do nothing about it. The only thing you decided to do was get rid of the Minister from the Ministry on circumstantial evidence. What do you expect the people of Trinidad and Tobago to think? [*Interruption*]

Mr. Manning: I thank the Member for Tabaquite for giving way. Did you not just say that the project was retendered?

Mr. R. L. Maharaj SC: Yes.

Mr. Manning: What is your point then?

Mr. R. L. Maharaj SC: I want to understand. This Prime Minister is saying that he has evidence of the Chairman of UDeCott condoning manipulation of bids and rigging of bids and in effect asking the Minister to see a contractor and he decided that all that was sufficient to do was to fire the Minister?

Mr. Manning: Mr. Speaker, as the debate progresses, we are going to answer that issue. I want to be sure that I understand what the Member for Tabaquite is saying. He is accusing UDeCott of bid-rigging in a circumstance where a problem arose with a particular tender and the project was retendered.

Mr. R. L. Maharaj SC: I am now more ashamed of this Government. I wonder what the young people, the children of Trinidad and Tobago looking at this and hearing their Prime Minister saying that he has evidence that the Chairman of UDeCott admitted that the process was flawed. That is why you do

not want a commission of enquiry. You want a joint select committee so you could cover it up. “Yuh see how yuh want to cover it up now.” You want a joint select committee, so your Ministers or members who are on that committee could cover it up. You do not want the public to judge this. You know that if there is a commission of enquiry into this matter, the Government falls quickly. You know that. That is why you have appointed five. You wanted to appoint another seven, but you do not want this one at all.

Anyhow, let us go to the other one. Let us go to Tarouba. I would leave MLA for last, the Ministry of Legal Affairs building. I want to make sure I do not lose my documents. Let us do Tarouba first. Mr. Speaker, in the Tarouba project, the contractor who was responsible for that project, Mr. Karamath, signed a contract in which he undertook the responsibility for all overtime, shift and 24/7 methodology. He was responsible for all expenses for extra hours of overtime. There was no question of paying any extra moneys to the contractor. The contract price was \$240 million. So far, the Government has spent approximately \$600 million. You know—*[Interruption]* Tell me the real price. It is \$558 million. Okay, I said almost \$600 million. The contract provided for the stadium to be handed over by 2006. It was supposed to have been handed over and inspected then and should have been ready for World Cup, March 2007.

Cabinet has agreed, in spite of the contractor’s obligation, to pay for overtime. Cabinet agreed to spend \$44 million on overtime. That is why you need a commission of enquiry. The Cabinet agreed to give an extra \$95 million for the foundation. That \$95 million, I have checked with builders and people from abroad, could have built three foundations. That is why we wanted a commission of enquiry. They spent \$35 million on steel. I could go on and on. The question which arises with respect to the overruns on these projects—What is happening? The people are entitled to know.

When you were here and I was there and there were overruns on the Piarco Airport, what did you say? You said: “The people must know. There must be a commission of enquiry. The Government must have nothing to hide. The people must know why those overruns were there.” You lambasted Minister Sadiq Baksh. You said all things about him. Now I am saying that the people must know. It is not for you to be satisfied alone. You are not occupying office because the office is owned by Mr. Patrick Manning. The office is owned by the people of Trinidad and Tobago. You are a trustee. Therefore, you hold it in trust for them. They are the beneficiaries. It is now March 2008 and the project is incomplete. *[Interruption]*

Hon. Members: May.

Mr. R. L. Maharaj SC: Sorry, it is May 2008, and the project is not complete. [*Interruption*] It is my handwriting with my personal research. The Tarouba Stadium is a national disgrace; in respect of the contract, the award of the contract and the overruns. It is the worst project I could think of, in which you can say that there was official corruption and misconduct.

Madam Deputy Speaker—I do not know why I have the Deputy Speaker on my mind. Mr. Speaker, I know that you know my handwriting. This is my handwriting, manuscript. In relation to this matter, I have taken some trouble to get some assistance in investigation and the investigation went to Malaysia and places in Trinidad. I want the Prime Minister, the country and the Parliament to get the benefit of the investigation I conducted. This is not to show up anybody. My purpose is for you and the Government to decide whether this really needs a commission of enquiry.

4.00 p.m.

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

Motion made, That the hon. Member's speaking time be extended by 30 minutes. [*Hon. P. Manning*]

Question put and agreed to.

Mr. Imbert: Mr. Speaker, as I indicated previously, the Minister of Education has a very important statement to make, and I would ask the House that the Minister be allowed to make the statement at this time. [*Interruption*]

Mr. R. L. Maharaj SC: Mr. Speaker, can I ask to speak for about 10 or 15 minutes? The UDeCott on May 05 awarded this contract to CH Development and Construction Limited. That company was incorporated in Trinidad and Tobago, and it was given a contract to build the 22-storey Ministry of Legal Affairs Tower, that is the Richmond Street Complex. The contract was for \$368,902,000. Six companies had tendered for the contract, but the contract was given not to the lowest bidder Karamath, and not to the second lowest bidder, Johnson International, but it was given to CH Development and Construction Limited. In respect of the tender from Karamath, CH Development and Construction Limited was \$67 million more, and in respect of the tender from Johnson International, it was \$22 million more.

This contract was given so that the completion of the project would be in 27 months' time. However, the company was formed on October 19, 2004; CH Development Company Limited. The bid was opened on November 10, 2004. The prequalification process would have taken at least three months. So, if there was a prequalification process, it would have meant that the prequalification process was fraudulent, because the company would have had to have a track record and accounts for five years. I have looked at the UDeCott prequalification process, and the board agreed to give the contract to this company, but let me tell you what happened.

The same day that the contract was awarded, steps were taken to change the name of the company. The persons who were directors and shareholders when the company was formed—the name was Lee Hup Ming—and our investigation shows that Lee Hup Ming is the brother-in-law of Calder Hart. [*Desk thumping*] It is his wife's brother, and Ming Chin Fu is Mrs. Hart's sister's husband. You can check the records at the registry, because I have done it myself.

There was another person who was involved in the company at the time the contract was given and that person is Chung Chee. We cannot find Chung Chee, but we have located Lee Hup Ming and Ming Chin Fu. Lee Hup Ming and Ming Chin Fu said on their forms for the contract that they were civil engineers, but they never registered with the board of engineers of the Association of Civil Engineers of Trinidad and Tobago, and I will go further.

Mr. Speaker, from the registry in Malaysia, Lee Hup Ming and Ming Chin Fu are not civil engineers. They described themselves as manufacturers, and the product description is handicrafts, gifts, novelties that they are engaged in, and not civil engineering.

Now, the new company which was formed was called Sunway Construction Caribbean, and they had new directors; Poon Koon Hoo and Kwan Fon Kwai. [*Interruption*] Let me make it clear that this company CH Development and Company Limited was in no way at the time it got the award of the contract a subsidiary of Sunway. [*Interruption*] In other words, they did not have a track record and no holding company had any track record. CH Development and Company Limited changed its name to Sunway after being awarded the contract.

Mr. Imbert: Sunway is an international company.

Mr. R. L. Maharaj SC: Mr. Speaker, they could say what they want. I do not expect them to do anything else but to defend it. I am saying that from the record it shows that the name of the company was changed within days after it got the

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contract from CH Development and Company Limited to Sunway, and there were new directors. That is shown in the Companies Registry in Trinidad and Tobago. The directors of Sunway are Poon Koon Hoo and Kwan Fon Kwai, and we cannot find them.

Mr. Speaker, we have a situation in which a company was formed—now, I am prepared to bring the investigator to give evidence before the commission of enquiry. [*Desk thumping*] If there is a commission of enquiry, it would have the power to do that, and since there is a relationship between the Chinese Government and the Government of Trinidad and Tobago, we could get all these people. I am going to give you the address of Lee Hup Ming. It is 7000 Esperanze Ellis, West Malaysia. I will bring the investigator from Malaysia to give evidence.

What has been happening is that when the investigation started, Sunway had been making releases to give the impression that CH Development and Company Limited is a wholly owned subsidiary of Sunway. I want to say in this House that our investigation shows that at the time of the award of the contract, CH Development and Company Limited had no track record; they were only in existence for two or three weeks; and they could not prequalify. [*Interruption*] Well, Calder Hart and Company gave them the contract. That is the point. The point is that without proper prequalification process—I am told that “CH” refers to Calder Hart. So, it appears as though from the inferences that Calder Hart did not know who his brother-in-law was. [*Interruption*] Is that impossible? [*Interruption*]

Mrs. Persad-Bissessar: Is this the same Sunway they gave the quarries to?

Mr. R. L. Maharaj SC: They could laugh, but this money that they are causing to be lost could be spent on poverty; could be spent on keeping the fuel subsidy going and pensioners could get more money. [*Desk thumping*] Keep on laughing.

Mr. Speaker, this is a foreign company and it is registered in Trinidad, but the Prime Minister went at a breakfast meeting and said that only foreign companies are on time with their projects. Why were you taking up for this company? This project is not on time and the 27 months have gone. Why did you mislead the national population and say that all the foreign contracts were on time? You said that foreign companies are on time. Why did you not say with the exception of one? You are playing with words.

Mr. Speaker, when UDeCott was asked to justify giving this contract to CH Development and Company Limited, the vice-chairman of UDeCott said that the decision was taken for very legitimate reasons. He used the fact that this company

was connected to a Malaysian company, when in truth and in fact it was not connected. It was only formed a few weeks before. It probably was connected through Calder Hart.

Hear what the vice-chairman of UDeCott said. He said that this company had a tremendous track record for constructing buildings of this kind, but the company was only formed in October. It had no track record either in Trinidad or in Malaysia, but UDeCott said that it had a tremendous track record for constructing buildings of this kind. He said that CH Development had done a lot of significant work for the Malaysian government, but this company was only formed a few days before. He said that it had significant cash flow and does not need to go to the banks to raise fund.

Mr. Prime Minister, I want to give you the benefit of the doubt, because you do not know what is happening. You are relying on the wrong people. You made a grave error, and you should apologize to the Member of Parliament for Diego Martin West. You did him a grave injustice and the people of Trinidad and Tobago a grave injustice. This is what UDeCott has been involved in.

This is a company that was just formed, and it just goes to show that they probably made no enquiries because they knew what was going to be the result. I have the record from the Companies Registry of the formation of the company. They said given its strength, size, performance and success, and from memory they were the closest to what we felt the cost was going to be.

So, here you have UDeCott giving a bidder \$67 million more and saying that the company has a track record. Where did that \$67 million go? Who got it? Was it Calder Hart's company? Who got it? Who got part of it? In light of what the Minister of Planning and Development told you about UDeCott—

Mr. Manning: Take it to the Integrity Commission.

4.15 p.m.

Mr. R. L. Maharaj SC: I am not talking about Integrity Commission. If the Prime Minister and his new sidekick, who everything he says, you are the echo; he is the echo; before you even speak he is the echo—[*Laughter*] [*Desk thumping*] He is so tall, sometimes the words pass over his head. [*Laughter*]

Mr. Prime Minister, if a company can do that and you can tell this House, with him that hon. Member for Diego Martin North/East, to send it to the Integrity Commission—because you are in charge—and you do not want to appoint a commission of enquiry, you are just as guilty as he is. [*Desk thumping*] You are

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just as guilty as Calder Hart and you must tell this country what it is that you are imprisoned with the Hart family about. Is it the prophetess? Is it the prophetess? You must tell this country that. [*Interruption*] You want to make the statement, okay, just give me one minute. [*Crosstalk*]

Mr. Speaker: Order!

Mr. R. L. Maharaj SC: Mr. Speaker, I am confident that even though the Government has the majority and it is going to use the majority to stop me, I will stop, because I am confident whatever I have to say afterwards will be followed by the national community and even if the media is not here, the people of Trinidad and Tobago would hear it. [*Desk thumping*]

In respect of the bid being accepted by CH Development, the chief executive of UDeCott, Mr. Winston Agard, was asked to comment, and you know what he said? The question was inappropriate. Here you have manipulation of bid; a company with a higher bid; that company getting the bid, but there is no track record—inappropriate.

I suspend my contribution in order to facilitate the Government.

STATEMENT BY MINISTER

**Caribbean Examinations Council (CXC)
(Report of Possible Breach)**

The Minister of Education (Hon. Esther Le Gendre): Mr. Speaker, I am authorized by the Cabinet to advise this honourable House and through it, the people of Trinidad and Tobago, of the situation which has emerged in respect of Caribbean Examinations Council (CXC) examinations currently under way throughout the country. It should be noted that CXC manages CAPE at the advanced level and CSEC at the ordinary level.

On Thursday, May 08, 2008 the Ministry of Education received a report of a possible breach of the Thursday, May 08 CAPE Communications Studies Paper II in Trinidad and Tobago. The information came from a highly reliable source, who was given a copy of the scheduled examination prior to its sitting. This was followed by further unconfirmed reports of possible breaches in other CAPE subject areas, among them Physics, Chemistry, Biology, Mathematics and Accounting. The Ministry immediately advised the police and the CXC, providing each with copies of the Communications Studies paper and informing them of all other information received.

Mr. Speaker, it needs to be explained that the examination system has three components. The first component covers the system and procedures at CXC. This covers the setting of examination papers through to their delivery to the Ministries of Education in the individual territories, of which there are 16. The second component covers the handling of the papers by the Ministries of Education through their distribution to the examination centres. The third component covers the handling of examination papers at the centres through to their distribution to students sitting the examinations.

Breaches can occur at any one or more of these three components of the system. The Ministry's audit was conducted in relation to the second component of this system. At that time, no breaches were discovered with respect to other CAPE examinations. CXC conducted a further audit and did not find, at that time, any other breaches.

However, on May 17, the Ministry received further reports of possible breaches relating now to CSEC examinations—these are the examinations at the ordinary level. This included physical evidence of faxed communication of a paper even before hard copies of this paper were available in Trinidad and Tobago.

On Friday, May 09, the Ministry contracted the services of experts to review all of its arrangements for the security of examinations, and to make recommendations for improvement throughout the system under its jurisdiction.

Furthermore, on Friday, May 09, officials of the Ministry of Education also met with representatives of the Caribbean Examinations Council (CXC) in Trinidad. CXC held a meeting in Barbados on Saturday May 10 and advised the Ministry of Education on Sunday, May 11 that all Caribbean Advanced Proficiency Examinations (CAPE) carded from Monday, May 12 to June 13, 2008 in Trinidad and Tobago, were to be rescheduled and that new papers would be issued. The Council also advised that students would be required to rewrite the Communications Studies Paper II.

It should be noted that the timing of a rescheduling of examinations requires a lead time of several weeks to put in place the necessary actions and procedures of an effective conduct of the examinations. The Ministry of Education continues to work with CXC, on behalf of all our stakeholders, to make this time as short as possible. The Ministry of Education supported the decisions taken by CXC to retest Communications Studies Paper II and to issue new tests in all subsequent subjects based on the fact that the leak amounted to a threat to the integrity of the examinations.

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We also supported the view that it could not be treated as a localized incident limited to one or two locations since information suggested that there could well be leaks in multiple locations. The future of our students must not be forgotten or overlooked in this situation. In addition, we were mindful that CAPE examinations are a passport to regional and international tertiary level institutions. Based on performance at these examinations, our students compete nationally for government scholarships, some worth in excess of TT \$1 million depending on the length of the course of study.

International universities also allow credits for CAPE achievements and employers everywhere rely on qualifications issued by the Caribbean Examinations Council in their recruitment of staff. Any loss of faith in the outcome of the 2008 examinations therefore casts a cloud over the integrity of the CXC brand and by extension, the qualifications held by all previous and future holders. Both CXC and the Ministry weighed these considerations against the obvious trauma that would be brought to bear on children sitting these examinations, as well as on their parents and teachers.

With this in mind, the Ministry of Education has put the following arrangements in place:

1. Principals have been advised to meet with all students affected by this situation in order to assist them in preparing for the new arrangements;
2. The Ministry's Student Support Services Unit will place all of its officers who number in excess of 200, at the service of principals;
3. A psychologist has been made available for consultation at each of the eight education districts in Trinidad and Tobago; and
4. Four 24-hour hotlines manned by psychologists are available.

We urge parents and students to access these arrangements should the need arise. Mr. Speaker, we were convinced that the eventual CXC solution and our decision to support it was the right one.

Other disturbing developments have since come to light. Both CXC and the Ministry recently received credible information on the occurrence of breaches in the CSEC English and Mathematics examinations, which were held on Monday, May 19 and Wednesday, May 21, respectively. This information was supplied to the police. As a result of quick and extensive work by the Fraud Squad, the police have advised that two persons have been arrested and charged after consultation with the Director of Public Prosecutions (DPP). Investigations are continuing with

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a view to charging other persons in the near future. Up to this time, a breach has not been identified within the Ministry of Education, in relation to the CAPE matter.

CXC has advised that they will make a decision on the treatment of the CSEC English and Mathematics examinations, as well as on the remaining examinations, when they have information on the outcome of the Trinidad and Tobago police investigations. Investigations are also being conducted in Barbados.

Mr. Speaker, the Government is appalled by these criminal acts, which can place a cloud over the high esteem, which the regional CXC qualifications have earned since their establishment. If left unaddressed, this situation will affect the entire society. The Government is determined that the perpetrators, whoever they may be, must be brought to justice.

There are some who have held the view that there have been problems affecting the integrity of our examinations for some time now; this has been based on suspicion only. Until now however, there has not been evidence of the kind recently received upon which the Ministry of Education, supported by the police, was able to act. The Ministry of Education, CXC and the Ministry of National Security have a responsibility to determine the facts and to act thereon. Given the evidence now at hand, we have acted promptly and appropriately.

Perhaps a heightened sense of public responsibility has prevailed in response to our earlier appeals for information because persons have come forward to provide information upon which the police can act and are acting. The potential for such collaboration in the wider fight against crime of other types is enormous and the public is to be commended for its cooperation.

Mr. Speaker, the implications of the alleged breaches would suggest that the problems, which have come to light at this particular time in Trinidad and Tobago, are systemic and may well have multi-territorial links. Both Jamaica and Guyana have had breaches of CXC examinations in 1995 and 2005 respectively.

Notwithstanding the information relating to local sources being investigated, there is electronic evidence, which suggests that certain CAPE and CSEC papers were in circulation even prior to the arrival of the hard copies of these examination papers in Trinidad and Tobago.

4.30 p.m.

What this requires therefore is a root and branch review of CXC's system for the conduct of these examinations. From examination setting to delivery in the—

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Mr. Speaker: How much longer do you have, hon. Minister?

Hon. E. Le Gendre: Just about three minutes.

Mr. Speaker: No, then you would have to move a Procedural Motion.

PROCEDURAL MOTION

The Minister of Works and Transport (Hon. Colm Imbert): Mr. Speaker, in accordance with Standing Order 90(1), I beg to move that Standing Order 10(2) be suspended to allow the Minister to complete her statement.

Question put and agreed to.

Mr. Speaker: Time will be added on for tea, please continue ma'am.

**CARIBBEAN EXAMINATIONS COUNCIL (CXC)
(REPORT OF POSSIBLE BREACH)**

Hon. E. Le Gendre: What it requires, therefore, as I was saying, is a root and branch review of CXC's system for the conduct of these examinations, from examination settings to delivery in the examination room and throughout the 16 countries in the region where these examinations are written. What must be overhauled is the entire process, that is the setting, finalizing transmission for printing, the timing of delivery of papers from CXC and in each territory the security arrangements for storage and delivery of papers.

For the benefit of the Member for Couva South, this type of analysis is not unlike the type which UK based exam board, the Assessment and Qualifications Alliance (AQA) had to undertake in 2003 when examinations were compromised. GCE A level examination papers for half a million students and 1 1/2 million scripts had to be reprinted at a cost of £250,000 following theft.

Hon. Member: Retract that statement now.

Hon. E. Le Gendre: Part of a vanload of English and Literature papers going to a school were stolen. Again, in 2005, again in the UK the AQA had to replace another half a million papers after theft. [*Interruption*]

Mr. Speaker: Order!

Hon. E. Le Gendre: And again in 2004, Member for Couva South, and in the UK police were called in to investigate the theft of Maths and Chemistry A level papers after these questions were posted on the website ahead of an exam. Just last year in the UK exam board Ed Exel was trying new ways to tighten security to deter cheats and to detect fraudulent activity in its GCE A level papers.

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A joint examinations body in the UK already polices the system with schools following strict procedures to maintain security. Despite this Ed Exel reported that papers do go missing. Some are stolen and sold; others have been distributed on the Internet. [*Interruption*]

It would be simplistic, therefore, to view the moral tragedy of breaches experienced here only in terms of the reliability of Caribbean institution or the ability of regional institutions to deliver, either quality or integrity of service. Examination systems worldwide constantly guard against those who would seek to subvert the system for personal gain. Increasingly, various types of technology such as radio frequency tags and micro-texting [*Interruption*] are being employed to detect breaches. Unfortunately no one has come up with a device that deters the human intention to cheat in increasingly inventive ways.

As investigations continue, the public should be aware that historical data and projections of each student's performance are provided by schools to CXC. It is standard practise for these examining bodies to investigate any unusually high or low scores in the interest of maintaining the integrity of results. Proven breaches in examination procedure may result in disqualification, not only from the current examination but also from all CXC examinations for a period of two years. Adult as well as students involved in criminal activity leading to compromise of the examinations are subject to prosecution by the authorities as we have seen.

On behalf of the Ministry of Education I wish to assure this honourable House that the ministry takes seriously its responsibility for quality education, accessed and certified to deliver against the goals of Vision 2020.

In addressing this honourable House we recognize the national scope of this issue and the need to speak to all citizens.

Mr. Speaker, as painful as these last days have been for us all, we have all risen well to the challenge. The Ministry will continue to address directly the needs and concerns of our principals, teachers, students and all other stakeholders in education. We acknowledge the anxieties experienced and assure all that having listened, solutions are under consideration.

Mr. Speaker, I thank you.

Mr. Speaker: Hon. Members, the sitting of the House is suspended for tea and will resume at 5.06 p.m. Before we break, you have 13 minutes left.

4.36 p.m.: *Sitting suspended.*

5.06 p.m.: *Sitting resumed.*

**JOINT SELECT COMMITTEE
(UDECOTT ENQUIRY)**

Mr. R. L. Maharaj SC: I am much obliged, Mr. Speaker. Coming back to CH Development Company, although it was not the lowest bidder as I said, it got the contract and in addition to what I have said, the circumstances of awarding CH Development Company the contract is very suspicious for another reason. All the other contracts, the car park and commercial building, the Customs building, the Board of Inland Revenue and the Ministry of Education Tower, all those by UDeCott were given to the lowest bidder. So, there was a special consideration for CH Development Company.

Now the file number in the Companies Registry is S4276(95), and I want this to be put on record because CH Development Company applied to have its name changed and they submitted four names: Sunway Caribbean Construction Services Limited; Sunrise Construction Company Limited; Sun Construction Limited and then Sunway Construction Constructing Caribbean, and the registry gave it to Sunway Construction Caribbean for the new name.

The question which arises is that it seems to me that this must have been a sale dress up as a change of name because after the change of name then it became a subsidiary of Sunway Holdings Incorporated, so the important point is that at the time when it got its contract it had no track record with Sunway Holdings Limited; it was not a subsidiary of Sunway Holdings Limited; it could not rely on any track record of Sunway Holdings Limited, and I know what the Government would try to do, because they are trying to do this in every matter. They have done it with their own Minister; they tried to do it to make an excuse. The more excuses they make is stronger reason to have a commission of enquiry.

The new directors, because after CH Development Company changed its name to Sunway Construction Caribbean, they had two different directors and these directors—I had given the names already—were different persons and they gave an address as Apt. B42, Ridgewood Towers, Four Roads, Diego Martin, but we cannot find them. Now, I know what I had found out in dealing with this matter.

5.10 p.m.

In dealing with this matter, it seems as though the Chinese people use a lot of different names. This makes it even more important to make sure that a proper investigation be done in this matter. As a matter of fact, from my documents I have a certificate of good character [*Laughter*] for Mrs. Hart from the Malaysian police authorities.

Hon. Members: Ooh!

Mr. R. L. Maharaj SC: It calls her "Lee So Wah"; she is a good citizen of Seremban, Malaysia. I have a letter from the Ministry of National Security which seemed to have given her residential status. Remember the name was Lee So Wah in Malaysia; then I see:

"This is to certify that So Wah Khan of Fanny Village, Point Fortin..."

It may be that she got married to some Khan. She is exempted from work; she had a work permit for a year.

As we are on this, and I hope that the Prime Minister does look into this matter, I have a letter from the PNM dated August 08, 2006. It says:

"Presentation prepared for Calder Hart, Chairman"

I did not know that the PNM prepared the presentation for Calder Hart. I noticed that when the Prime Minister was delivering a speech at a breakfast meeting, it was obviously a government; it was billed as a government project, but he had the big Balisier in front of him.

As a matter of fact, in Guyana, Forbes Burnham used to do the same thing. In other words, the party and the Government are two different things. It was in an *Express* editorial. I will not read it, because I have a lot of other things to say. [Interruption]

Mr. Manning: Mr. Speaker, the breakfast with the Prime Minister was never billed as a government project. It was always a party project. All we did was adopt the very successful model used by the UNC when they were in government. [Laughter]

Mr. R. L. Maharaj SC: I invite the Prime Minister to answer me when I am finished. I know he has an engagement, but he could answer me.

If you bill a project as a party project, but you use government staff and resources, it is a serious matter. [Interruption]

Mr. Manning: Mr. Speaker, that is not true. [Crosstalk]

Mr. R. L. Maharaj SC: As the Prime Minister would be looking at this matter, it seems to me—[Interruption]

Mr. Chairman: Order!

Mr. R. L. Maharaj SC: —from the report, that Mr. Calder Hart is being given special treatment. I am reading from an article in the *Newsday* under the heading, "Passport Racket". It is not the *Newsday* but the *TNT Mirror* of February

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17, 2006. It said that immigration officers complained that there was a special procedure for Mr. Hart to be given citizenship, that the normal procedures were not followed and that they have called for an investigation. I am paraphrasing. It is important to have these facts. I invite the Prime Minister to look into them. He must have read it. Public servants wanted to know what special power Mr. Calder Hart had that he could bypass all the procedures to get citizenship and other persons waiting in line for three or five years did not get it. [*Crosstalk*]

Mr. Speaker, the next point I want to deal with is why a commission of enquiry. [*Interruption*] Where the Government has already made decisions in this matter and where in an enquiry like this, the tribunal would have to assess facts, make findings on credibility and those kinds of things, the Commission of Enquiry Act gives all the power.

As a matter of fact, I will not read from it because time is against me, but it gives all the power of a High Court judge to compel witnesses and records, and it can be an effective enquiry. When someone does not attend a joint select committee, there is nothing you can do, except you may want to come for breach of privilege which is very ineffective, but the Commission of Enquiry Act, in my respectful submission, is the road to go.

I just want to put on the record, that in addition to the five commissions of enquiries which the Prime Minister appointed during this period of time from 2002—2007, on April 05 in the *Hansard*, the Prime Minister was interested in a commission of enquiry into the Piarco Airport Terminal, Project Pride—in effect, the Opposition wanted that—and there were joint discussions and agreement on a commission of enquiry into the La Brea Industrial Complex, Incogen, Regional Health Authorities, telecommunications licences, and state-owned financial institutions. Never before in the history of Trinidad and Tobago has a joint select committee been used in order to deal with a matter like this.

I want to read, for the last few minutes that I have, from a book called *Corruption and Government Causes, Consequences and Reform*, by Susan Rose-Ackerman, Oxford University Press. It is a recent publication, 1999. At page 27 it says:

"'Grand corruption' occurs at the highest levels of government and involves major government projects and programs...

Corrupt payments to win major contracts and concessions are generally the preserve of large businesses and high-level officials. The important cases represent a substantial expenditure of funds and have a major

impact on the government budget and the country's growth prospects...

If the government is a buyer or a contractor, there are several reasons to pay off officials. First, a firm may pay to be included in the list of prequalified bidders and to restrict the length of the list..."

So one sees that bidding and bid rigging are very often occurrences at high governmental level.

In closing, the public interest demands that the Government has a commission of enquiry. The Opposition is not going to participate in any joint select committee. [*Desk thumping*] At the present time, the Independent Senators are sending a signal that they are not going to participate. In effect the Government would have a select committee of the Government to conduct an enquiry about itself to make findings about itself. That would be total, cogent and compelling evidence to say that the Government has things to hide and it wants to put a spin on what has happened with UDeCott in order to protect itself.

Thank you.

The Attorney General (Sen. The Hon. Brigid Annisette-George): Mr. Speaker, I join this debate at the very point that the hon. Member for Tabaquite ended. He ended asking the question: Why a commission of enquiry? In fact, I want to suggest and support why a joint select committee.

The Government's Motion points out that its objective is to establish the truth as it relates to the processes and procedures utilized by UDeCott, lest the population be misled by uninformed speculation. The Government's response to all this clamour has been a statement by the hon. Prime Minister, the Member for San Fernando East, on Tuesday, May 13, 2008 in the other place, signalling Government's intention which has been realized in this Motion.

The Government proposes in the Motion that the House appoints three Members to serve with an equal number from the Senate. The purpose of this is to enquire into and report to Parliament on UDeCott with regard to its administration, operations, functions, manner of exercise of its powers, performance of its duties and responsibilities and method of functioning, with particular reference to its procurement procedures and practices.

This committee which the Government proposes is empowered by the Motion to discharge its function. It expressly provides that the committee will have the power to send for persons, papers and records; that the committee would have the power to appoint specialist advisor who would help to provide information and elucidate matters of complexity.

It also provides that the committee could adjourn from place to place; that the meetings must be held in public and that they should be broadcast live via television and radio. Further, to ensure that this committee does not just waffle on indefinitely, to ensure expedition and seriousness, the Motion proposes a time frame that the committee reports to the Parliament by September 30, 2008.

I want to submit that to any objective listener, the Government has manifested and demonstrated that it takes the concerns of the public seriously and it is desirous of ensuring that the public's concerns are addressed.

The naysayers reject this proposal, and one has to wonder why. It is time that Members on the other side stop offering the citizenry of Trinidad and Tobago diamantes under the guise of diamonds. Our population is much too sophisticated and educated for that. I would let the facts speak for themselves, when I compare the powers of the joint select committee with those of a commission of enquiry. I am certain that the well-educated and innovative people of Trinidad and Tobago, which the PNM administration has, over the years, strived very hard to ensure, would make the correct conclusions.

What about the JSC? If we look at section 66A(1) of the Constitution of Trinidad and Tobago, Chap. 101, it says:

"Subject to subsection (2) it is hereby declared that—

- (a) in addition to any other Joint Select Committee which Parliament is empowered to appoint under its Standing Orders, Parliament shall, within one calendar month—
 - (i) after the commencement of the Constitution (Amendment) Act, 1999;
 - (ii) of the first meeting of the House of Representatives after any General Election, or such time as the Parliament may resolve not being later than three months thereafter, appoint Joint Select Committees, to inquire into and report to both Houses of Parliament in respect of..."

It names a number of bodies including:

- "(A) Government Ministries;
- (B) Municipal Corporations;
- (C) Statutory Authorities..."

5.25 p.m.

It is quite clear, from the wording of section 66A(1) that the Constitution recognizes that this Parliament is enabled to form other joint select committees other than those set out in section 66A. When we look at the Standing Orders of the House of Representatives, Standing Order 77 sets out that:

“A Select Committee other than a Sessional Select Committee shall be known as a Special Select Committee. It shall be appointed by Order of the House which shall specify the terms of reference of the Committee and shall consist of such Members as may be directed by Order of the House and, in the absence of such direction shall consist of such Members as may be chosen by the Speaker.”

It goes on to say at Standing Order 78(1):

“Every Select Committee shall be so constituted as to ensure, so far as is possible, that the balance of parties in the House is reflected in the Committee.”

When we look at the method of appointment and the business of a special select committee and a joint select committee, we see, one, that its terms of reference would be set by the order of the House. We see, also, that its composition, so far as possible, would reflect the balance of the parties. One of the major functions of the Parliament is the oversight of the business of the Executive. I would want to suggest that in a matter like this, using a joint select committee gives the people, through their elected representatives, an opportunity to participate in this inquisition by a tribunal, rather than a commission of enquiry which is exclusionary.

A commission of enquiry is appointed by the President under the Commissions of Enquiry Act, Chap. 19:01, and while it is said it is appointed by the President of the Republic, it is, in fact, just really a formal act by the President. It is really directed by the Cabinet and the Government. The Members of the commission are chosen by the Cabinet. Therefore, it is somewhat exclusionary and could very well be accused of being manipulated by the Executive. The joint select committee gives the people of Trinidad and Tobago an opportunity to participate through their duly elected representatives. The sittings are in public and, therefore, it allows the public to participate; it is not in private, and the Motion expressly supports that. Additionally, to ensure the widest accessibility, the committee, it is proposed, can “sit from place to place” and also it allows for live broadcast and telecast to ensure that even those members of the public who cannot make it to the sittings can, so to speak, in the comfort of their homes, participate in the proceedings.

So when one talks about having something to hide, that idea must be debunked by the precise words of this Motion which empowers the committee to sit in public; allows the widest participation of the public and also allows for telecast and broadcast. I cannot see how one could say that this will be proposed by a government that has something to hide; that has something to bury.

Further, when we look at Standing Order 79, it sets out that:

- (2) The quorum of a Joint Select Committee shall be such as the Committee may decide.
- (3) A Joint Select Committee shall elect its own Chairman.”

Therefore, it is removed from any direct control by the Prime Minister or by the Executive. The statement that was made by the Prime Minister on May 13, 2008, did not appoint a joint select committee. It would have been a signal of the intent of the Government. If it had appointed a committee, we would have not been here today debating this Motion. Therefore, the Standing Orders of the House will direct, as provided, the chairmanship and the quorum of the joint select committee.

We go on to Standing Order 80 which deals with the procedure in select committees. It provides, particularly, by Standing Order 80(3) that the select committee would have power to send for persons, papers and records.

Mrs. Persad-Bissessar: But they do not have to come. That is the point. You cannot punish them for not coming.

Sen. The Hon. B. Annette-George: While it is that very often select committees have not had to resort to formal summonses under Standing Order 80(3), the committees are empowered to send for persons who refuse to come upon a request or an invitation. Standing Order 80 further sets out the procedure with respect to when persons are to come as witnesses, and that is Standing Order 80(11). It reads as follows:

“When it is intended to examine any witnesses, the Member requiring such witnesses shall deliver to the Clerk of the Committee the name, residence and occupation of any witness he desires to examine and the Committee shall decide if and when to summon the witnesses.”

Standing Order 80(12) set out a procedure for notice. It reads as follows:

“If the Committee desires to summon any witnesses, the Chairman shall supply the name, residence and occupation of every such witness to the Clerk of the House at least seven days before his evidence is required.”

It further provides in Standing Order 80(13), that:

“The evidence of every witness shall be taken down verbatim and sent in proof to the witness.”

The witness will have the opportunity to make suggestions to corrections to the record of his evidence.

Much ado has been made about whether the committee will have power to enforce attendance. I would refer to section 55(3) of the Constitution which reads as follows:

“In other respects, the powers, privileges and immunities of each House and of the members and the committees of each House, shall be such as may from time to time be prescribed by Parliament after the commencement of this Constitution and until so defined shall be those of the House of Commons of the Parliament of the United Kingdom and of its members and committees at the commencement of this Constitution.”

I would hasten to say that while that section does not specifically state about powers to commit for contempt, and that would occur in the case of a summons being sent to a witness and his failure to attend, one would expect that if the Parliament has given to the committees the powers to send for persons, by necessary implication it must have the power to enforce the attendance.

Mr. S. Panday: That is not in penal circumstances.

Sen. The Hon. B. Annisette-George: One may understand that there may be an issue as to how that is enforced; there may be an issue with respect to what are the consequences. The hon. Member for Tabaquite held up to us the commission of enquiry and its power to enforce for failure to attend. When we look at sections 11 and 12 of the Commissions of Enquiry Act, while it gives to the commission of enquiry the powers of the High Court for the attendance; it sets out in this provision a procedure with respect to absence of attendance; that procedure, they say, is that the person will be liable on summary conviction to a fine of \$2,000.

So this power to enforce attendance that the hon. Member for Tabaquite has waved in front of us as some power of some force, one has to really wonder, because even the youngest child in Trinidad and Tobago would tell you that \$2,000 is no large sum of money, no penal sum of money to use as a deterrent. In fact, one of the Members on the other side has referred to the question of penal. Two thousand dollars is not penal. That procedure denies the power to commit, because it sets a fine. [*Crosstalk*]

Mr. Speaker: Order!

Sen. The Hon. B. Annisette-George: Whereas, in the case of the Parliament, I will concede that our Parliament is quite different to the British Parliament in this respect, in that our Parliament is not a court, and one may argue that powers of committal and the determination of contempt is a judicial function which resides in the province of the Judiciary, there is still procedure that if there is an allegation of a contempt, for that matter to be referred to the court.

When we talk even about contempt in a court and in the face of the court and the power of committal, we have to ask what has been the track record in Trinidad and Tobago for people being committed for contempt in the form of absence or failure to attend. I would say, without contradiction, that people have not been committed to imprisonment for absence to attend when summoned. It has been used very sparingly, even in the courts of Trinidad and Tobago.

But the point is, that not because we have not used the power in the past as would have happened in the commission of enquiry into the airport when a then Member of the other side failed to attend; not because nothing happened that means that there is no power. The failure to use the power does not mean that there is none. But, I dare say, that even under the Commissions of Enquiry Act, that power is almost negligible because, as I said, having regard to the fact that it is \$2,000, somebody may say, "I will take the chance and pay the fine."

5.40 p.m.

The procedure set under the Act does not allow the commission of enquiry to fine the contempt. It has to be reported to a summary court that would then fine based on the evidence whether there is contempt. It is limited to a fine of \$2,000. The issue is why a commission of enquiry? The only thing that the hon. Member for Tabaquite has said in support of why a commission of enquiry is with respect to the power to enforce attendance. [*Interruption*] I will come to that. He said nothing much. He said that it is impartial. What lies at the whole foundation and what is being argued when one talks about impartiality of a panel, whether the joint select committee or the tribunal, is that truth would be coloured along party lines.

That is the argument against the joint select committee. If it is that the Government has the sole power to appoint commissioners, remember a commission of enquiry could have as many as one commissioner as we have seen for the Biche High School. Is it not a greater possibility under the appointment of a commission of enquiry, if one ascribes to the belief that justice and truth are coloured along

party lines, that the danger of the potential for manipulation is greater under the appointment of a commission of enquiry than under a joint select committee? The fact that it would be comprised of Members on both sides, if one accepts that truth is coloured along party lines, it leaves the possibility for there being dissent. That is where the greatest public good is served.

Further, when we look at the joint select committee it can just like the commission of enquiry, regulate its procedure. It can administer oaths like the commission of enquiry. It has power to enforce the failure of witnesses to attend. It has power no matter we have not used the power. The joint select committee has power to not accept irrelevant evidence and also to reject the evidence of recalcitrant witnesses. It is the same powers as under the commission of enquiry.

The fact that we have not used a joint select committee in the past for an investigation of this nature is no reason for saying that it is inadequate. We never used it before but we have used commission of enquiry. I think that sometimes Members on the other side think that the Trinidadian and Tobagonian have short memories.

I want to refer to an article in the *Guardian* dated Sunday June 13, 2004. This is an article by Sasha Mohammed entitled, "Is Justice Ever Served?"

"Although records of the amount spent on the early commissions of enquiry have long since been lost, it is safe to assume that millions of taxpayers' dollars have been spent often to no avail, lending credence to complaints over the years that commissions of enquiry are indeed a waste of public money."

In that article the journalist went on to show that under the UNC's enquiry into the administration of justice, the cost was \$800,000. There was a commission of enquiry under the NAR government and it was aborted. It was an enquiry in the 1970s into several PNM projects and that costed about \$300,000.

Mr. S. Panday: Landate cost how much?

Mr. Speaker: Order!

Sen. The Hon. B. Annisette-George: While those sums may sound small in today's price, one wonders having regard to the track record of commissions of enquiry in this country and the cost to taxpayers, how come today a commission of enquiry is being promoted as the only sort of tribunal, the only form of inquisition that can give us results? It smacks of the famous statement that the hon. Member for Chaguanas West has now become associated with: "Yesterday was yesterday and today is today."

Because it suits Members on the other side, the commission of enquiry has become the solution, even though the track record in Trinidad and Tobago is that it has not worked; it has not produced results. It has just cost taxpayers a tremendous amount of money.

The joint select committee is at no cost to the citizens of Trinidad and Tobago, save and except that there may be a cost because the committee would be empowered to retain specialist advisors and there would be a cost involved in that. It would go directly to assisting the committee in dealing with evidence that comes before it, whether it be documentary or oral evidence from witnesses. There may be a cost in the committee moving from place to place; transportational and accommodation costs in having the very meetings. Who said so? We have had experiences of the joint select committees chaired by Sen. Wade Mark going across the country. I am being assisted by the hon. Minister of Finance. The point is made even in 2008. This is the Sunday *Guardian* of May 18th, 2008. This is an article by Prof. Selwyn Ryan. He said: "Commissions of enquiry have a sorry record in Trinidad and Tobago in terms of getting desired value for time and money. They are blunt instruments."

It was said in 2004 and four years later the same point is being made with respect to what has been the track record of commissions of enquiry in Trinidad and Tobago.

The hon. Member for Tabaquite had quoted from an Australian text book with respect to commissions of enquiry. He spoke about what Confucius told his disciples and the 10 cardinal situations in which commissions of enquiry are appointed. He said it is normal where there is a matter involving public disquiet to satisfy that the Government is clean, that you do not appoint a committee comprising government members, because you promote lack of trust. However, there is a danger when we use foreign texts and try to apply them to our history with respect to not taking into account our history.

The point was also made in England in 1966, when they had their Royal Commission on tribunals of enquiry. Lord Salmon who was appointed to chair the Commission also made the point that a commission of enquiry is the better vehicle to use when you are dealing with crises of public confidence. The point is also made that a government should not readily jump to the appointment of commissions of enquiry. It should not respond too quickly to what are rumours by taking such a drastic step.

In England, there is almost a presumption against using a commission of enquiry. I quote from the Report of the Commission of Tribunals of Enquiry in

1966. In England under their legislation, there must first be a resolution passed by both Houses of Parliament, before a commission of enquiry can be set up. There almost seems to be a presumption against the appointment of such tribunals. In the Royal Commission on Tribunals of Enquiry, page 29, Chapter 6 under the heading, "Procedure By Which A Tribunal Is Set Up", states:

"Moreover, before the necessary resolution can be passed, questions have to be answered and the matter fully debated on the floor of both Houses of Parliament. Thus the matter is ventilated and the government has to justify before parliament, its decision to set up a tribunal under the Act."

This is a very different procedure from what obtains in Trinidad and Tobago. When we jump to use foreign texts as the authority for what we should do in our jurisdiction, I suggest that we commit a great folly because we have to see the procedure; look at it in the cultural context and all the other circumstances in the jurisdictions and see whether those are similar to what operates in Trinidad and Tobago. I will dare say that is why when we look at the British and Australian experiences, they talk about a commission of enquiry being used in certain circumstances. That goes to the whole procedure by which it is appointed, a very different procedure to that which obtains in Trinidad and Tobago.

Further, even in Britain where after that 1966 enquiry the commissioner held that that form of enquiry under their legislation should still exist and that there was a place for it, it has been reported that from 1921 to 1974, there have been 19 enquiries set up under the Tribunals of Enquiry Evidence Act, 1921 of the United Kingdom. Tribunals of enquiries have been described in England as a British invention ignored in Britain. If we are using foreign jurisdictions as our authority to support a commission of enquiry, we have to remember that even in Britain, when the Tribunals of Enquiry Evidence Act was passed in 1921, so that tribunals would take the place of joint select committees to do investigations in certain circumstances, after 1966, when it was found that the Tribunals of Enquiry Evidence Act should be still retained, it is still not a very often used mechanism.

5.55p.m.

Mr. Speaker, we have also to look at the noise that is being made and some of the other quarters from which the noise is coming—

Dr. Moonilal: Thank you very much for giving way. I just want to understand clearly your argument. Are you suggesting that the Prime Minister's decisions to set up commissions of enquiry into the Biche High School, Landate, the EBC, et cetera, were flawed?

Sen. The Hon. B. Annisette-George: Mr. Speaker, through you, I am in no way suggesting that it was flawed. There are different mechanisms. There is the joint select committee and there is the commission of enquiry. The contention from the Opposition is that the commission of enquiry is superior to the joint select committee. My contention is that it is not.

When we look at some of the persons in the public who have been complaining about the joint select committee and saying that they want a commission of enquiry, one really wonders why. They want a commission of enquiry into UDeCott. We are saying that we are prepared to have an enquiry in the form of a joint select committee with very wide powers; not just into UDeCott, but into the wide powers of what it does and all its functions.

I would like a joint select committee into all of UDeCott's affairs. I am concerned when I visit Tobago and see the proposed library, which should have been completed by now. We need to find out what has been happening. I am told that the building is totally out of alignment. I want to find out why. There is a complaint being made with respect to one of the contractors, Structural and Mechanical Agencies Limited. They had to do the steelwork. This is a letter from Romain & Associates, who were the supervisors and engineers on the contract. This is what they had to say about the contractor:

“The engineer wishes to put on record that the structural steelwork which comprises the building of this library has been designed within the parameters for a structure with in place forces to satisfy compatibility of stresses, strains and continuity of the structure.”

So it has been designed that way. However, when one looks at what the contractor has done, there is a great problem. The engineers are saying that they are concerned: “that the approach taken by the subcontractor contravenes the basic engineering principle and assumption and, therefore, will impose on the structural system, forces for which the structure was not designed.”

“It is evident that the subcontractor's approach to the build ability of this structure falls outside of the realm of standard construction practice for a building of this type. Though the engineer does not have the power to instruct the contractor how to construct the building, the engineer has the right to express his concern.”

I really want an investigation. The contractor goes under the name of Structural and Mechanical Agencies Limited. The main person behind that is Mikey Joseph. He is from the JCC. When we talk about UDeCott, the building is

out of alignment and cannot be finished because of that. He is the head of the Contractors Association and he is talking about UDeCott. We really need to look in the widest sense and that is why we want the joint select committee. We need to look into, not just UDeCott, but all the contractors and subcontractors who UDeCott has to manage; the bad and defective work that is denying the people of Trinidad and Tobago what they deserve.

We expect that the Opposition, in the interest of the people of Trinidad and Tobago should jump to participate, [*Desk thumping*] as representatives of a large section of Trinidad and Tobago, in a joint select committee where they will have an opportunity to ask questions and draw out facts on behalf of their constituents, rather than leave it in the hands of other persons.

As I said, everything is just for today. It is a Member from a past administration, on the other side, who sought to query the impartiality of a commission of enquiry when he questioned the Government actually paying a stipend to the Members. The basis of his complaint was conflict, because he felt—[*Interruption*] Tweet, tweet.

That was a Member on the other side talking about conflict and saying—

Mr. Imbert: What was that?

Sen. The Hon. B. Annisette-George: That was Mr. Robin Montano, when he sat on the other side. He complained and fought for the participation of Parliament in the commission of enquiry by saying that Parliament must pass the vote for the remuneration of Members.

Mr. Speaker: The hon. Minister's speaking time has expired.

Motion made, That the hon. Minister's speaking time be extended by 30 minutes. [*Hon. C. Imbert*]

Question put and agreed to.

Sen. The Hon. B. Annisette-George: Thank you, Mr. Speaker. The fear that we see here today and what is being bandied around about the Government having a majority on the joint select committee is not a creation of the Government; it is set out in the Standing Orders that the committee will be reflective, as closely as possible, to the balance as appears in the House.

Compare that cry today with the position of the Opposition when they were on this side in 1999, when they were piloting the Constitutional (Amdt.) Bill to bring into effect the select committees under section 66A. It was the then attorney

general who said that it was quite usual and that it was the practice everywhere in the world where there were such commissions, for the government to have the majority.

It is really a reminder of the same position taken by Members on the other side when, in the argument for the joint select committees in the debate a few weeks ago, they said that a back-bencher would be biased in favour of the Government. It is as if every time there is someone on this side, that person is accused of being biased. It says something more about the Members on the other side if, before anything is given an opportunity, they can talk about bias and improper behaviour.

I say here that there is very little difference; in fact, I would postulate that the joint select committee is a superior tribunal than that funded under the commission of enquiry. I therefore ask, in the interest of the people of Trinidad and Tobago, that the Opposition rethinks its position and make itself available so that the interest of the people of Trinidad and Tobago is served. The fears and the misinformation will be allayed. If they are really interested in the people of Trinidad and Tobago, they would accept our invitation.

I thank you.

The Prime Minister (Hon. Patrick Manning): Thank you very much, Mr. Speaker. I would like to thank the Member for Chaguanas West for giving way and allowing me to speak at this stage. Under normal circumstances, it would have been the Opposition's turn and he was gracious enough to give way to allow me to make my contribution.

The history of the People's National Movement is the history of the development of the people of Trinidad and Tobago. Ever since the advent of party politics and the PNM in 1956, we have sought to develop this country in a manner that gives the maximum benefit to the majority of citizens in the shortest possible time.

During the past 52 years of party politics, the PNM has been in government for 41 of those and for 11 of those years, we have been in opposition for two periods: between 1987 and 1991, for one parliamentary term; and between 1995 and 2001, for a total of six years; two parliamentary terms.

Whenever the PNM finds itself in opposition, we step back and take a second look at all for which we stand. We take a second look at the way we have conducted our business in the period prior to our advent to opposition and we use the time to make corrections and to emancipate the approaches.

6.10 p.m.

These approaches which, while moving in the same direction of maximum benefit to the maximum number of people in the shortest possible time, will represent a change of strategy; a change designed to bring it about in the shortest possible time.

I have very fond memories of Opposition between 1987—1991. [*Interruption*] Yes, the very distinguished Member for Diego Martin West was a very essential part of it and so was the former Member for Diego Martin Central. What we did in those years was that we sat and looked at all of this and how we conducted our business. We took note of what the population had to say to us in the period leading up to the election of 1986. We saw it in good faith, to make policy changes and to adumbrate new approaches and strategies that could achieve the objectives that we have set for ourselves.

We then went out to the public and sought to sell to the public, the direction that we had now arrived at and which we were now contemplating. The record will show that the population accepted our argument in 1991 and put us back in government. It was also when we got into government in 1995, we embarked on the same course of action. But, the circumstances were different because we were able to point to certain decisions, though unpopular at the time, we had taken and the effect of those decisions. For example, when we decided to liberalize the economy, there was an outcry from the business community. But, we were able to bring about an economic turnaround; a turnaround of the economy of Trinidad and Tobago in three years.

By 1994, the economy turned and today, so many years later, we can look back on this decision and we can conclude that it was the right decision, because we have now experienced about 15 consecutive years of economic growth and expansion to the point where the size of the economy today is by far the largest that it has ever been.

In the same vein, we reversed our policy position of many years standing. I was one of those very much against the export of natural gas, without any additional value added. I was very much against that. As we reviewed our position and as we began to understand a little better the energy realities of our country, we realized that, indeed, we had more gas than we thought we had and we were in a position to pursue a different policy, otherwise we could have ended up with what we call stranded gas, lack of a market and, therefore, stymie our gas exploration and incidentally our oil exploration.

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In Opposition, we took the decision to reverse that policy and we instituted the new policy in 1992. Today, they talk about the price of oil and gas. Oil prices and gas prices could be as high as they wished. Had we not taken the decision to export gas in the form of LNG, we would not have been in a position to capitalize on the high gas prices. Therefore, it is not gas prices, per se, but it is the decision that we took to export natural gas in the form of LNG. That is what it is today.

We were able to look back at that with fondness. We saw that the economy was on the right track and we knew, in the face of what took place in the energy markets in the 1970s, that sooner or later a situation will recur, where the supply and demand of oil would be out of line and the prices will be down again. We sat and asked ourselves: What does this new environment in which we sit—what are the opportunities that this new environment provides for us?

We have to remember that the age of globalization has begun to creep in and whereas a lot of developing countries around the world were able to take the position that they did not support globalization, it acted against the interest of developing countries and the international financial institutions were not working towards the benefit of undeveloped countries. The PNM in Opposition took a very key decision. We are not arguing with what is before us. We are not quarrelling with anybody. If this is the environment in which we find ourselves, then it is in this environment that we would have to operate and we would have to decide how best we can operate. What are the positives? What are the opportunities that this environment provides for Trinidad and Tobago?

We concluded that the opportunities were many, so much so that we felt we were able to target a very ambitious objective and that was striving for developed country status by 2020. That was a tall order, because we were in Opposition. We had no idea when we were likely to get back in government. It was our view that we would have been back in government by 2000. As it turned out, we were in government one year later. By the time we got back into government, we had lost two years and there were only 18 years left to get to developed country status.

It became more urgent. How do we do it? We knew that if we continued along the established track, we would get the established result and if, therefore, we needed to achieve developed country status in the time frame we had set, then we would have had to accelerate the rate of the country's development by some mechanism. How do we do it? That was the question.

In the public sector, we are constrained by the bureaucracy. It is not just peculiar to Trinidad and Tobago. It is applicable to developing countries all over

the world. We were part of that. We had the experiences of other countries on which to draw. Our experience is—In my own case, not only have I been in Parliament and Government since 1971, but I am part of a political party that spent the last 41 of the last 52 years in government and, therefore, a political party with such experience and institutional memory—that we could draw on this deciding how to move the country forward.

In seeking to draw on it, we took note of the fact that the public service was an administrative and not an executing agency. The mistake that we have been making for a number of years is trying to use the public service in a role for which it was never designed and which was never intended, that of an executing agency. The public service is an administration.

The country has moved so fast, in such a short time that the public service structures, processes and procedures were unable to achieve for us the objective that we set for ourselves when we were in Opposition between 1995—2001.

We looked around to see what other countries around the world had done. We talk about Singapore, Malaysia and Dubai. A lot of us talk about that. [*Interruption*] Correct, absolutely. Mr. Speaker, what the Member for Couva South does not understand is that there is something called parliamentary record and many years from today, long after he is gone and long after the Member for Tabaquite ensures his departure and his political demise for yet another time, long after that, students of History are going to read the record of the proceedings of this Parliament to see how Trinidad and Tobago did it. A contribution such I am seeking to make, is going to be very relevant in that context. [*Desk thumping*]

Our experiences told us that we had to go outside of the public service arrangements and, of course, we set up the Special Purpose State Enterprises. A key one is the Urban Development Corporation of Trinidad and Tobago (UDeCott). It was set up long before now. It was indeed set up in 1994, because we foresaw, since we were in government at that time, that there will be a need for this. We set up UDeCott as the primary governmental vehicle for accelerated activities in the construction sector. That was the idea behind it because we knew, from our experiences in the 1970s, that as we sought to reduce the unemployment levels in the country, we could accelerate the construction sector, which has a dramatic impact. In fact, in those years, we did not carry it as far as we could have carried it. We knew that as we got back into government and as we sought to make an impact on unemployment and as we sought to speed up the country's development, the construction sector offered us an opportunity that had never been fully exploited. UDeCott, therefore, was selected as the vehicle.

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We are also aware that there are procedures and practices in the construction sector in Trinidad and Tobago that act as disincentives to the objectives we have set for ourselves.

I would like to remind hon. Members, especially hon. Members opposite, that UDeCott is not a construction firm. UDeCott is a project management firm. All it can do is manage projects, and as it seeks to do that, it has to rely on the rest of the construction sector, the architects, the engineers, the quantity surveyors and the contractors. As well intentioned as UDeCott might be, as well intentioned as the Government of Trinidad and Tobago might be, as well intentioned as we might be in operating through UDeCott to speed things up, there is a limit to how fast we could have gone, based on the other constraints that confront us in the construction sector. That is the reality.

I have no doubt that any company such as UDeCott, with the mandate that it has, will have issues facing it from time to time; it must. That is the nature of the business. It must have them. Therefore, whatever the issues may be, we have sought, as part of the normal governance arrangements in the public service from which UDeCott is by no means exempt, to ensure that there is enough in place to try to keep these companies, as best as possible, on what we call the straight and narrow road. We have no doubt that even with what we have done, if you put strictures and so many obstacles to control everything a company does, then you could stifle a company to the point where it becomes non-effective. You do not want to do that. What you are looking at is some kind of balance between the requirement for performance on the one hand and the requirement on the other hand for accountability and transparency. That is the dilemma that faces any government that seeks to operate the way we are operating.

Mr. Speaker, again, that is the reality. [*Interruption*] Please, I am not condoning any malfeasance. As you know, I am putting the case as clearly as I understand the case to be. That is the reality of it. If the Member for Couva South is of a different view, then he is welcome to participate in the debate. Let us hear your view. This is what the Parliament is all about. Let us hear your view. The view that I have outlined is my own. There are those who say that the answer to the problem is to reform the public service and I agree entirely. But experience also tells us that it is easier said than done. It is a very long process. It is a cumbersome process and it is a process in respect of which the results in the time frame that we are seeking are very questionable. We are not the first to try it.

I headed the government in 1991. That was his mandate when Minister Draper came into the government. A lot happened in that time, but for all of that, yes there was improvement but still the public sector administrative arrangements are not today what we would like them to be, nor are they today what is required to achieve the objectives we have set for ourselves and, therefore, we have to find mechanisms outside of that.

6.25 p.m.

Mr. Speaker, in seeking to identify those mechanisms, we had one example domestically from which to draw, and it was the successful example of the energy sector.

In the 1970s and 1980s, ever since we took the decision to utilize the gas resources in national development, we set up the National Energy Corporation and the National Gas Company, and there was the role of Professor Julien. Let me take the opportunity in this debate to place on record the appreciation of the Government of Trinidad and Tobago for the contribution that Professor Julien has made to national development. [*Desk thumping*] Mr. Speaker, whether they like it or they do not like it, even his worst detractors would admit that had it not been for the efforts of Professor Julien, our energy developments could not have been where they are today. [*Desk thumping*]

It is all well and good for a government to have ideas; it is all well and good for a government to enunciate policy, but if that government does not have persons who are able to properly implement the ideas and objectives that it sets, then that Government is going to turn out to be non-functional. That is the reality and, therefore, we need the “Juliens” of this world. We need them. [*Interruption*] We have said it. I have said nothing different from that. We agree that there must be transparency and accountability. We agree entirely. That is what we are seeking to do. We are saying that even when you put the best arrangements in place, issues are going to arise from time to time. That is the nature of it.

Hon. Member: Are you apologizing?

Hon. P. Manning: I am not apologizing for anything. I am putting the facts on the table as I understand them. We have the energy sector to draw on. Even hon. Members opposite—the Member for Tabaquite who likes to march did it in Point Lisas. Just prior to the election of 1995, he started on a course of action. He said the greenhouse gas emissions from Point Lisas are so great that Point Lisas should be closed down. Is that right or wrong?

Mr. Ramnath: He did not say that.

Hon. P. Manning: At that time, you could not think clearly, because he was on your political heels. If you did not hear him, I understand why. The Member for Couva South was a man who was behaving as though there were hounds baying at his heels.

Mr. Maharaj SC: I did not say that.

Hon. P. Manning: Now, the hon. Member for Tabaquite wants to change his tune. We are not going to allow him to change it. As the lawyers would tell you, facts are stubborn things, they do not go away. Even hon. Members opposite, when they got into Government, on the one hand they were chastising Professor Julien, the National Energy Corporation and the National Gas Company, but the minute they got into government and foreign visitors came to Trinidad and Tobago, the first place that they wanted to take them was Point Lisas. They were proud of it. [*Interruption*] Whether they want to admit it in this Parliament at this time or not, they were proud of it. That was the example. The example was Point Lisas and its success. All that we sought to do in the construction sector was to replicate the very successful example and model that we had implemented in the energy sector in Trinidad and Tobago. That is what we sought to do.

We are going to have to replicate it again in the agricultural sector, and the priority that must be accorded to agriculture now—in the context of high and rising food prices, which are not just restricted to Trinidad and Tobago, but are a worldwide phenomenon, in the face of that—we are going to have to put in place similar arrangements like the very successful arrangements in energy, to ensure that the people of Trinidad and Tobago are not called upon to pay exorbitant prices for the food that they eat. That is the reality.

Mr. Speaker, not too long ago, there was a debate in this honourable House and in the other place about the virtues of the parliamentary committee approach. There was a debate, and as leader of the Government, I sat and listened very carefully to what hon. Members opposite and to what hon. Members in the other place had to say. As irrelevant as they tend to be from time to time, you would get the odd glimmer—in all the irrelevance you would get an idea from time to time that the Government might be able to hold on to—pearls are just dropping one now and one then—and while I am going to spare hon. Members in this House this evening—I am not going to remind them of what they had to say. I am going to remind them of what their colleagues in the other place had to say. I see the Member for Caroni East is smiling. You are off the hook. You had a mouthful to say.

I would just like to remind them of what hon. Members in the other place from their team thought about the approach of the joint select committee of Parliament. When the Government said two committees and they said three, to justify the three committees they had to argue the virtues of them, and this is what Sen. Mohammed Faisal Rahman had to say. He is a Member of the UNC team. He said:

“The purpose of the joint select committees is to look into the performance of the Government and to act as the policing authority for the functioning of the Government and the various financial arms of the State.”

Mr. Speaker, these are not my words. These are the words of one of their colleagues in the other place. How could it be that a joint select committee is seen as a policing authority for the proper functioning of the Government and its financial arms, but tomorrow it is not adequate?

Mr. Imbert: That was yesterday.

Mr. Maharaj SC: I thank the hon. Member for giving way. Do you agree, as Prime Minister, that a joint select committee comprising of Government and Opposition Members in a matter like this could decide issues of facts? Could you say that is acceptable? [*Desk thumping*]

Hon. P. Manning: Mr. Speaker, a joint select committee is comprised in a certain way; Government, Opposition and Independent. When they are talking about investigating companies at the Public Accounts Committee or the Public Accounts (Enterprises) Committee, they do not raise these questions. These questions are never raised and they are not relevant, because they are all right then. Now, suddenly, he wants to look at the composition of the committee. Mr. Speaker, the next thing you are going to hear from them is that when we say a commission of enquiry, they will then say that you cannot appoint the members. That is what they are going to say. If Members are appointed by the Government then there is a conflict of interest. That is what they are going to say.

Mr. S. Panday: Not necessarily, depending upon who you appoint.

Hon. P. Manning: The arguments that you get from hon. Members are arguments of convenience. [*Desk thumping*] It is convenient to do something today and do something else tomorrow. That is what it is. Mr. Speaker, yesterday was yesterday and today is today. [*Desk thumping*] That is how they do it.

Mr. Speaker, Sen. Dr. Nanan, we know him well down here. I want to give the Parliament a joke.

Hon. Annisette-George: Give us, we need some humour.

Hon. P. Manning: Mr. Speaker, this very gentleman went to a school when he was the Minister of Education and he told the students—

Mr. S. Panday: Breakfastes!

Hon. P. Manning:—that he wanted to ask them a question, because he knew they were very bright. He told them that this room is 20 x 15, and he questioned the students: How old am I? One of the bright boys put his hand up and he called him and said: How old do you think I am? And the fellow said 32. He could not understand how the fellow found that out. The fellow told him that last week one of his colleagues, a fellow name Humphrey was here. He was 64 years old and he was totally mad. [*Laughter*]

Mr. Speaker, this is what Sen. Dr. Nanan had to say.

“That is the joint select committee; that is the role in terms of the investigative power. This is what the Government is afraid of, the investigative power.”

He was referring to the joint select committee. He said:

“Yes, a Minister has general direction and control under the Constitution, but with respect to Ministers reporting in this Senate and making false statements, there is that substantive motion, because we saw it already; a Minister had to apologize in another place.”

He was extolling the virtues of the joint select committee, because he said that the Government was afraid. It was his view that the Government was afraid of the investigative power of the joint select committee.

Mr. Speaker, when the Government said there will be a joint select committee for UDeCott, it does not have enough investigative power. That is what they were saying. They are saying one thing in the Senate and another thing here. That is duplicity. That is what it is and it is not unknown to us. We have seen it before—the duplicity of hon. Members opposite. They supported the CCJ when they were in government and the minute they got into Opposition they did not support it. They supported the police legislation in government and the minute they got into Opposition they did not support it. [*Interruption*] You are going to get a chance to talk. That was Sen. Dr. Nanan.

The third fellow is Sen. Dr. Carson Charles. Do you know him? This is what he had to say.

“The joint select committees are excellent instruments for bringing the people into the process.”

What they are afraid of is bringing the people into the process. That is what they are afraid of. It continues:

“So you should see how important it is to put some effort into the operations of the joint select committees while you have to spend time, and so on, dealing with your administrative duties of running your ministries and spending moneys and making sure all these state companies are doing whatever you want them to do. You should see that it is also in your interest if you want to be successful in transforming the society and taking the country on a particular path that you bring the population into the picture, and this is one of the avenues whereby the population can come into the picture.”

So, in other words, it brings the people into the process. This is what one of their hon. Members in the other place had to say. The minute we are seeking to bring the people into the process in this UDeCott matter which affects the people, they are saying no. They want the people in some processes, but they do not want them in others. [*Interruption*]

Mr. Speaker, this is what Sen. Dr. Jones-Kernahan had to say in the Senate:

“We are concerned that the joint select committee is a powerful tool to face the managers in government ministries and statutory bodies and pose questions to them.”

Hon. Member: But not Calder Hart.

Hon. P. Manning: Do you understand? This is what Sen. Dr. Jones-Kernahan had to say in the Senate. It was a powerful tool then and suddenly the tool has lost its powers.

Hon. Annisette-George: Two weeks ago!

Hon. P. Manning: She continues:

“In the Eight Parliament, we revolutionized the whole question of interface, interaction and accountability. People came from Chatham and Cedros, sat in this Parliament and posed questions, through the joint select committees, to the highest authorities in the land and they had to answer.”

Please, you are going to get your chance.

6.40 p.m.

One of their Members had this to say and they had to answer. This is what she said—some of them did not answer because they are always penning secrecy,

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private rights and this and that. The fact is that ordinary people came to this Parliament and faced the managers and posed hard questions and got answers. That is what this is about; it is not about their problems and how many committees they have to sit on; we are not concerned about that.

Agreed; we are not concerned about our problems, we are concerned about getting the people's business done. So, we are saying that we agree with them, you know; their arguments were persuasive. Now that we agree with them and we seek to use the mechanism whose virtue was extolled so eloquently in the other place, they suddenly changed their tune, consistent with their normal duplicity and all of a sudden it was an ineffective mechanism that you do not want, with respect to UDeCott. It is good for everybody else; it is good for everything else; it is not good enough for UDeCott. Sen. Mark.

Hon. Members: The king, the king.

Hon. P. Manning: Yes, King Kong. He said:

"Mr. President, these committees represent mechanisms within our Parliament to scrutinize the operations of the central government..."

This is what he said:

"Mr. President, these committees represent mechanisms within our Parliament to scrutinize the operations of the central government..."

And he is right. That is what we are trying to do; we are trying to scrutinize the operations of an aspect of Government's operations, which can very effectively be done through a joint select committee of Parliament. They supported it two weeks ago; today they are not supporting it. Independent Senators, Mr. Speaker. Did I hear the Member for Princes Town North? Have you ever had anything to do with a joint select committee, through you, Mr. Speaker? I am not hearing you. *[Laughter]*

"Joint Meeting of Joint Select Committees of Parliament appointed to inquire into and report to Parliament on the 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:"

Municipal Corporations, this, that, that, that, that.

Hon. Members: What year?

Hon. P. Manning: April 12, 2001, 11.10 a.m. Chairman, Subhas Panday.

Hon. Members: Noooooo!!!

Mr. S. Panday: No committee ever sat.

Hon. P. Manning: I am sorry I did not hear you. I will sit again if you wish. Do not bother with them.

Mr. Imbert: Read this.

Hon. P. Manning: I suppose you would say these are not your words either and this is the Chairman:

"Welcome to this joint meeting of the Select Committees..."

Hon. Members: Nooooo. [*Desk thumping*]

Hon. P. Manning: I continue:

"in which we hope to do some groundwork to have the Committees started. We shall start with welcoming remarks and that will be coming from Sen. Gillian Lucky."

Are these your words or not, through you, Mr. Speaker? [*Crosstalk*]

Independent Sen. Gail Merhair:

"I think that the joint select committee is an important ingredient in a parliamentary mix that is necessary to ensure accountability and transparency in a democratic State."

An Independent Senator saying that. Independent Sen. Helen Drayton, two weeks ago, April 29, 2008:

"...with respect to the Auditor General. Let me say that that underscores the importance of these committees. The Auditor General though independent is not above scrutiny. There is no reason any of these committees to account, cannot call the Auditor General to account for reports that are six and seven years old and subvert the whole process of transparency and accountability."

The Senator was making the point that even the Auditor General was not exempt, and if a parliamentary committee wanted to call the Auditor General to account, it had the authority and was free to do so. Why need the powers? Why powers? Virtually plenipotentiary powers.

Mr. Maharaj SC: You like that word; you like that word.

Hon. P. Manning: Yes, yes, yes. Sen. Corrine Baptiste-Mc Knight: [*Inaudible*]

"Mr. President, I feel, further, that the allocation of functions between the two committees that the Government seems to favour, gives the impression

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that while it is quite in favour of oversight for the service commissions, the same is not the case for the complete variety of other functions."

By us going for two rather than three committees we were making a statement to this effect. We were saying that while it is quite in favour of oversight for the Service Commission, that is not the same, it is not the case for complete variety of other functions; extolling the virtues of the joint select committee approach.

Mr. Speaker, how in the face of all of this, of which they were an essential part in the other place—and I choose to let you all off the hook, you know. I choose not to tell them what they said in this House. I choose to let you all off the hook today. [*Interruption*] You would not dictate what I say in this Parliament, now or ever, all right. Sen. Basharat Ali:

"You cannot have Government looking at themselves or himself looking after himself. It is in this circumstance because it is such a combative business where the one person who is available and neutral could do that job."

Mr. Warner: What is the point?

Hon. P. Manning: Oh, you do not know the point? I know you are a little dense. I am sorry; I am sorry; I withdraw that, Mr. Speaker, he is not dense. I withdraw; I am sorry. Sen. Ramkhelawan:

"the whole question of balancing..."

Sorry, let us go to Prof. Deosaran:

"There are other things going on in this country that need more precise enquiry and intelligence gathering, and I submit therefore, that these select committees can accomplish that in a bipartisan manner. That is my other point."

Sen. Prof. Deosaran. He goes on to say:

"...that these committees have great value for democracy."

Mr. Speaker, speaker after speaker in the Senate and both the Opposition and Independent were extolling the virtues of the joint select committee. But all of a sudden it was good for every other company in the public sector; it is good for every other individual who has to be looked into, but the minute the company is UDeCott, something goes wrong and all that they have said is negated.

Dr. Moonilal: Thank you very much to the Prime Minister for giving way. Just for clarification, Prime Minister, would you say that you are quoting from the

debate where both Independent and Opposition Senators in the other place, spoke on the Motion to decrease the joint select committees of Parliament; that is the debate you are quoting from? Would you also have knowledge of comments made by Independent Senators vis-à-vis the appointment of a joint select committee to investigate UDeCott specifically? And if you do, what have you gleaned from their comments on that matter as opposed to that earlier debate in March dealing with the joint select committee?

Hon. P. Manning: Mr. Speaker, let me deal with the first part of the question. You see because what we were debating was not a Motion to decrease; they were arguing passionately in favour of increasing from two to three. In fact, they were so persuasive—[*Crosstalk*]

Mr. Speaker: Order!

Hon. P. Manning:—with their arguments that the Government accepted the argument. The Government accepted the argument and therefore we went with three. Whatever the difficulties are in operating three committees in a Parliament that does not have the number of back-benchers as the British Parliament has, the Government went along with the view expressed by the Opposition and the Independents because we were persuaded about the virtues of the joint select committee approach.

How could it be good then but it is not good now? I want to remind you because you all must never be allowed to forget it; they do it all the time. The Heads of Government sent the Secretary General to Trinidad to talk to me about the Caribbean Court of Justice. [*Interruption*] I say it again; you must never be allowed to forget it, because they supported the Caribbean Court of Justice in Government, but the minute they came into Opposition they do not support it. They supported the police legislation in Government; they chaired the committee; the minute they came out of Government, they stopped supporting it. We had to carry them kicking and screaming to it, eventually.

Mr. Maharaj SC: Would you give way to me?

Hon. P. Manning: Last time; last time.

Mr. Maharaj SC: Mr. Speaker, I am thankful to the hon. Prime Minister. In the light of what the hon. Prime Minister said, could he explain to the House and the national community how he supported to have 12 commissions of enquiry in 2002 to now, but he is not supporting it now?

Hon. P. Manning: Mr. Speaker, I do not know how the hon. Member for Tabaquite has come to the conclusion as to what I support and what I do not

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support; you do not know what I would support; you have no idea. [*Crosstalk*]
This is the *Newsday*—

Dr. Moonilal: That is not the *Newsday*; that is a scrapbook.

Hon. P. Manning:—JCC wants more than three JSCs. [*Interruption*] The Joint Consultative Council. The Joint Consultative Council of the Construction Industry had something to say on this matter. They agreed with hon. Members opposite except that they think they did not go far enough. They do not want three; they want more than three—look it here.

"JCC wants more than three joint select committees"

They are saying that and now that we say we want the fourth one; they say no. In other words, their associations have become very clear—and those who influence them are very clear—to us.

This is the problem with this country; they are never consistent; it is never principle; it is never right and wrong; it is always, this is expedient now, so I say that; that was expedient then, so I said that. I am sorry, we come from a different perspective and a different frame of reference. [*Desk thumping*] We come from a perspective of right and wrong. If something is right, it is right, no matter who is involved and if something is wrong, it is wrong no matter who is involved or who says it or where it comes from. [*Desk thumping*]

Mr. Speaker: Hon. Members, the speaking time of the hon. Prime Minister has expired.

Motion made, That the hon. Prime Minister's speaking time be extended by 30 minutes. [*Hon. C. Imbert*]

Question put and agreed to.

Hon. P. Manning: Thank you very much, Mr. Speaker and I am grateful to hon. Members. A headline, I think in the *Express*:

“‘Secret meetings’ no more public sitting of parliamentary committees”

Mr. Speaker, the Prime Minister comes to the Parliament and announces a joint—and I will come to that in a minute—select committee meeting in public and they forget television scrutiny; they do not support. [*Interruption*] Not you; I am talking about those who said secret meetings here in the newspaper. What is wrong with you? Are you paranoid? Take it easy.

Hon. Member: Fire.

Hon. P. Manning: Cold water. If it is not one thing; it is the next. They accuse me of trying to subvert the parliamentary system as Prime Minister, because I came to the Parliament and, as they said, I established a joint select committee; I did no such thing. This is the document from which I read. This is what it had to say; it was in the Senate:

"As a result, I wish to announce that the Government proposes the appointment of a joint select committee of privileges."

6.55 p.m.

Not only that, but one newspaper editorial accused me of setting it up and then wrote a whole editorial on that. You see, because it was convenient to do so. [*Crosstalk*] They did not stop for one minute just to check, because they had reporters here. There were reporters in the Parliament; when I spoke it was before 4.30 p.m. There were reporters here when I spoke, it was easy for them, and if they had a doubt, to check it. The Government proposes the appointment of a joint select committee; the Prime Minister cannot appoint a joint select committee. He has no such authority, ladies and gentlemen. [*Interruption*] He has no such authority. So we proposed it, we proposed the appointment of a joint select committee.

Mr. S. Panday: They proposed the chairmanship too, you proposed the chairmanship also. [*Crosstalk*]

Hon. Member: You can propose whatever you want.

Hon. P. Manning: Mr. Speaker, as I said earlier on in this contribution, UDeCott has a particular mandate and questions will arise from time to time. But UDeCott is not a construction firm, UDeCott is a project management firm and it manages the work of contractors—this is building contractors—of architects, of engineers and of quantity surveyors. That is what it does.

Mr. S. Panday: And award contracts. That is the point.

Hon. P. Manning: And it awards contracts. Therefore the ability of UDeCott to be successful or otherwise does not depend on UDeCott alone, it depends on those also who have to work with UDeCott. One of the problems that the Government has been experiencing is that there is a system of operation in the construction industry that we consider subversive of the Government's determination to accelerate the country's rate of development and to achieve developed country status by the year 2020. That is the fact! It is subversive of that. [*Interruption*]

What the Government is trying to do—and it is not UDeCott—is to change the established order in the construction sector through the special purpose state enterprise of UDeCott. That is what we are trying to do. So, in terms of the policy that UDeCott is pursuing, it is a Government policy, and what the Government is trying to do is to change the established order.

Dr. Gopeesingh: Thank you very much, Prime Minister, for giving way. In your contribution so far you have been speaking about the changing of the order of contracts from government because the public service is not felt to be doing well. You indicated from 2003 that you were in the process of forming the special purpose companies; now the special purpose companies have been operating from 2003—2007, and you indicated that you would have a procurement regime in place to govern the whole aspect of the functioning of the special purpose companies. *[Interruption]* So far UDeCott and all the other 14 are operating without that and this is why the country is asking for transparency. Could you comment on that?

Hon. P. Manning: Yes, because the impression that the Member for Caroni East is giving is that this Government is operating without proper tendering procedures. That is not so! They have their own regime in place. *[Interruption]* Please! Each special purpose state enterprise has a procurement regime in place. *[Interruption]*

The point is that they are not all consistent. Different companies use different regimes and what the Government was seeking to do was to bring all under the same umbrella, but there has not been agreement on what that umbrella should be. The debate has gone on, and I will be the first to admit, that the debate has gone on a little longer than we would have liked, but the debate has gone on. It has had to go on because we were in search of truth. Where does the truth lie? What is the best thing to do? We are not anxious to jump and put something in place because the Member for Caroni East or anybody else wants it. We want to be sure that whenever we put something in place we do the right thing.

Mr. Maharaj SC: Five years from now.

Hon. P. Manning: Five years, and if it takes six it will be six. We will take whatever time is necessary to do it. *[Interruption]*

Mr. Speaker, I am coming to that too. The JCC came to the Prime Minister—they wrote me a letter complaining about UDeCott and I decided to meet them—met them before the election, met them after the election—and we agreed, listened, we have issues in the construction sector, let us try to work this thing out

in a civilized manner, let us agree that the Government will put a structured arrangement in place in which they will participate and let us work this thing out around the table, and they agreed to that.

As a consequence of which a Cabinet subcommittee on the construction sector, had its mandate widened to include proper arrangements, on the basis of discussion with the JCC, proper arrangements in the construction sector. Not only that, but when they came to us they expressed this point of view. They said that there were too many public utterances from the Government and from their side criticizing each other, they did not like it and they felt the time had come to put that to an end, and we agreed. So, the discussions were ongoing, all the public talk had stopped and we were very hopeful and very confident that we would have arrived at a successful conclusion in the matter. Even though some of the things they were asking were a little out of the realm of propriety in our view, but that was all right, it was a discussion. It was around a table.

I was the most surprised man when the JCC held a press conference in the face of this matter here. The JCC held a press conference, and they were very condemnatory of the Government, contrary to the agreement we have had, and then two members of the JCC went on national television and I saw it.

Hon. Member: Who are the two?

Hon. P. Manning: You want me to tell you who the two are? [*Interruption*]

[*Hon. Prime Minister holds up paper and shows picture*]

Look them there.

Mr. Maharaj SC: Who is that? Who are they? [*Crosstalk*]

Hon. P. Manning: “Bim and Bam”. [*Laughter*]

Hon. Member: Who, Riley? Riley and who? Your friend.

Mr. Imbert: My friend? Give me a chance. [*Crosstalk*]

Hon. P. Manning: It is one, Mr. Winston Riley and Mr. Mikey Joseph, two members of the JCC. They went on television, and even though they said that they were not political, I looked in amazement—

Mr. Imbert: They were on a rampage.

Hon. P. Manning:—as Mr. Winston Riley decided to attack the Prime Minister directly. I was surprised. Not only that, but he said the solution lies neither with us on this side nor with them on that side—now, he is right on that

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one—but that a third force was required. Clearly, he was a COP supporter. That is what he was saying, it was clear.

Mr. Imbert: Clearly.

Hon. P. Manning: Then they were saying it was not politics, but I sat down—

Mr. Ramnath: You are not above criticism.

Hon. P. Manning: You are free to criticize, but I am free to answer. Am I not free to answer, hon. Member for Couva South? [*Crosstalk*] I am free to answer and I am going to use the forum that I have to answer. I am not going to do it on the television, I am going to do it right here in the Parliament. This is my forum. Is it not yours? [*Desk thumping*]

Mr. Speaker, I was surprised. Do you know why I was surprised? Because we had an agreement and they only sought to jump into that fray because they thought that the Government had become vulnerable and they were seeing what others would describe as the white of the eye so they decided to shoot. Well, we have been up against that before, it is not the first time. [*Interruption*] Therefore, I decided to do a little research. I have a document here. [*Interruption*] It is a UDeCott document—

Hon. Member: You bought a plane—[*Inaudible*]

Hon. P. Manning: Yes. The document was written—it is an investigation by a foreign company called CH2M HILL Lockwood Greene.

Mrs. Persad-Bissessar: What?

Hon. P. Manning: CH2M HILL Lockwood Greene.

Mr. Maharaj SC: Another CH?

Hon. P. Manning: Yes.

Mr. Maharaj SC: This is a different one—[*Inaudible*] This is Calder Hart own too? [*Laughter*]

Dr. Gopeesingh: Oh, Lord, this is another one. You need an investigator in truth. [*Laughter*] [*Crosstalk*]

Hon. P. Manning: I would tell you like Mr. Panday said when a reporter asked him more questions, you know. [*Laughter*]

Mrs. Persad-Bissessar: What is the date?

Mr. Imbert: She wants the date. [*Crosstalk*]

Hon. P. Manning: The date of the document. [*Interruption*] I will get it, May 2006.

“CH2M HILL Lockwood Greene was requested by UDeCott to conduct an appraisal of six medium-income housing projects located in Trinidad and Tobago. The projects had encountered both cost and schedule problems. The purpose of the appraisal was to examine the history of the projects, identify the root causes of the budget and schedule issues, and to make recommendations that might improve project performance in the future.”

A very laudable objective.

Mr. Maharaj SC: That is Calder Hart saying that?

Hon. P. Manning: Yes, well this is Lockwood Greene, you either accept—are you saying therefore that this is not acceptable?

Mr. Maharaj SC: He had twin brothers.

Mr. Imbert: Oh, come on!

Hon. P. Manning: Just quoting at random, page 12. [*Interruption*] At random from the document.

Mrs. Persad-Bissessar: Why highlight then if it is so random?

Hon. P. Manning: “The contractors for three...” [*Crosstalk*]

Mrs. Persad-Bissessar: It is in yellow highlighter.

Hon. P. Manning: You see, as I quoted at random I highlighted it.

Mrs. Persad-Bissessar: “Yeah”, okay. [*Laughter*]

Hon. P. Manning: “The Contractors for three of the six sites were terminated by UDeCott for lack of performance. Additionally, UDeCott considered the termination of the contractor on a fourth site due to the Contractor’s belief that they would be unable to meet the schedule goals.”

Mrs. Persad-Bissessar: What is the point on that?

Hon. P. Manning: In other words, Mr. Speaker, when the performance did not match the anticipated expectation of the population, it was not UDeCott that

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was responsible, it was the contractor, and UDeCott in carrying out its mandate had to take action against four of six contractors. Three they fired and they warned one, because they almost terminated it up to the time of this report.

“All six of the projects [*Interruption*] use a FIDIC form of contract”...listen to this please...“with Supplemental Conditions. The contracts as written and as implemented, placed UDeCott at a disadvantage in several areas, and contributed significantly to the difficulties the projects encountered.”

A FIDIC form of contract, that is one of the matters down for discussion. So, the form of contract is one of the issues in the construction sector that the Government is trying to change; issue number one.

“At the time of tender...”

And listen to this. [*Interruption*] These are the issues. These are the issues in the construction sector, that is why we cannot achieve what we are trying to achieve.

“UDeCott believed that the payment to the Contractors would be based on a lump-sum price. The tenders as issued, however, contained a Bill of Quantities prepared by the Engineer and were evaluated based upon total cost and adherence to the BOQ.”

Do you know who the engineer was? The engineer was a company called PAL (Planning Associates Limited), the managing director of whom is a Mr. Winston Riley.

Mrs. Persad-Bissessar: And?

Hon. P. Manning: Could you imagine a situation, Mr. Speaker, where you are my client, I employ you to look after my interests and when a contract is awarded, and I thought that a contract was awarded on a fixed price basis, I found out it is bill of quantities and therefore a mechanism that I did not support—and the report itself talks about the disadvantages of Bill of Quantities as we go on. A question of trust.

Mr. Ramnath: Who issue UDeCott—[*Inaudible*]

Hon. P. Manning: And the Member for Tabaquite will understand that. What did Confucius say?

Mr. Maharaj SC: The Confucius say, keep trust, I hope you take the advice.

Hon. P. Manning: I am sorry, what did Confucius say?

Mr. Maharaj SC: No, you go ahead. [*Inaudible*] [*Crosstalk*]

Hon. P. Manning: Mr. Speaker, UDeCott trusted the engineer and this is what the engineer did. Those are the problems that UDeCott indicated—*[Crosstalk]*

Mr. Imbert: You see the president of the JCC?

Hon. P. Manning: Those are the problems that the Government experiences in seeking to carry out its mandate. The contracts had been administered using the bill of quantities as the basis of payment rather than a lump sum price. This has resulted in shifting the risks normally assumed by the contractor to UDeCott. Risks normally shouldered by the contractor have now been shifted to UDeCott. UDeCott has borne the costs that resulted from deficiencies in the engineer's original Bill of Quantities.

Mr. Ramnath: So, why did UDeCott give them the bill? *[Crosstalk]*

Hon. P. Manning: Please, an investigation turned all this up. *[Crosstalk]* The bill of quantities form of contract exposes UDeCott to risks that would not be present were a lump sum contract employed. Issue number two.

The Government of Trinidad and Tobago is of the view that we should move away from the bill of quantities approach and go to the design/build turnkey arrangement.

Mr. Imbert: They fighting that.

Hon. P. Manning: And that is being resisted by the Joint Consultative Council—

Mr. Imbert: Riley.

Hon. P. Manning:—chaired by Mr. Riley. *[Interruption]* This is the reality of it. We want to move away from that because as the investigation says:—an independent investigation from Houston, Texas—“This approach works against UDeCott”, which was the project management firm, in effect the agent of the Government of Trinidad and Tobago, it works against the national interest and therefore it should be changed, and as we seek to change it, Mr. Speaker, we get resistance. That has to change! The next thing. *[Interruption]*

The contract with the engineer stipulates payment—

Mrs. Persad-Bissessar: That is the JCC.

Hon. P. Manning: Yes, but they are the ones who are saying all kinds of things about the Government and UDeCott, how we are this and that.

Mrs. Persad-Bissessar: So, kill the messenger?

Hon. P. Manning: We are not killing any messenger; the country must know the facts, ladies and gentlemen.

Mr. Imbert: These are the facts.

Mr. Warner: Answer Ramesh.

Hon. P. Manning: The contract with the engineer stipulates payment be made to the engineer based upon a percentage of total construction cost. This gives the engineers no incentive to help control costs and has the effect of rewarding them for cost overruns. [*Interruption*]

In other words, Mr. Speaker, we want to change that too. We want a fixed price contract in the future and we do not want any arrangements where the architects and engineers are paid on the basis of the construction cost, that is to say, a percentage of the final cost of the project, in which case they have no incentive to control costs, but in fact they have every incentive to allow costs to get out of hand, because as they do that it increases the amount of money that they get from the project. That has to change. That has to change, Mr. Speaker, and we are getting resistance. [*Desk thumping*]

7.10 p.m.

It goes on to say:

"It is our understanding that the term 'provisional sums' refer to lump sums entered into the BOQ as an allowance, a plug number or a line item contingency. While the use of provisional sums may be appropriate in the initial budgeting for a project we do not view their inclusion in a tender document as being to the Employer. The project will tend to grow to consume all available provisional sums."

The quintessential example of that is the Ministry of Health building. When it went out, only 30 per cent of the contract was fixed; 70 per cent of it was provisional sums; therefore, the Government lost control of the project from the word "go". Prices have gone through the sky. The Scarborough Hospital was one of those too. [*Crosstalk*] The Brian Lara Stadium also.

Mr. Speaker, that is what we are trying to fight. It was in the Brian Lara Stadium project that the Government decided to take stock of this matter. When we saw what had happened with the stadium we decided that the time had come to put an end to that, but we are getting domestic resistance; therefore, we decided to go to foreign contractors. [*Crosstalk*] That broke before the Scarborough Hospital broke.

Mr. Ramnath: "Shanghai Company doing the stadium too?"

Hon. P. Manning: No, they might be doing the stadium, or one of them; a foreign contractor. These are the issues; we are trying to change this. As we are trying to change it, we are running into problems. [*Laughter*]

The document goes on to say:

"This form of contract places considerable authority in the hands of the Engineer and significantly limits the ability of UDeCott to control the projects and to protect the Employer's interests."

In other words, the balance of power goes to the engineer and he uses it as he sees fit. It is taken away from UDeCott, which is the Government's agent for ensuring the execution of a particular project.

"The Employer must have the ability to control cost and schedule. The Engineers authority should be limited to those functions that do not adversely affect cost and schedule."

So we are identifying the issues in the construction sector that go way beyond UDeCott. As the major instrument of the State, UDeCott, I am sure, would have issues from time to time, but it goes way beyond that. The Government is trying to change the order in the construction sector, in the national interest, and in the interest of getting the best value for money. [*Crosstalk*]

The document continued:

"We found numerous cost variances that were the result of deficient BOQs. The scope and magnitude of some of the items is perplexing."

These were the investigators. This is what they are saying; these are the issues. This is what we are trying to change. [*Crosstalk*]

"The files indicate that PAL continually directed the Contractor to execute variations without notifying UDeCott and requesting approval as required by PAL's contract."

So they issued variations without the authority of UDeCott, contrary to the contractual arrangements between UDeCott and Planning Association Limited.

Mr. Ramnath: This is a PNM family quarrel! [*Crosstalk*]

Hon. P. Manning: It continues:

"In many cases this deprived UDeCott of the opportunity to manage costs. The money was already spent before the Employer was made aware. The TT \$70K landscaping enhancement work at a River Runs Through It is a prime example."

Mr. Speaker: Order!

Hon. P. Manning: It continues:

"There is considerable correspondence from Winston Fong to PAL noting this deviation from contract and requesting that PAL cease unauthorized variances. We were only able to locate a few responses from PAL which noted that as justification for the changes 'the good of the project'."

In other words, they said that they did it for the good of the project; not for the good of themselves; not because as you do the variations the price goes up and their payment is based on the final price. They did not say that; it was for the good of the project.

"Delay in Design Documents

Virtually all of the Contractors claimed repeatedly in writing that late production of design documents was causing them delay."

Mr. Ramnath: "When you decided to buy the jet, you went through all of dat?" [*Laughter*]

Hon. P. Manning: It continues:

"However, the contract files contain numerous letters from UDeCott to PAL noting that the Contractors were experiencing delay and requesting that PAL produce the documents in more timely fashion. Although it is not unusual to see a Contractor claim delay due to late design, it is rather unusual that this claim is made on all six projects and by four different Contractors."

That is the engineer, Mr. Winston Riley, Managing Director of PAL, who went on television to attack the Prime Minister. [*Crosstalk*] Yes; he pretended to be Pontius Pilate. My answer to him is, "Let him that is without sin cast the first stone."

Mr. Speaker, the document continued:

"A review of the Contractors' correspondence indicates that Contractors' questions were not handled in a timely fashion."

They take their time to answer questions. The contractor asks this or that; they take their time to answer. As it delays the project, they are not concerned with that.

"The contract files reveal numerous issues that languished for months without any apparent action and no resolution examples include the revised geotechnical reports for Lady Young and the WASA re-approvals

for Green Street and El Dorado. The earth slippage at Lady Young was known on 30 January 2005. It appears that PAL waited until 24 March 2005 to notify Geotech Associates of the issue and request a revised report."

They take their time to do it; there is no urgency, because as the price goes up, which is what the delay would bring about, their fees go up. We want to change that.

It continues:

"Numerous I.E.s"—this is incomplete instructions from the engineers—"with no indication of possible cost impact or an explanation of why the work was required."

Mrs. Persad-Bissessar: What is an "IE"?

Hon. P. Manning: It is an instruction from the engineer.

Listen to this one, Mr. Speaker:

"We suspect that the site meeting minutes are severely slanted and do not reflect the actual project issues. When one matches the Contractor correspondence for a particular time period with the site meeting minutes for the same time period, the issues raised in the Contractor correspondence do not seem to make it to the minutes."

They "engineerize" the minutes; these are the issues.

Mr. Ramnath: You hired the wrong people!

Hon. P. Manning: Those who are calling for UDeCott's head must first put themselves up for public scrutiny. [*Desk thumping*] The Government is saying what is good for the goose is good for the gander too. [*Crosstalk*]

Mr. S. Panday: Give them a commission of enquiry!

Hon. P. Manning: They might well get it. [*Laughter*]

It continues:

"PAL issued Stop Work notices to the contractors that in some cases did not cite the justification for the stoppage. UDeCott was not informed nor consulted. FIDIC contract terms appear to give the engineer this authority."

I could go on and on.

Hon. Member: Who hired the engineers?

Hon. P. Manning: It is not just UDeCott; it is the entire construction sector. [*Crosstalk*]

Joint Select Committee
[HON. P. MANNING]

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When I addressed the Senate a short while ago and announced the Joint Select Committee, I indicated, at the time, that not a single allegation was made which could form the basis of a commission of enquiry.

Mrs. Persad-Bissessar: The Member for Tabaquite!

Hon. P. Manning: Would you be kind enough to listen? Take it easy. [*Crosstalk*] I am sure you will be willing to propose it. That was what I said; not a single thing; that was so until today.

For the first time somebody in this Parliament got up and made a clear and specific allegation. [*Desk thumping*]

Mr. Speaker: Order! [*Crosstalk*]

Hon. P. Manning: As a consequence of that, I am authorized by the Government to announce the establishment of a commission of enquiry into the construction sector. [*Desk thumping*]

Mr. Speaker: Order, please! [*Crosstalk*]

Hon. P. Manning: The terms of reference would be as follows:

- To enquire into the procurement practices in the public construction sector;
- The effect of the use of provisional sums, prime cost sums, nominated suppliers and nominated contractors in construction contracts in the public sector;
- The effect of incomplete designs, design changes, variations, poor supervision and poor management on the cost and delivery of construction projects in the public sector.

Mr. Speaker: Order! [*Crosstalk*]

Hon. P. Manning: I continue, Mr. Speaker:

- The performance of local and foreign contractors and consultants on public sector projects;
- The effectiveness of the turnkey approach, that is to say, the design/build approach for the delivery of public sector construction projects as compared to the traditional design and tender approach;
- The reasons for and the effect of cost overruns, delays and defective workmanship in public sector construction projects;

- The existence of price gouging and profiteering in the public construction sector, and the procurement practices and methods of operations of UDeCott. [*Crosstalk*]

Mr. Speaker: Order!

Hon. P. Manning: Secondly, to make such observations and recommendations arising out of the deliberations as the commission may deem appropriate to ensure that with respect to public sector construction projects and the procurement practices and methods of operation of UDeCott, taxpayers get value for money; there is timely delivery of projects; the highest standards of workmanship; quality; safety, professional conduct and practice are achieved and maintained; there is free and fair competition, full participation and access for all citizens in the public procurement process, and the integrity and transparency of the public procurement is assured.

Mr. Speaker, I am also authorized to say that the Commission of Enquiry will comprise four persons and will be chaired by Mr. Gordon Deane, a former Chairman of the Integrity Commission. By this mechanism, even though we believe that the joint select committee approach is superior, we have decided that in the face of the position taken by the Opposition and the possibility that the Independent Senators may not wish to participate in the JSC, in those circumstances, to go the route of the Commission of Enquiry.

We hope that at the end of the day truth will prevail and Trinidad and Tobago would have a new system of operation in the construction sector, and we will move inexorably on to the achievement of the objective that we set for ourselves which is developed country status by the year 2020.

Thank you.

ADJOURNMENT

The Minister of Works and Transport (Hon. Colm Imbert): Mr. Speaker, I beg to move that this House do now adjourn to Monday, May 26, 2008, at 1.30 p.m., on which day we will do the supplementary variation of appropriation and the report of the Finance Committee. [*Crosstalk*]

Mr. Maharaj SC: Mr. Speaker, I just want to announce, I think I have to do this, that there was a discussion, an agreement, that the Member for Chaguanas West would give way to the Prime Minister; that the Member for Chaguanas West would speak after the Prime Minister. [*Crosstalk*] That was what we agreed upon.

Mr. Speaker: Order!

Adjournment

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Mr. Maharaj SC: He was told that the Member for Chaguanas West was leaving the country, and we accommodated. I make an appeal to the Leader of Government Business for the Member for Chaguanas West to speak. [*Interruption*]

7.25 p.m.

WITHDRAWAL OF ADJOURNMENT MOTION

The Minister of Works and Transport (Hon. Colm Imbert): Mr. Speaker, in the spirit of compromise, I will withdraw this Motion to adjourn and we will adjourn after the contribution of the Member for Chaguanas West. [*Desk thumping*]

**JOINT SELECT COMMITTEE
(UDECOTT ENQUIRY)**

Mr. Jack Warner (*Chaguanas West*): Mr. Speaker, I thank you for using—

Mr. Speaker: Hon. Members, the hon. Member for Chaguanas West is about to make his contribution and it is desirable that we listen to him in silence. Proceed. [*Desk thumping*]

Mr. J. Warner: Thank you, Mr. Speaker. You will recall that about two weeks ago, you did give me leave of absence to be away from this House for a period of three weeks. You will, of course, know by now that circumstances in China forced me to return home prematurely. While I was in China, a victim of a terrible earthquake, I realized the fragile nature of life. It became clear to me that there must be a new way that we look at things. While I am here, I want to thank all those persons in this House and outside who expressed concerns for my welfare. I thank them all. And to those in the House and who are outside who are disappointed that I am still around, better luck next time.

Today, we debate a Motion to appoint a JSC to enquire into UDeCott. I rise now to speak after the hon. Prime Minister because the Member for Diego Martin North East, the Leader of Government Business, called me behind the Speaker's chair and he said to me: "Jack Warner, you are an honourable man. The Prime Minister wants to leave and we will allow you to speak after the Prime Minister." I said to him, I had to be in Sydney, Australia tonight. I said to him I delayed that so as to make a contribution to this debate because I considered it to be important. Mr. Speaker, I thank you for trying to prevail upon the Leader of Government Business to reconsider the issue.

I will say, very quickly, that the Member for Diego Martin North/East made a few points which I will not now go into because of the serious time constraint we seem to be under at the moment. He said two things which I want just to comment on briefly. He said that there is ample precedent for joint select committees in agencies as UDeCott. I began to look and see where, of course, he would give us some examples of this ample precedent. None was given. I am saying that merely saying so does not make it a fact.

Also, he made the point that the Performing Arts Academy in Port of Spain was the reason this big brouhaha is taking place. I want to say to this House that the Performing Arts Centre in Port of Spain may have been the catalyst but it is not the reason for this. The reason we are here is because of the abysmal record of UDeCott and, therefore, this is why I thought I should stay back, make a contribution and go to Sydney, Australia one day late.

You see, a point that we have to make is that four or five people seem to be running this country and I will come back to those five just now, but, in a sense, we are where we are because of those five. After the Leader of Government Business spoke, our Chief Whip spoke, and spoke eloquently and gave examples and a tremendous amount of research was done. He called companies and gave names, from “Char Su Quai Fan” to “Lee Ping” and all other names, and told us who did what and when. The unfortunate thing is that following the Chief Whip, the hon. Attorney General spoke.

If I were the Attorney General, I would not have spoken after the Member for Tabaquite. The Attorney General tried to explain the merits of a JSC. In fact, the fact that the hon. Prime Minister has recanted and changed his mind, has debunked every single thing that she has said. She tried to justify a JSC and the hon. Attorney General did not understand that a JSC cannot determine facts; it cannot cross-examine. I am not even a bush lawyer, but I will tell you, a JSC cannot cross-examine, but a commission of enquiry can have a lead counsel, can cross-examine and can determine facts. In fact, the hon. Attorney General said that the power of a commission of enquiry is almost limited negligible. I asked myself: what is that? What is almost negligible? It is either you are fat or you are thin; it is either you are pregnant or you are not pregnant. I do not understand what it meant.

It is like I, being told yesterday at the Ministry of Sport and Youth Affairs that the new lease agreement which I will come to just now, is being done so as to protect the intellectual property rights of the stadium. I asked myself: What rights

Joint Select Committee
[MR. WARNER]

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are those? There are things you say that just does not make sense. The fact is also, the Attorney General tried to impress upon us that one of the considerations against a commission of enquiry is the cost. A government that has built a palace for \$150 million; a government that, of course, has simply taken \$500 million and thrown after a Bombardier Jet, is concerned about the cost of a commission of enquiry so as to get the truth.

Mr. Speaker, the truth has no price. We, here, today spent 20 minutes and passed \$3.2 billion—railroaded! And we cannot spend money on a commission of enquiry. I come from my constituency, Chaguanas West where, of course, we have a high degree of Hindus, and there is an animal they call “gadahaar”. [Laughter] That is “gadahaar” logic. I am saying, therefore, it is the wrong kind of logic to bring to us about value, about cost, about price and, as such, therefore, I will not want to spend much more time on this.

In fact, I had even planned to talk about the Chaguanas Magistrates’ Court where, after five months, all they have put up is a fence. It is still unused and, of course, money is being paid every month. But I will talk about that another time.

After the Attorney General spoke, the Prime Minister spoke and I will spend a few minutes on him. The Prime Minister began talking about the history of the PNM; morality in public affairs. A party of 56 years; 41 years in government, he said, and, of course, the desk thumpers began to thump the desk. They did not even understand what he was saying. They were almost robotic, as it were. He spoke about the public service processes being bad. He said that while they can be corrected, it will take a long time. But the public service processes work in Canada; they work in England; they work in Singapore and a host of other places; Australia, New Zealand. Why they cannot work here?

I would have tried to give some reasons, but, again, we have a time-constraint. From what the Prime Minister has said—the Member for San Fernando East—one gets the impression that there is something to hide. What the Member for Tabaquite disclosed here today—and I have a few more to disclose shortly—a lot of it was in the public domain. He said so several times; it is in the public domain. Therefore, there was nothing that was hidden and if the Prime Minister, the Member for San Fernando East, wanted to know, he could have known.

The Prime Minister talked about Subhas Panday chairing a joint select committee, even before I was born. I said, of course, so what? Subhas Panday chaired a joint select committee, so what? Was it a committee to determine fact? Was there a legal counsel to guide him in his deliberations to lead evidence? All we heard

today from the Prime Minister was 75 minutes of irrelevance. [*Desk thumping*] I say, as he spoke and his Members thumped the desk, we ask ourselves here: Are these the Members who wanted to go on a JSC and be objective? I realize, of course, that wiser counsel prevailed with the Prime Minister. But even then, I would like to say that we, on this side, are not happy with his terms of reference.

In the first case, what the hon. Prime Minister suggested, would take us about five to 10 years to complete. It would need, of course, a forensic audit at various levels. You should have, of course, Transparency International as a member of this commission of enquiry. In any event, we would like to have consultation on the chairman. As such, therefore, I do not believe that we, on this side of the fence, are happy with the proposal given by the hon. Prime Minister.

Having said so, I now go to the issue itself. I am glad the Prime Minister changed his mind somewhat, and I am glad that he realized the efficacy of a commission of enquiry vis a vis a joint select committee. In this country there may be work for a joint select committee along the lines proposed and I will give you some examples where such a committee may be effective. A JSC along the lines proposed, may be able to look at crime and why \$15 billion has been spent and crime has gotten worse; and why today we passed \$317 million more for it and crime has gotten worse.

7.40 p.m.

In Chaguanas West where I have to go after I leave here, this happened yesterday. Bandits terrorized a family. This happened on Wednesday. Today, at 12 noon a baker, Ramsubhag, from Felicity was murdered. I have to go there also. If you want a joint select committee (JSC) to work, put it to work and tell us why crime is rising. That committee will come up with mechanism to see how best the matter can be addressed. If you want a JSC to work put it to work why the Brazil High School has not been given the funds needed by the Ministry of Education to go to South Africa. The Minister came here today and talked for hours. Why has Brazil High School not been given the money they promised to give them to go South Africa? Let a JSC tell us that. If you want to find something for the JSC to do, I suggest that you could look and see why the Ministry of Sport and Youth Affairs and the Minister of Sport and Youth Affairs have become so vindictive. Mr. Speaker, I crave your indulgence to demonstrate what I am saying. A JSC can do that. Very quickly.

In February, the Football Federation made a proposal to host a game at the—
[*Mr. C. Imbert stands*]

Mr. Ramnath: The Prime Minister was irrelevant for 15 minutes.

Mr. Speaker: Member for Couva South, I am in the Chair. I will rule and I am ruling that the Member continues. [*Desk thumping*]

Mr. J. Warner: Mr. Speaker, I am eternally grateful to you, Sir.

I will be very quick. On February 12 they said that they will play a game at the football stadium. That was agreed to, a handshake as has happened for 28 years. On March 12, they went back to the stadium to do an inspection with the same authorities. That too, was okay. They agreed to change chairs and lights. No problem. There have been talks. Then they began to advertise the game; they sold tickets and last Friday, the tickets were sold in one day. Last Friday, they were given new terms of agreement. That is why I want a JSC to investigate it. They have to pay new terms. They have to pay \$150,000 and before it was \$3,000 or 10 per cent, which one was greater. They have to pay \$45,000 for damages and before there was none. They have to give the Minister 100 VIP tickets. That never happened before, \$120,000. We told the Minister that we will give him 20 tickets which we gave him.

Mr. Hunt: On a point of order.

Mr. J. Warner: I am not giving way.

Mr. Hunt: On a point of order. This matter is sub judice.

Mr. Speaker: The matter is in court? I do not know that. If you are saying that the matter is in court, I am now aware of that. Could you move on to the substantive matter?

Mr. J. Warner: Mr. Speaker, I will stop at the 100 tickets that he asked for. I think that I have made the point. Though I have given tickets to all the Members here and my friend, the Member for Pointe-a-Pierre dashed it on the desk, according to the media; the media sent back pictures of you throwing it like this. I will like to see all of you there if the game is played. [*Interruption*]

Mr. Speaker: If you do not want to listen to the Member for Chaguanas West, leave the Chamber.

Mr. J. Warner: A JSC can investigate the Ministry of Sport and Youth Affairs to see the kinds of things that are happening in the ministry. I will end by telling you that they will find out that certain discrepancies, funds, \$100,000 given to a coaching school in one year, no accountability and \$194,000 the following year. They will find out that they have paid for completed work and there is only 10 per cent. One place is in Paramin and a JSC can find out that for

us. I will go there until after. I have always been told that the voice of the people is the voice of God.

These documents—I will not go through them tonight—represent all the persons and institutions in this country that have been crying out for a commission of enquiry. The JCC, Chaguanas Chamber, Victor Hart, Clevon Raphael, Mary King, Dr. Keith Rowley, Prof. Cudjoe, Orville London, Tunapuna Chamber, FITUN, the Architects Institute of Trinidad and Tobago, Transparency Institute, Lincoln Myers and the list gone on and on.

In the face of this we have an Attorney General justifying why we should not have a commission of enquiry. I say again that the Prime Minister debunked what she said and in many ways he tried to circumvent and water down the commission of enquiry, which we shall deal with at another time.

A JSC can also be effective. Let the JSC look at the members of the board themselves. The Members of the Board are Calder Hart, Dr. Krishna Bahadoorsingh, Sen. Michael Annisette, Anthony Cherry, Wendell Dottin, Devinand Ramlal and Mardhan Ramnarine. All where you pass in this country when people see these guys they say, “There goes a bandit! There goes a bandit! There goes a bandit!” A commission of enquiry will clear these guys’ names. These guys have families and they must be exonerated. The only way that this could be done is by a commission of enquiry that will clear their names.

Take of course, Michael Annisette. Michael Annisette, a Member of this committee is a director of the UDeCott Board; the president—

Mr. Speaker: Senator.

Mr. J. Warner: Sorry. Sen. Annisette. He is the President General of the Seamen and Waterfront Workers Trade Union; a member of the Board of Nipdec; a member of the Home Mortgage Bank; the third Vice President of NATUC; the Vice Chairman of the Latin American Region for International Transport and so on. [*Interruption*] I am telling you that I got my report today. If he is not I will apologize. I have Third Vice President. He is President. That makes it even worse. He is NATUC President, my colleagues have advised.

NATUC is building some houses at Real Spring, Valsayn. The contractor is the same Hafeez Karamath. The project managers, UDeCott. In my post box I got a plan for the house that UDeCott is building for Michael Annisette. That is the house that UDeCott is building for Michael Annisette. [*Member shows plan*] Mr. Speaker, that is wrong.

Hon. Member: The plan has his name.

Mr. J. Warner: Only a commission of enquiry—Sen. Michael Annisette's new home, this is the plan for it.

Mrs. Persad-Bissessar: You know that. Why are you pretending that you do not know?

Mr. J. Warner: A commission of enquiry, not even the one that the Prime Minister called would help us with this, because the commission he called is too wide. It has been watered down. This must be explained. We must not allow this to tarnish the goodly Senator's name. It may not be true. We must know. I am saying that you could thump the desk as you want.

I ask you young people in the PNM today, why are you burdening yourself with that corruption that is taking place in the party? Why? Many of you have come very clean and even from churches? Why are you allowing the Prime Minister and Member for San Fernando East and his side kick from Diego Martin North/East and Leader of Government Business to tarnish your good names? You do not need this gentlemen and ladies. I am saying that it is wrong.

Mr. Speaker: There is a Standing Order that talks about imputing improper motives. I think that you just did so but be careful.

Mr. J. Warner: I will like to make an announcement. Today, our lawyers had a matter in the High Court and they have just reported to me that the court ruled that the match must go on according to the old terms and conditions. [*Desk thumping*]

Mr. Hunt: Of course, the Member for Chaguanas is not reporting the full thing. The fee is \$150,000. He is not completely representing the case.

I hope that the savings he has earned from this passes on to the people and the footballers of Trinidad and Tobago.

Mr. J. Warner: The note did not say that, but if even it is \$150,000, we are gratified that the match can go on. I thank all those people who kept the faith.

PROCEDURAL MOTION

The Minister of Works and Transport (Hon. Colm Imbert): Even though it pains me, I beg to move that in accordance with Standing Order 11 that this House continue to sit until it is adjourned.

Procedural Motion

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Mr. Speaker: I cannot put that. What is your motion?

Hon. C. Imbert: I beg to move that the House continue to sit until the completion of its business.

Question put.

Mr. Speaker: What are you saying?

Hon. C. Imbert: I beg to move that the House continue to sit until the completion of the contribution of the Member for Chaguanas West.

Mr. Speaker: That is in fact the proper motion.

Question put and agreed to.

**JOINT SELECT COMMITTEE
(UDECOTT ENQUIRY)**

Mr. J. Warner: I thank the national community. The game is on. No football tickets for the Minister. No money to pay for any billboard. I leave for Sydney in the morning but when I come back I look forward to seeing you at the games.

We have to bear in mind that when we on this side talk about corruption, people can say that we are partisan and anti-government. When members within the bowels of the PNM like Ken Valley and Dr. Keith Rowley talk about corruption, we have to stand and listen.

7.55 p.m.

These are old PNM stalwarts and this criticism against the PNM is coming from the belly of the PNM. All the private jets, palaces, presidential seals in the world will not put Humpty Dumpty back together again. The PNM will have to come to the people and bare its soul and, particularly in the case of UDeCott, to enquire if what is being said is true. I suggest that the Prime Minister's proposal has watered it down somewhat.

There is a saying that when a man points his fingers to the sky, only a fool will look at his finger. What is happening to the Prime Minister's Government is that fingers are being pointed at him and his Government, charges are being made left, right and centre and they are looking at the finger alone. That is a mistake. It is time for the facts to be examined. I want to say to my colleague, one thousand thanks; thanks infinitum, to the Member for Tabaquite for the research he did, if just to get the Prime Minister to nudge a little. He has watered it down somewhat, but over the weekend we are quite sure he will reconsider it. However, at the end

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of the day, he has moved from joint select committee to an all-embracing commission of enquiry. That is a good start.

Madam Attorney General, you have been set up. You came here and defended this Motion. You spoke at length and they never told you that you had been set up. At no point did they tell you to sit and stop talking because they had changed their minds. It is unfair. I am telling you, Madam Attorney General, that is how the Prime Minister operates. They make an agreement behind the Speaker's Chair and they change it. That is their style.

Do you see the Member for Port of Spain North/St. Ann's West behind you? If I were you, I would not give him my back. [*Laughter*] Be careful! I am saying that a commission of enquiry is now the answer and I am happy to know that we did not have a hard bypass procedure, a Calder Hart bypass procedure. I am happy to know that we have in many ways contributed to a change of heart. I am happy to know that the Prime Minister has been able to see the light and that this sitting was not in vain. [*Desk thumping*]

I commend the Member for Tabaquite. The research the Member did was not done by the other side. I was in Malaysia two weeks ago and I have more documents coming. When I was in the earthquake, I could not go back, so I came straight. It is this thick. It is marked UDeCott.

This whole thing is preposterous. When a senior Minister makes a complaint, like the Member Diego Martin West did, and he is fired after 18 years, because of the say-so of some Members of Cabinet who are young and green and who believe that carrying news may make them important; he is dismissed as a "wajang", something is wrong. I say that no amount of window dressing can change the fact that the Prime Minister fired his line Minister who said that there were irregularities in UDeCott. UDeCott really means the Untouchables Dedicated to Con Trinidad and Tobago—and they have been doing a very good job.

I am saying that now that we have a commission of enquiry, the Member for Diego Martin West has been vindicated. Will you tell him sorry? He has been vindicated though the whole commission has been watered down—and we shall change that. He has been proven correct and yet he has been fired.

I want to make two quick points before I leave. To my colleagues on the other side, I say that the Prime Minister, in my humble view, will better appreciate them, if they stand for what is right. There can be no substitute to standing for right. What is right might not be popular, but it is right. One must show some outrage at the way things are going. We cannot fritter our patrimony this way. That is why it was a good decision that the Prime Minister changed his mind.

In this country today, in government, we have a crisis of leadership because people get the impression that the PNM is not listening. Their inability to listen is interpreted as a type of arrogance and, in many ways, the Member for Port of Spain North/St. Ann's West is arrogance personified.

I ask the question: At a time when this country needs political leadership, where is it? I could not understand the resistance to a commission of enquiry. I therefore commend the Prime Minister for his change of heart; for coming down from his high horse; for coming back to the real world, thanks to the Member for Tabaquite. Our country is crying out for leadership and, in government, leadership begins with the hon. Prime Minister.

That is why he does not like me and I do not like him, but we have mutual respect. The fact is that I admire him and would tell him today that he did the correct thing; he has to listen to the people. The Prime Minister and his Government work for the people and that is why I am pleased. He did not go far enough, but it is a good start. When we lead office, our role must always be to make this country a better place in different ways and to make it a better place begins here. This issue with UDeCott and the Prime Minister's change of heart for me is a good beginning. You must not come here, therefore, and talk nonsense.

There was a time in the old days—I am talking especially to my young colleagues on the other side—when PNM and Panama were almost synonymous. People used to say that Ministers were putting their money in Panama. It was a bad word to be a politician. Guys used to say, take out the A's from Panama and all you see is PNM. Those were the days and things changed over time. What was happening was that we were going back to those days and UDeCott was the chief vehicle for that. Tonight, the Prime Minister has demonstrated a level of magnanimous behaviour that is uncharacteristic, but welcome.

Finally, one of the best ways for doing well for this country is by doing good and one of the ways of doing good for this country is by rooting out corruption at all levels. This afternoon, therefore, what we have as a Parliament is a step in the right direction.

I thank you.

ADJOURNMENT

The Minister of Works and Transport (Hon. Colm Imbert): Mr. Speaker, I beg to move that this House do now adjourn to Monday, May 26, 2008, at 1.30 p.m., on which day we will do the supplementary variation of appropriation and the report of the Finance Committee.

Plum Mitan Rice Scheme
(Adequate Support to Farmers)

Mr. Harry Partap (*Cumuto/Manzanilla*): Mr. Speaker, the Motion before us reads: The failure of Government to provide adequate support to the farmers in the Plum Mitan Rice Scheme in the Nariva Swamp.

That scheme, which was started in 1960, was aimed at converting 1,200 acres of land into blocks. It was intended to be the rice bowl of the area. It was a good concept, but it was woefully mismanaged much to the disadvantage of the rice farmers in the area. That dream of a rice bowl never came to pass. It failed miserably. My Motion deals with adequate support to rice farmers and I hope that the hon. Minister will not come here this evening to say how much money was spent on the scheme.

Yes, money was spent. In fact, over \$500 million was spent on the scheme since 1960, so it is not a question of how much money was spent. The question is: How did this vast expenditure benefit the farmers? It did not. Forty-six years later, in 2006, a former Minister of Agriculture, Land and Marine Resources launched a multi-million dollar plan to convert Plum Mitan and the Oropouche Swamps into a food basket. The scheme then graduated from a rice bowl to a food basket. In 2006, Government allocated over \$18 million to upgrade the same rice scheme, with particular emphasis on water control, water management, drainage and access roads. That project was started in 2005 with a completion date of 2008. So it started one year before it was announced.

That project brought no benefit to farmers and contributed to even greater hardships. The question is: Why? The answer is well articulated in the headline of the *Express* Opinion column last week. It says: "Listen to the farmers".

8.10 p.m.

The Ministry has consistently refused to discuss the proposals for development of the Plum Mitan Rice Scheme since 1916. When we were in office during the period 1995—2001, we tried to change that by incorporating the farmers in the discussion on the development of the Plum Mitan Rice Scheme, but time was too short. We did not have time and we could not advance the work. We are back to square one, under the PNM administration.

The Government failed the rice farmers in Plum Mitan. With all the moneys spent on this project, they have failed the rice farmers, because they have completely ignored them. After 48 years, only 600 of the 1,200 acres in the Plum

Mitan Rice Scheme are accessible for planting during the rainy season. All the farmers did not get their lease. They have no tenure. Only 32 farmers were issued a 25-year lease in 1980, but those leases have expired and they have not been renewed. One hundred and fifty farmers have no lease.

Mr. Speaker, I mentioned lease, because a lease is important for the farmers. Without a lease, farmers cannot access the Ministry's incentive programmes; neither can they access ADB loans and they would have no level of certainty to the investments, so they exist from crop to crop.

Mr. Speaker, the worst aspect of the Plum Mitan Rice Scheme is the water management. That scheme collapsed. The sluice gates are there to regulate the water. The sluice gates have been installed and repaired at great expense. They are not working. They are leaking. They are inadequate for the capacity of water that has to be managed.

Pumps installed over the past two years in Plum Mitan are nonfunctional. The pump house, built last year, is now sliding into the river. There is a lack of maintenance of the rivers. The dredging has stopped. In fact, dredging has stopped eight weeks ago. I think it has now been restarted. It was broken down for eight weeks and the rental cost kept climbing. Millions of dollars have been spent on rehabilitating 19 access roads in the four blocks in the Plum Mitan Rice Scheme, but these roads are two years old and are eroding and falling part. The reason for this is that the Ministry of Agriculture, Land and Marine Resources has refused to seal these roads. They have not sealed them, but they have sealed one leading to a farm owned by Andre Monteil, the PNM's Treasurer. They have sealed roads leading to an estate owned by the former Member for Toco/Manzanilla. Only their friends and relatives benefit from the access roads. [*Interruption*] They are allegations, yes, but they are true and they could be verified.

There is an outdated flood damage compensation package for farmers. I understand that it is now being reviewed. We would like to know what that package has. Tonight may not be the time for that. However, what we know is that dasheen—these two crops have been removed from the flood damage compensation.

Money has been spent on the Plum Mitan Rice Scheme, but nothing has redounded to the benefit of the farmers. You have spent the money, but the farmers are not benefiting, because you are not involving the farmers in the discussions and proposals for the development of that rice scheme in Plum Mitan.

Thank you, Mr. Speaker.

The Minister of Agriculture, Land and Marine Resources (Sen. The Hon. Arnold Piggott): Thank you very much, Mr. Speaker. [*Mr. Ramnath leaves Chamber*] Sow your seeds and reap. Grow what you eat and eat what you grow, as you leave.

I wish to respond to the Motion raised by the Member for Cumuto/Manzanilla which alleges the failure of the Government to provide adequate support to farmers in the Plum Mitan Rice Scheme in the Nariva Swamp area. I want to let the Member know that he is misrepresenting the facts. The truth is that the Government has been addressing a number of issues concerning the farming community and specifically farmers in the Plum Mitan Rice Scheme.

The Government has a general support programme in the farming community, which is being revised to enhance the services to the farmers to increase food production in Trinidad and Tobago, for the people of Trinidad and Tobago. It is not aimed at any particular individual, group, or individuals, but to the people of Trinidad and Tobago, for the benefit of the people of Trinidad and Tobago.

The support programme includes agricultural incentives to which the Member referred. A range of incentives are offered to farmers for land preparation, purchase of vehicles, tractors, machinery and equipment. Duty free concessions are also offered for agricultural inputs. We provide services such as soil testing, testing for diseases, extension services, heat testing, advisory services, plant, quarantine and pest risk assessment.

Mr. Speaker, the Plum Mitan project covers, as the Member said, some 480 hectares of land within the Nariva Swamp. During the rainy season the project is under water and agricultural production is restricted. However, during the dry season, there is need for irrigation water to allow for agricultural production throughout the dry season period.

Discussions have been held with the farming community in Plum Mitan, to improve the situation in the project area. The conclusion of the discussion with the farming community was to divide the project into two parts. The part of the higher contour would be drained during the wet season, to allow farming in the rainy season. The other part of the project would be organized to provide irrigation during the dry season.

Specifically, the following three strategies were agreed upon with the farming community by the Ministry: to divide the project area into two portions, with one portion being drained during the rainy season, to allow for agricultural production

to take place and the second is to provide irrigation to the other part of the area during the dry season. The remaining portions of land under waterlogged conditions would be drained during the dry season, to allow for one crop during the dry season, using the existing drainage pumping system.

Based on these objectives, a list of activities was developed and these are currently being implemented. The activities and their status are as follows:

- purchase and installation of sluice gates—13 gates already installed;
- purchase, installation and commission of drainage pumps—completed;
- purchase and installation of three drainage pumps—completed;
- purchase, installation and commission of irrigation pumps—irrigation pump has been bought and it is in the process of being installed and should be completed by the end of June;
- construction of a pump house—construction completed;
- purchase and installation of regulating valves for the irrigation pipe network—completed;
- desilting and widening of internal drainage channels—completed;
- desilting of major channels bordering the project and repairs to embankment—works in progress;
- construction of three 16-foot crossings—completed;
- repair to existing structure for five 4-foot sluice gates—completed;
- repair to existing drainage pumping system—completed.

[Interruption] No problem in building a house if you are not finished putting on the roof. Is there a problem?

Additionally, access roads totalling 5.7 kilometres were rehabilitated at a cost of \$3.24 million in 2005.

I heard the Member say that during the period of their stewardship, it was too short to complete the project and advance it. I believe that the Member was in government for as many as six years. What did he do for his constituents in that area in advancing this work? He said it was too short. He did nothing.

Plum Mitan Rice Scheme
[SEN. THE HON. A. PIGGOT]

Friday, May 23, 2008

It is on record that the Ministry is working assiduously to help farmers all across the country. As recent as 10 days ago, this Minister of Agriculture, Land and Marine Resources led a team of officials from the Ministry in Port of Spain, journeyed to Plum Mitan and met with the farmers in Plum Mitan. We held a meeting in Plum Mitan. We had a very amicable meeting with the farmers. They did not point to the issues that you have. A range of issues relating to increased agricultural production were discussed. The Member knows that very, very well.

Mr. Speaker, my Ministry is aware that the matters of security of tenure are of concern to some of the farmers in that area. My Ministry is also aware that there are four lots of land at reference. My Ministry has signalled to the farmers, its intention to find a more expeditious process for finalization of leases, which are outstanding in that area and we confirm that approximately 35 farmers are in possession of leases. The leases may have expired, but they will be renewed.
[*Interruption*]

After six of yours, you have done nothing for the people in Plum Mitan. Mr. Speaker, I say shame on him who speak in that manner. He had time to fix it and did not. Meanwhile, it is a matter of record that the Ministry of Agriculture, Land and Marine Resources has been examining the possibilities for revised subsidies for the rice farming community in Trinidad and Tobago.

The evaluation exercise is fairly well advanced. It is expected, therefore, that this Government would make an announcement shortly in this regard, as it relates to subsidies to rice farmers. The Government is working with the farmers in the Plum Mitan area to improve their farming conditions and livelihood.

In this light, the Government will continue its infrastructure and water management programme in the area, working hand in hand with the farmers to improve their welfare. I want to invite the Member, as soon as we are ready to commission those pumps, to come along with me and meet his constituents; let them tell you how we have served them well.

I thank you very much, Mr. Speaker.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 8.23 p.m.