

*Leave of Absence**Friday, December 12, 2008***HOUSE OF REPRESENTATIVES***Friday, December 12, 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 following Members requesting leave of absence: hon. Karen Nunez-Tesheira, Member of Parliament for D'Abadie/O'Meara for the period December 10—December 14, 2008; hon. Gary Hunt, Member of Parliament for Port of Spain North/St. Ann's West for the period December 7—December 13, 2008; hon. Kennedy Swaratsingh, Member of Parliament for St. Joseph for the period December 10—December 19, 2008; and the following Members from today's sitting of the House, Mr. Anthony Roberts, Member of Parliament for St. Ann's East; hon. Dr. Amery Browne, Member of Parliament for Diego Martin Central and Mr. Kelvin Ramnath, Member of Parliament for Couva South. The leave which these Members seek is granted.

SELECT COMMITTEE REPORTS**Committee of Privileges****(Presentation)**

The Minister of Works and Transport (Hon. Colm Imbert): Mr. Speaker, I wish to present the Report of the Committee of Privileges of the House of Representatives, 2007—2008 session, on behalf of the Deputy Speaker.

Children Bill Report**(Presentation)**

The Minister of Works and Transport (Hon. Colm Imbert): Mr. Speaker, I wish to present the Report of the Special Select Committee, 2007—2008 session appointed to consider and report on a Bill relating to the protection of children and for matters related thereto.

ORAL ANSWERS TO QUESTIONS

The Minister of Works and Transport (Hon. Colm Imbert): Mr. Speaker, much as I would have liked to say that we can answer all the questions, the Government is in the position to answer the following questions, 179A, 179B, 186, 197, 199, 204, 218 and 234.

I ask Members to re-file the other questions in the next session.

Mr. S. Panday: What is the percentage you are answering today?

Mr. Speaker: Order.

The following questions stood on the Order Paper:

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

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

**Major Landslips
(Repair of)**

- 89.** Could the hon. Minister of Local Government state when would the Sangre Grande Regional Corporation repair the major landslips in Cumuto at:
- (a) Harkoo Trace; and
 - (b) Sookoo Trace? [*Mr. H. Partap*]

**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*]

Performing Arts Centre
(Original Estimated Cost for)

- 185.** With respect to the Performing Arts Centre, could the hon. Minister of Finance state:
- (a) what was the original estimated cost for the construction and furnishing of the centre;
 - (b) is there any anticipated cost overrun given the present state of the construction of the centre; and
 - (c) were there any tendering procedures followed for this project? [*Mr. J. Warner*]

The Performing Arts Centre
(Approval for Construction and Expenditure)

- 186.** With respect to the Performing Arts Centre, could the hon. Minister of Finance state:
- (a) did the Ministry of Finance give approval in relation to the budget for the construction of the centre; and
 - (b) what was the amount approved for expenditure for the centre? [*Mr. J. Warner*]

Sport Company of Trinidad and Tobago
(Moneys Disbursed)

- 189.** With respect to the Sport Company of Trinidad and Tobago, could the hon. Minister of Sport and Youth Affairs state:
- (a) how much money was given by the company to the fourteen (14) national sports organizations for the period October 2007 to July 2008;
 - (b) the disaggregate sums used from the company's Funding Service Level Agreement; and
 - (c) how much money was provided directly to the Trinidad and Tobago Football Federation, during the period October 2007 and July 2008 and the purposes for which these sums were provided? [*Mr. J. Warner*]

**Trinidad and Tobago Youth Cup
(Provision of Funds for)**

- 190.** A. Could the hon. Minister of Sport and Youth Affairs state how much money the Sport Company of Trinidad and Tobago and the Ministry of Sport and Youth Affairs provided for the Trinidad and Tobago Youth Cup in 2007 and in 2008, including the waiving of the fees for the use of the stadium?
- B. Was the sum granted by the Sport Company of Trinidad and Tobago and the Ministry of Sport and Youth Affairs the full sum requested for the hosting of the Trinidad and Tobago Youth Cup? [*Mr. J. Warner*]

**Sporting Facilities
(Details of Work Suspension)**

- 191.** A. Could the hon. Minister of Sport and Youth Affairs state the number of sporting facilities in which the Sport Company of Trinidad and Tobago has suspended work, the reasons for the suspension and the cost of same, inclusive of money spent thus far?
- B. Could the Minister state what will be the cost to complete the work that was suspended in each facility? [*Mr. J. Warner*]

**Sport Company of Trinidad and Tobago
(Details of Acting Chief Executive Officer)**

- 192.** A. Could the hon. Minister of Sport and Youth Affairs state the method of selection for the Acting Chief Executive Officer of the Sport Company of Trinidad and Tobago?
- B. What is the evaluation process and is this process documented anywhere? [*Mr. J. Warner*]

**Sport Company of Trinidad and Tobago
(Details of)**

- 195.** With respect to the Sport Company of Trinidad and Tobago, could the hon. Minister of Sport and Youth Affairs state:
- (a) the number and location of the projects where the company is experiencing problems; and
- (b) the nature of the problems being experienced? [*Mr. J. Warner*]

**August Sport for Life Camps
(Details of)**

- 202.** With regard to the August Sport for Life Camps, could the hon. Minister of Sport and Youth Affairs state:
- (a) what was the budget for the project;
 - (b) what were the various categories of sport, the location of the camps, the number of participants and coaches and the number of days of the camp;
 - (c) the quantity and cost of various items purchased for each category of sport; and
 - (d) whether there will be an inventory of the items taken at the end of the camp and where will the items be housed? [*Mr. J. Warner*]

**Sport Projects
(Status of)**

- 205.** Could the hon. Minister of Sport and Youth Affairs state:
- (a) the Sport Projects that were started during the period October 01, 2007 to date; and
 - (b) what is the present status of the projects? [*Mr. J. Warner*]

**National Basketball Federation of Trinidad and Tobago
(Release of Funds)**

- 206.** A. Could the hon. Minister of Sport and Youth Affairs state whether funds applied for by the National Basketball Federation of Trinidad and Tobago, during the period October 01, 2007 to date have been released?
- B. If not, could the Minister state the reasons why? [*Mr. J. Warner*]

**Community Youth Programme
(Cost of Launching)**

- 207.** A. Could the hon. Minister of Sport and Youth Affairs state whether the Community Youth Programme was launched at the Scarlet Ibis Room of the Trinidad Hilton?
- B. If so, what was the cost of launching this programme at the Hilton? [*Mr. J. Warner*]

**Special Purpose State Companies
(Details of Contracts Awarded)**

- 211.** Could the hon. Minister of Finance list:
- (a) the contractors who have been awarded contracts from the Government special purpose state companies during 2007 and 2008;
 - (b) the date each contract was awarded;
 - (c) the nature and content of each contract; and
 - (d) the location where the work was carried out? [*Mr. S. Panday*]

**Criminal Injuries Compensation Act
(Details of Compensation to Victims)**

- 215.** Could the hon. Minister of Social Development state:
- A. Whether any victims of crimes have received any of the statutory benefits under the Criminal Injuries Compensation Act of 1999?
 - B. If so, could the Minister give details of same?
 - C. If the answer is negative, could the Minister give the reasons why not? [*Mr. R. L. Maharaj SC*]

**Existing Noise Law
(Contravention of)**

- 217.** A. Could the hon. Minister of Planning, Housing and the Environment state whether she is aware that persons who play very loud music, above the prescribed decibel levels, in their homes as well as in their motor vehicles are contravening the existing law?
- B. If she is aware, could she state what machinery is in place to prevent this from taking place? [*Mr. R. L. Maharaj SC*]

**Acquisition of Buses
(Tendering Procedures for)**

- 220.** A. Could the hon. Minister of Works and Transport state the tendering procedures, if any, that were followed in the acquisition of 151 buses between 2002 to 2007?
- B. Could the Minister state whether the Government did the acquisition through any agent, giving the name(s) where relevant? [*Mr. S. Panday*]

**Trinidad and Tobago Sport Camps
(Project Proposal)**

- 224.** With regard to the Trinidad and Tobago Sport Camps held between August 04—22, 2008, could the hon. Minister of Sport and Youth Affairs:
- (a) state whether there was an approved project proposal;
 - (b) if so, when was this document approved and which unit was assigned to implement it; and
 - (c) provide this House with a copy of the project proposal? [*Mr. J. Warner*]

**Trinidad and Tobago Sport Camps
(Details of Budget)**

- 225.** With regard to the Trinidad and Tobago Sport Camps held between August 04—22, 2008, could the hon. Minister of Sport and Youth Affairs:
- (a) provide this House with a copy of the approved budget; and
 - (b) indicate when this budget was approved by the board of SPORTT? [*Mr. J. Warner*]

**Trinidad and Tobago Sport Camps
(Details of)**

- 226.** With regard to the Trinidad and Tobago Sport Camps held between August 04—22, 2008, could the hon. Minister of Sport and Youth Affairs:
- (a) provide details of the procurement procedure for the equipment purchased with particular regard to sport equipment and water; and
 - (b) state how many service providers submitted quotations in these areas? [*Mr. J. Warner*]

**Local Government Reform
(Cost of Hosting Consultations on)**

- 230.** Could the hon. Minister of Local Government give the detailed cost, to date, of the hosting of the current public consultations on Local Government Reform? [*Mr. S. Panday*]

**State and/or State Agencies
(List of briefs)**

- 232.** Could the hon. Attorney General give a list of briefs given by the State and or state agencies to Mr. Israel Khan, SC and the fees incurred therefore? [*Mr. S. Panday*]

**National Agricultural Entrepreneurs Award Ceremony
(Details of)**

- 236.** Could the hon. Minister of Agriculture, Land and Marine Resources provide the total cost of advertisements of the 2008 National Agricultural Entrepreneurs Award Ceremony in each daily newspaper? [*Mr. H. Partap*]

**Oropouche East
(Community Centres)**

- 238.** In light of statements made during the Budget debate:
- (a) could the hon. Minister of Community Development, Culture and Gender Affairs state how many community centres would be erected within the Oropouche East electoral district;
 - (b) could the Minister also state the location where these centres would be constructed, their projected costs and scheduled completion dates? [*Dr. R. Moonilal*]

**Health Facility
(Endeavour Road)**

- 239.** Could the hon. Minister of Health state:
- (1) Whether there is a lease agreement for the health facility on Endeavour Road opposite to the existing health centre, the monthly rent being paid and the date of commencement of the tenancy;
 - (2) whether there are any plans to build a hospital in Chaguanas;
 - (3) if the answer to (2) is in the affirmative, could the Minister state what is the status of the new area health facility announced in August 2005 by the then Minister of Health;
 - (4) if there are plans to build a facility, and when? [*Mr. J. Warner*]

Brian Lara Stadium

240. With respect to the Brian Lara Stadium could the hon. Minister of Sport and Youth Affairs state:

- (a) Whether construction activities are currently taking place; and
- (b) If the answer to (a) is in the negative, could the Minister explain why there is no activity on the site and whether this is linked to problems of payment to contractors? [*Mr. V. Bharath*]

Questions lapsed.

Mayaro/Rio Claro Region

(Details of Expenditure and Services to Housing Project)

179. (A) Mr. Winston Peters (Mayaro) asked the hon. Minister of Planning, Housing and the Environment to state:

- (a) the estimated costs attached to each housing project in the Rio Claro/Mayaro region;
- (b) the actual expenditure to date;
- (c) whether there have been cost overruns;
- (d) if the answer to (c) is yes, what were the reasons for such overruns?

The Minister of Planning, Housing and the Environment (Sen. The Hon. Dr. Emily Dick-Forde): Mr. Speaker, the estimated cost attached to each housing project in Mayaro is as follows:

Mayaro \$6,175,838.02

Rio Claro \$55,360,856.99

The actual expenditure to date is as follows:

Mayaro \$4,252,981.98

Rio Claro \$58,467,706.82

There were no cost overruns on the projects. However, there were increases in cost as a result of the construction of additional housing units and infrastructure works which became necessary to mitigate against flooding at the site, caused by the adjoining river to prevent soil erosion; to remove unsuitable soil and to facilitate engineering subdivision for the construction of additional housing units.

Mr. Peters: Could the Minister say if these housing units are finished and have been distributed?

Sen. The Hon. Dr. E. Dick-Forde: I have no detail on the completion status. From the information some of the units are still ongoing. Some may be completed. I cannot tell. I do not have that information.

Mr. Sharma: In reference to the answer given, could the hon. Minister advise the House of the approximate cost per unit?

Sen. The Hon. Dr. E. Dick-Forde: I do not have that information. I was not asked about how many units. The information I have before me is the estimated cost as requested in the question.

Mr. Sharma: Could the Minister advise the House of the approximate overrun in this project?

Sen. The Hon. Dr. E. Dick-Forde: Mr. Speaker, I said that I was answering parts (c) and (d) together. I said that there were no cost overruns on the project. I explained what the extra cost was.

Mr. S. Panday: Can the Minister state the number of units earmarked for the area Rio Claro/Mayaro?

Sen. The Hon. Dr. E. Dick-Forde: That sounds like a totally different question. If they pose it properly we can answer it.

**Mayaro/Rio Claro Region
(Details of Sub-contractors)**

179. (B) Mr. Winston Peters (*Mayaro*) asked the hon. Minister of Planning, Housing and the Environment to state:

- (a) the names of all contractors and sub-contractors attached to each HDC project in the Rio Claro/Mayaro region;
- (b) the services provided by each; and
- (c) the actual sums paid to them to date?

The Minister of Planning, Housing and the Environment (Sen. The Hon. Dr. Emily Dick-Forde): Mr. Speaker, the names of the contractors attached to the HDC projects in the Rio Claro/Mayaro region are as follows:

NR Construction

Globestar

JC Construction
 Danny's Enterprises
 Carl King
 DV Marketing
 Komas Limited
 Mattzack Company Limited
 Inter-Trade Limited

Information on sub-contractors engaged by HDC contractors is not available as the corporation does not get involved in such transactions.

The services provided by each contractor are as follows:

NR Construction	Construction of houses
Globestar	Construction of houses
JC Construction	Construction of houses
Danny's Enterprises	Infrastructure works
Carl King	Infrastructure works
DV Marketing	Construction of houses
Komas Limited	Construction of houses
Mattzack Company Limited	Construction of houses
Inter-Trade Limited	Construction of houses/Infrastructure works

The actual sums paid to the contractors to date are as follows:

Contractor	Area	Sums Paid
NR Construction	Mayaro	2,187,486.98
Globestar	Mayaro	677,188.00
JC Construction	Mayaro	1,388,307.00
Danny's Enterprises	Rio Claro	16,190,373.36
Carl King	Rio Claro	1,187,677.93
DV Marketing	Rio Claro	12,069,187.83
Komas Limited	Rio Claro	11,453,320.42

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Mattzack Company Limited	Rio Claro	1,231,328.82
Inter-Trade Limited	Rio Claro	12,046,325.52
Total sums paid		62,720,688.80

Performing Arts Centre
(Approval for Construction and Expenditure)

186. Mr. Jack Warner (*Chaguanas West*) with respect to the Performing Arts Centre, asked the hon. Minister of Finance to state:

- (a) did the Ministry of Finance give approval in relation to the budget for the construction of the centre; and
- (b) what was the amount approved for expenditure for the centre?

The Minister in the Ministry of Finance (Sen. The Hon. Mariano Browne): Mr. Speaker, the Ministry of Finance did approve the original budget for the construction of the centre.

The amount approved for the construction of the Performing Art Centres in Port of Spain and San Fernando was 812 million renminbis which was equivalent to TT \$612 million at the date of the signing of the agreement.

Mr. Warner: Could we know the individual cost of each facility?

Sen. The Hon. M. Browne: Mr. Speaker, I did not delve into those details. I hesitate to mislead the House by giving an approximate number. I do not remember them offhand. I will provide the answer in a written format.

Sport Company of Trinidad and Tobago
(Relocation of)

197. Mr. Jack Warner asked the hon. Minister of Sport and Youth Affairs:

- A. Could the Minister advise whether there are plans to move the Sport Company of Trinidad and Tobago from its present location in Couva, to Port of Spain?
- B. If so, could the Minister state the proposed cost of the relocation, the proposed new location and the rental costs involved?
- C. Could the Minister also state whether any tendering procedures were instituted in deciding on the new location?

The Minister of Works and Transport (Hon. Colm Imbert): Mr. Speaker, the Minister of Sport and Youth Affairs is out of the country and I would answer the question on his behalf.

The Sport Company of Trinidad and Tobago Limited has advised that the board of directors at its 46th board meeting agreed to relocate the company from its temporary location at the Ato Boldon Stadium, Couva to Port of Spain, due to the lack of proper adequate works to carry out its functions.

The Sport Company of Trinidad and Tobago has advised that the estimated cost of this relocation is \$7 million which includes the cost of outfitting and equipping the office space involved.

The proposed new location is 111—117 Henry Street, Port of Spain. The rental cost is \$245,000 per month VAT inclusive.

The Sport Company of Trinidad and Tobago has advised that four realtors were invited to submit listings of properties in accordance with the requirements of the Sport Company of Trinidad and Tobago. An evaluation was conducted by the company's tender committee and two properties were identified and met the sport company's requirements. Further evaluation by the committee resulted in the selection of the property at Henry Street, Port of Spain.

1.45 p.m.

Mr. Warner: Would it be correct to say that the total rent paid to date for the Spektakula Forum is \$2,747,430.60 for 11 months and to date not a single chair has occupied the building?

Hon. C. Imbert: Mr. Speaker, I am in no position to address that supplemental.

**Sport Company of Trinidad and Tobago
(Details of Salaries)**

199. Mr. Jack Warner asked the hon. Minister of Sport and Youth Affairs:

Could the Minister state, with regard to the Sport Company of Trinidad and Tobago:

- (a) whether there is a system in place for the increase of salaries of members of staff; and
- (b) was this system applied in the case of the Project Engineer, Mr. Sheldon Weekes?

The Minister of Works and Transport (Hon. Colm Imbert): Mr. Speaker, again I will answer on behalf of the Minister of Sport and Youth Affairs.

The Sport Company of Trinidad and Tobago has advised that there is a system in place for the increases in salary to start. It has been the practice of the Sport

Company of Trinidad and Tobago to grant salary increases to staff under two conditions: where there are increased duties and responsibilities of an officer; and, secondly, when the officer receives a promotion.

The Sport Company of Trinidad and Tobago has advised that this system has been applied with respect to Mr. Sheldon Weekes. Mr. Weekes temporarily assumed the position of Executive Manager, Projects, upon the resignation of the former holder of the position, Mr. Varas Ramatally. Mr. Weekes, the most senior engineer in the unit at the time was asked to fill the vacancy created by Mr. Ramatally's resignation and assumed responsibility for a number of functions normally performed by the Executive Manager, Projects.

Mr. Weekes performed duties as the Executive Manager, Projects, and was paid an allowance to do so pending the recruitment of an officer to fill the vacant post. It should be noted that Mr. Weekes has since reverted to his substantive position.

Mr. Warner: With regard to question (a), that is to say, whether there is a system in place for the increase in salaries of members of staff, can the hon. Minister tell this House how the salary of Kenneth Charles, the chairman, was increased from \$7,800 to \$38,000 per month and a car rental PCC 7975 for \$10,200 a month? Can the Minister also tell this House how the salary of Darren Milien, Executive Director, was increased from \$2,400 per month to \$30,000 and a car rental of a Kia Sorento at \$10,200 per month?

Hon. C. Imbert: Mr. Speaker, I am in no position to address that supplemental question.

Chaguanas Borough Corporation
(Details of)

204. Mr. Jack Warner asked the hon. Minister of Local Government:

Could the hon. Minister state:

- (a) how much money has been received to date by the Borough Corporation of Chaguanas for this fiscal year; and
- (b) how much money has been spent to date by the corporation for this fiscal year?

The Minister of Works and Transport (Hon. Colm Imbert): Mr. Speaker, the hon. Minister of Local Government is also out of the country and I will therefore answer the question on her behalf.

The Borough Corporation of Chaguanas for the 2007/2008 fiscal year was allocated \$80,735,719.75. As at September 30, 2008, the corporation has received \$73,367,776.75. This amount represents 91 per cent of the amount allocated.

The Chaguanas Borough Corporation spent, as at September 30, 2008, \$72,559,062.23, which represents 99 per cent of the sum received.

Mr. Warner: Can the borough expect to receive the remainder of the allocated sum?

Hon. C. Imbert: Mr. Speaker, I am in no position to answer that supplemental question.

Land Acts (Implementation of)

218. Mr. Ramesh Lawrence Maharaj SC (Tabaquite) asked the hon. Attorney General:

- A. Could the Attorney General state whether the Government intends to implement the Land Adjudication Act (No. 14 of 2000), the Land Tribunal Act (No. 15 of 2000) and the Registration of Titles to Land Act (No. 16 of 2000)?
- B. If so, could the Attorney General inform the House of its planned date of implementation?
- C. If it does not intend to implement the Acts, could the Attorney General give reasons for its non-implementation?

The Attorney General (Sen. The Hon. Bridgid Annisette-George): Mr. Speaker, the Government intends to implement the Land Adjudication Act, the Land Tribunal Act and the Registration of Titles to Land Act, all of 2000, subsequent to the enactment of amendment to those Acts. The Bills are expected to be laid in due course in the lifetime of the Ninth Parliament.

Publication of Comparative Prices (Cost of)

234. Mr. Harry Partap (Cumuto/Manzanilla) asked the hon. Minister of Legal Affairs:

Could the hon. Minister state the total cost of publication of comparative prices in each daily newspaper for the period October 01, 2007 to September 30, 2008 in respect of:

- (a) Fruits, vegetables and provisions;

- (b) Live poultry; and
- (c) Hardware materials?

The Minister of Legal Affairs (Hon. Peter Taylor): Mr. Speaker, in April 2006, the Consumer Affairs Division of the Ministry of Legal Affairs embarked on a publication exercise aimed at providing consumers with information as is their rights under the international rights of the consumer, which would ensure the making of wise choices. The provision of information to consumers falls directly within the mandate of the Consumer Affairs Division of the Ministry of Legal Affairs and includes the following:

- To advise consumers on their rights and responsibilities;
- To monitor commercial activities;
- To deter adverse trade practices while identifying issues affecting consumers;
- To receive and investigate consumer complaints;
- To conduct continuous field research into consumer needs and/or preferences as they relate to goods, services and prices;
- To be an advocate for consumers through the attendance and participation at meetings of advisory bodies and by the testing and rating of consumer products.

Publication of prices, therefore, not only serves to fulfil the mandate of the Consumer Affairs Division, but also to provide for the compliance of the government's responsibilities under the United Nations' guidelines for consumer protection as expanded in 1999. The objectives of this clearly articulate that all countries, particularly developing countries, must "encourage the development of market conditions which provide consumers with greater choice at lower prices" and that Government must provide mechanisms whereby consumers could access adequate information that would enable them to make informed choices according to their individual wishes and needs.

This is what the exercise has accomplished and more. As the Governor of the Central Bank of Trinidad and Tobago has indicated, the exercise has had the added benefit of fuelling more competitive prices for consumers in the local marketplace. In fact, the governor noted that the increased dissemination of information and cultural prices by the Minister of Legal Affairs also served to produce more competitive markets and to encourage comparison shopping.

The genesis of this exercise started as a monthly magazine that listed the cost of basic food items in geographical regions in Trinidad and Tobago in April 2006. Soon enough, however, it was noted that changes in the local market demanded a more focused approach to the dissemination of information and the goods chosen for publication. Particularly important was the fact that foods and vegetables were revealed to be the driving factor behind headline inflation.

In October 2006, the Central Bank of Trinidad and Tobago noted that headline inflation measured some 9.6 per cent and that the main impetus behind the sharp increase was food prices. Additionally, the report stated that in the 12 months leading to September, food prices had increased by 27.4 per cent, with significant increases in fruits, vegetables, fish and meat. Also stressed in this report was the fact that the retail sales which the Central Bank uses to gauge movement in key areas of consumer spending rose 9.5 per cent during the first half of the year, with a notable increase in the sales of construction materials and hardware. In fact, sales in these areas rose by almost 30 per cent.

In the context of these imperatives, the Ministry of Legal Affairs took the decision in November 2006 that the Consumer Affairs Division should publish not only poultry prices in Trinidad and the price of fruits and vegetables nationwide, but also hardware prices. The independent assessment by the Central Bank of Trinidad and Tobago of the results of this initiative speaks for itself.

To directly address the question from the Member for Cumuto/Manzanilla, the total cost of production of comparative prices in each daily newspaper for the period October 01, 2007 to September 30, 2008 in respect of fruits, vegetables and provisions; live poultry; and hardware materials, are as follows:

Fruits vegetables, provisions:

Newsday, \$29,421.60

Trinidad Guardian, \$66,004.94

Daily Express, \$179,094.11

As far as live poultry is concerned:

Newsday, \$19,076.20

Trinidad Guardian, \$65,129.10

Daily Express, \$178,140.12

With respect to hardware materials:

Newsday, \$5,285.40

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Trinidad Guardian, \$7,806.6

Daily Express, \$53,046.99

The totals:

Newsday, \$53,783.20

Trinidad Guardian, \$138,940.60

Daily Express, \$410,289.22

This brings a grand total of \$603,013.12

It must be reiterated that comparison shopping not only assists consumers in making wise purchasing decisions, but there is empirical evidence that it effects a downward trend in prices on the local market. In this regard, it should be noted that the publication of these comparative prices is an essential tool for creating an educated and informed citizenry, fully empowered to make choices in their taste and shopping patterns to the point of influencing the marketplace to their advantage.

I have full confidence therefore that well before 2020 consumers in Trinidad and Tobago will exhibit many of the characteristics of consumers in a developed nation.

I thank you.

2.00 p.m.

Mr. Sharma: Supplemental. Thank you very much, Mr. Speaker. Could the hon. Minister advise this House, based on the information provided this afternoon, as to what happens when the Ministry discovers goods overpriced resulting in consumers getting less value for money?

Hon. P. Taylor: I thank the hon. Member. We have a system of price monitoring, where our officers would visit various supermarkets and track the prices over a period of time. If it is found consistently that one or two supermarkets are engaging in overpricing or what you would suggest to be overpricing, then they are engaged and some discussion is had to determine exactly what the prevailing price is. It is the very purpose for publishing the comparative price and consumers are therefore empowered to determine and see for themselves which supermarkets are selling their products and at what price. Therefore, they are empowered to use their own initiative and make their own wise choices.

Mr. Sharma: Has the Ministry been able to influence suppliers of goods and services to reduce their price, based on what you are saying?

Hon. P. Taylor: Clearly, the empirical evidence of the Governor of the Central Bank has shown conclusively, if not convincingly, that by virtue of the publications in the newspapers, it has exerted a downward trend on prices and, therefore, the answer is in the affirmative.

Mr. Sharma: No further supplemental, he says nothing.

Mr. Maharaj SC: Mr. Speaker, I want to make a few comments on the non-answering of questions. We are at the last day of the session and you would have noticed from the Order Paper that, for example, Question No. 48, the first question, has been filed since January of this year. It qualified in February, after three weeks, and has not been answered. There are many questions, which for months—I know this matter of non-answering has been referred to the Committee of Privileges, but that did not prevent the Government from following the rules for us to get effective answers to questions. I would hope that in the next session, we would have a difference in the answering of questions.

Mr. Imbert: Mr. Speaker, with your indulgence, I wish to clarify that in not delivering answers at the time that the Opposition would like us to, a number of factors come into play. I want to state at the outset that it is not the Government's intention or desire to delay or not answer questions if this can be avoided. Some of the questions that have been asked are voluminous, multipart and some require research that can take months. I want to put it on record that it is not the Government's intention not to answer questions, but some of the questions are so complex and require so much research, that it does take us some time to get the material ready.

Mr. Speaker: I hope that in the new year, the Committee of Privileges that is looking at this matter would come up with some solutions. Both sides need to work together. I am sure, when you put two heads together, you would come with some solutions and in the Second Session of the Ninth Parliament, we would see a vast improvement.

Earlier on, you omitted to lay a report. I ask that you do so now.

**HOUSE COMMITTEE REPORT
(PRESENTATION)**

The Minister of Works and Transport (Hon. Colm Imbert): Mr. Speaker, I wish to present the Report of the House Committee of the House of Representatives for the 2007/2008 Session.

STATEMENTS BY MINISTERS
Fifth Summit of The Americas and Commonwealth
Heads of Government Conference
(Motor Vehicle Acquisition)

The Minister in the Ministry of Finance (Sen. The Hon. Mariano Browne): Thank you, Mr. Speaker. Trinidad and Tobago will host the Fifth Summit of the Americas on April 17—19, 2009 and the Commonwealth Heads of Government Conference on November 27—29, 2009. Hosting these events is a strategic opportunity for Trinidad and Tobago to take a leadership role in the geopolitics of both our hemisphere and the Commonwealth.

The theme of the Fifth Summit is Securing our Citizens' Future: human prosperity, energy, security and environmental sustainability; the issues which are all pertinent to the growth and development of Trinidad and Tobago. The Commonwealth Heads of Government Meeting would also include a discussion on the reform of the international financial institutions.

In leading the technical work and the procession of negotiations among the countries on the issues to be addressed at these meetings, Trinidad and Tobago has advanced a social agenda that gives priority to issues such as food security; reducing the incidence of non-communicable diseases; improving the quality of education and health services; reducing poverty, crime and violence; and creating decent work opportunities, all of which are consistent with our development realities.

In so doing, we have created a platform for increased co-operation amongst participating countries and the exchange of information on experiences, programmes and good practices. This will serve to strengthen social policy and mobilize increased flows of technical and financial resources to improve the quality of life for all the citizens of Trinidad and Tobago.

The conferences, Mr. Speaker, will also strengthen and expand bilateral relations with major global economies to the benefit of the public and private sectors, as well as civil society. The private sector fora which accompany these meetings of Heads of Government will bring together the leaders of the business communities across the Western Hemisphere and the Commonwealth in Trinidad and Tobago. This would facilitate the expansion of trade, investment and business opportunities for our local private sector. We will have the opportunity to showcase our country's investment and business potential and to build networks and alliances with successful partners across the globe.

As the host of these conferences, Trinidad and Tobago is responsible for their organization. To facilitate the organization of the conference, a secretariat has been established. The secretariat is headed by Ambassador Luis Alberto Rodriguez and a team of professionals.

An Inter-ministerial Committee consisting of the Ministers of Education, Foreign Affairs, Information, Local Government, National Security, Public Utilities, Tourism, Works and Transport, Trade and Industry and Minister in the Ministry of Finance has oversight of the planning and operational work of the secretariat. This oversight responsibility includes the provision of transport for the visiting Heads of State and their spouses, Ministers and heads of international organizations who would be attending these meetings.

The acquisition process for the vehicles to be used during the conferences was facilitated through Nipdec, using Nipdec's procurement rules. This process commenced on October 06, 2008 by public advertisements requiring interested bidders to submit proposals for the purchase, lease and any other option for the supply, delivery and maintenance of the vehicles in accordance with the specifications advertised.

Responses were received from 10 car dealerships. An extensive analysis of the offers was undertaken by an evaluation committee consisting of representatives of the Ministry of Finance, the Ministry of Works and Transport, Nipdec and the National Secretariat. The evaluation committee considered the following options and the relative value propositions based on the tenders received.

The first option was for purchase only for the two conferences and integration into the public service thereafter. The quantity of vehicles was 200 and the total cost of that option was \$55,778,332.

Hon. Member: Repeat that figure.

Sen. The Hon. M. Browne: \$55,778,332. The second option is a lease option for one year. [*Interruption*]

Mr. Speaker: You would observe, hon. Members, that the Minister seems to have influenza, but if the Member for Fyzabad and other Members on the Government Benches keep this crosstalk that is going on, obviously you are interfering with the *Hansard* reporter. I ask you—this is the last sitting—let us have a good sitting. Continue.

Sen. The Hon. M. Browne: Thank you. The second option is a lease option for one year, which was provided by 10 car dealerships for 200 vehicles. The total cost of this option was \$40,157,812.56.

The third option is a mix of purchase and lease of the vehicles—80 purchased and 120 leased, amounting to a total of \$50,179,102.16; lease only for six weeks, 130 vehicles of the total 200 vehicles, amounted to \$26,479,006.85; and a mix of purchase and lease for six weeks amounted to \$39,339,002.24.

The Ministerial Steering Committee determined that none of the options presented provided best value for money. In the circumstances, the evaluation committee was asked to consider other alternatives, including an offer from Bavarian Motor Works (BMW) Group in Germany addressed to the National Secretariat. It was also agreed that as a guiding principle, vehicles must be easily reabsorbed in the Government's vehicular fleet for Government's use after the meetings were concluded. Further, that the vehicles selected would accord with Government's budgetary requirements.

In re-evaluating the alternatives, the BMW was not cost effective. BMW proposed the purchase of 100 cars in order to have the free uses of an additional 100 cars, bringing it to a total of 200. However, the free use of 100 cars was based on the company being granted full exemptions of all taxes and duties for the purchase and resale of all the vehicles in Trinidad and Tobago. The purchase price for 100 vehicles offered was \$37,176,460. The loss to the Government, if the duties and taxes were to be exempted based on the free usage of the 100 vehicles of the other 100 vehicles offered, was \$32,968,568, making a total of \$66.1 million for the BMW option. Additionally, the service and maintenance of these vehicles is expensive and the vehicles are not easily integrated into the public service. This offer was therefore declined. I repeat, Mr. Speaker, that the guiding principle was that the vehicles must be easily absorbed into the Government's vehicular fleet for Government's use after the meetings were concluded. Further, that the vehicles selected would accord with Government's budgeted requirements for normal use by Ministries and other Government agencies.

Therefore, it was agreed that the vehicles would be acquired for use in the Government service and loaned to the secretariat for use during the conferences. By so doing, the Government would have the continuing benefit of any funds which were expended and such expenditure would be in line with Government's budgetary requirements.

Using the data gathered in the tender process, the options were reconfigured. The Ministerial Steering Committee approved a purchase option for the full complement of vehicles for the two conferences as follows:

- 80 long wheel base SUVs;

- 60 Sedans with a trunk capacity of at least 400 litres; and
- 60 short wheel base SUVs.

2.15 p.m.

The evaluation committee was reconstituted and based on a combination of specifications and prices, the final recommendation was to purchase the following vehicles: the Toyota Prado, the Hyundai Santa Fe seven-seater and the Mazda 6.2.

Therefore, the ministerial steering committee recommended and Cabinet agreed that 200 vehicles—80 Prados, 60 Santa Fes and 60 Mazda 6.2s would be acquired from the budgetary allocations of the various ministries.

It was also noted that the vehicles would be acquired in two tranches, spread over two financial years as follows:

- i. 110 vehicles for the summit in fiscal 2009 at a cost of \$22,731,665.60; and
- ii. that the remaining 90 be ordered before June 2009, but paid for in fiscal 2010 at a cost of \$19,731,226.22.

The total cost of the vehicles is \$42,462,891.86.

NIPDEC will be responsible for finalizing the purchase of these vehicles and will also finance the purchase. The Ministry of Works and Transport will have the responsibility for reintegrating these vehicles into the public service based on the initial budgets of these ministries.

Thank you, Mr. Speaker.

Government's Legislative Agenda 2009/2010

The Attorney General (Sen. The Hon. Bridgid Annisette-George): Mr. Speaker, it gives me great pleasure to stand before this honourable House to give an indication to the national community of the Government's legislative agenda for the next two years. Some Member sitting in the House today will recall that in the year 2004, my predecessor, His Excellency, Mr. John Jeremie, SC, created history in the Parliament when he announced the legislative agenda for the Government of Trinidad and Tobago. Since then, the Ministry of the Attorney General has continued the process that was outlined in that presentation.

Mr. Speaker, setting the legislative agenda for Parliament is the most significant institutional tool for a government to shape its policy outcomes. A legislative agenda is a package of priority policies and legislative measures designed to support national development priorities. It serves as a roadmap to guide the

Government of Trinidad and Tobago and the Legislature in identifying, analyzing and formulating solutions to problems and issues requiring public policy action.

It was Premier John Brumby of Victoria Australia, who in presenting his legislative agenda in February of this year said:

“The introduction of an annual Statement of the Government’s intentions will go a long way towards making our representative democracy more the kind of participatory democracy it needs to be able to thrive, in the 21st Century.”

Mr. Speaker, over the last couple of months, this Parliament has witnessed the successful passage of a number of varied and far-reaching pieces of legislation; these include the International Child Abduction Act, the Community Residences, Foster Care and Nurseries (Amdt.) Act, the Children’s Authority (Amdt.) Act, various pensions Acts which dealt with pensions of various categories of persons including teachers, assisted teachers and prison officers and the Bail (Amdt.) Act, all of which constitute a clear demonstration of this Government’s commitment to serving and addressing the many needs of the people of Trinidad and Tobago.

For the sake of clarity, allow me to outline the six steps involved in the legislative process. The first step involves walk-in surveys conducted by a team of officers from the Ministry of the Attorney General, led by the Chief Parliamentary Counsel. The team visits and assists ministries with the identification of policy issues, problems, suggests solutions, and generally, offers guidance on the steps to be taken to enable the ministries to submit their legislative policy to Cabinet.

Secondly, with its agenda in perspective, each ministry then submits its policy to Cabinet for approval, and for the issue of instructions for the preparation of legislation.

The third step is the drafting stage which involves the preparation of the Bill by the Chief Parliamentary Counsel and its circulation to line ministries for their views and comments.

The fourth step involves the consideration and approval of the Bills by the Legislative Review Committee, a sub-committee of Cabinet. After the Legislation Review Committee approves a Bill, it is then submitted for the approval of Cabinet. The final step is the introduction of the Bill in Parliament.

Mr. Speaker, it is with a sense of satisfaction today that I report that the team from the Ministry of the Attorney General has recently completed the first step with each ministry and has determined the legislative priorities for the next two years.

We have recently concluded the budget debate for the fiscal year 2008—2009 and in that debate, each Minister clearly identified his or her priorities for this

fiscal year. Mr. Speaker, the legislative agenda will focus on supporting those priorities and meeting the challenges our society will face in the future, as we chart our course toward developed country status by 2020.

Further, the agenda outlines which ministry has the prime responsibility for each Bill. There is one caveat though which I wish to indicate from the outset, and that is that areas identified today by no means represent a comprehensive or conclusive list, those are not cast in stone. As one would anticipate, unforeseen circumstances and challenges may arise during this period which may require immediate action; likewise, existing issues may be deferred or brought forward for one reason or another.

What is clear, from the agenda proposed, is that this Government is committed to promoting economic growth; promoting good government and good governance; enhancing a positive quality of life for all; keeping our citizens and visitors safe; encouraging local accountability; fiscal responsibility; protecting the environment; and ensuring ecological balance in order to enhance the quality of life in Trinidad and Tobago and to ensure sustainability.

Briefly, I will highlight some of the legislative reforms this country can expect during the projected period. Keeping with the financial sector reform programme embarked upon by the Ministry of Finance, and which is more urgently needed in light of the world economic crisis, there is going to be a comprehensive package of new legislation and/or amendments to existing laws, in order to give effect to the various policy directives under the Ministry of Finance.

My colleague, the hon. Minister of Finance, announced in the budget presentation on September 22, 2008, that new legislation governing the Trinidad and Tobago International Financial Centre would be laid in the Parliament early in the new fiscal year. The hon. Minister also indicated then that there would be amendments to the Financial Institutions Act 1993, and she has since delivered on that promise. In fact, the Financial Institutions Act 2008 which is intended to repeal and replace the Financial Institutions Act 1993, was passed in this honourable House on November 14, 2008, and in the other place on December 02, 2008 with amendments. Today's Supplemental Order Paper discloses that the amendments to the Bill shall be debated during today's proceedings.

The Securities Industry Act of 1995 will be replaced by a new securities Act which will provide the requisite support for a modern securities market and a regulatory regime that is in greater alignment with international best practice.

Additionally, legislation to regulate credit unions is being developed, as well as amendments to the Central Tenders Board Act in order to strengthen the present public sector procurement regime.

The Electronic Transactions and Data Protection Bills are also now on the Order Paper and shall constitute early business in the new session, all this is further evidence of the Government's commitment to the deepening and strengthening of our financial sector.

Mr. Speaker, in keeping with the Government's commitment to address the unacceptable crime levels in the country and provide the level of safety and confidence owed to all citizens, the Ministry of the Attorney General and the Ministry of National Security will introduce wide-ranging legislation including, but not limited to, a criminal justice reform package with amendments to the Evidence Act; the Criminal Procedure Act, the Sexual Offences Act and the Indictable Offences (Preliminary Enquiry) Act. Legislation will be introduced for the use of intercept communications to address criminal gangs, firearms and private security companies. There will also be legislation to institutionalize the Special Anti-Crime Unit of Trinidad and Tobago, and this will be forthcoming in the next parliamentary session.

As was outlined in the recent budget presentation, our rapid growth rate has made for significant expansion in our infrastructural facilities and this is a major priority. In keeping with this vision, the Ministry of Works and Transport will put forward a robust legislative agenda in order to give effect to its various policies. Such legislation will include a Transport Authority Bill, a Highways Authority Bill, and legislation to ban the use of mobile phones while driving. The Breathalyzer regulations will also be brought forward during the next session.

Mr. Speaker, Vision 2020, speaks to nurturing a caring society as one of its five pillars. In its roadmap to achieve that goal, the Ministry of Social Development intends to decentralize the delivery of social services in this country by way of legislation to be introduced during the coming year—all in keeping with the vision of bringing services closer to the people of Trinidad and Tobago.

Members of this honourable House and the national community can also expect comprehensive legislation providing for the varied needs of the differently-abled citizens of Trinidad and Tobago, the policy for which has already been approved by Cabinet and the drafting of which has already begun in the Chief Parliamentary Counsel's Department.

Mr. Speaker, in the area of food security and agriculture, the country can expect amendments to a package of land legislation previously enacted. These will include a Land Adjudication (Amdt.) Bill and Land Adjudication Regulations, the Registration of Titles to Land (Amdt.) Bill and Regulations and the Land Tribunal (Amdt.) Bill.

We can also expect HIV/AIDS legislation to deal with the salient issues affecting the epidemic in this country and to address discriminatory practices encountered by citizens who have been diagnosed with HIV/AIDS.

In the area of Education, the Government recognizes that a solid education system is key to the attainment of our Vision 2020 goal of developing an innovative people. A new Education Act is, therefore, expected to be laid during the next year.

Mr. Speaker, in the area of local government, one can expect legislation for decentralization of local government using good governance principles. The operational plan for achieving Vision 2020 speaks to pillar 5, which is the Promotion of Effective Government, using those principles at the very heart of the development thrust.

2.30 p.m.

Governance, as you may be aware, is the process of decision-making and the process by which decisions are implemented. This process comprises eight major characteristics. They are: participatory, consensus oriented, accountable, transparent, responsive, effective and efficient, equitable and inclusive and follows the rule of law. The local government reform to come will seek to incorporate these principles in its decentralization process.

Mr. Speaker, I have sought to highlight only a few measures included in the Government's legislative agenda over the next two years. Each sector and Ministry will put forward legislation to give effect to the overall policy direction of the Government of Trinidad and Tobago, and will seek to prioritize during the coming year, what pieces of legislation will come before the Parliament. A full list outlining the Bills emanating from each Ministry will be circulated in due course.

The Government of Trinidad and Tobago is of the view that the circulation of the legislative agenda would bring a sense of certainty, transparency and accountability in the parliamentary affairs of this country during the projected period.

We on this side understand our sacred responsibility to the people of Trinidad and Tobago in the delivery of timely and efficient goods and services. Despite the staff challenges and recent haemorrhages faced by the Ministry of the Attorney General and the Department of Public Prosecutions, a number of measures and initiatives are being introduced simultaneously, to ensure that we continue to maintain a standard and quality in the delivery of services that our population deserves.

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In this regard, a joint initiative between the Ministry of Public Administration and the Ministry of the Attorney General is being pursued to provide the Legislative Drafting department with the requisite expertise and skill needed for the more technical pieces of legislation.

Further, both the Director of Public Prosecutions department and the Ministry of the Attorney General are being strengthened with the introduction of mentorship programmes to provide junior and newly recruited attorneys-at-law with the necessary skills to develop their legal and professional competence as State attorneys, so as to improve the quality, timeliness and cost effectiveness of legal service delivery.

Mr. Speaker, in closing I wish to state that this Government sees the law as an important tool of social engineering, empowerment and transformation. We therefore hope that those on the Opposition Bench, after due consideration and consultation, would give the requisite support to the Government when the various pieces of legislation are brought before the Parliament during the coming sessions, as we seek to do the following, and I quote from the operational plan Vision 2020:

- Create a society where all citizens and particularly the less fortunate, are provided with a decent standard of living;
- Create a society free from the scourge of rampant crime in all its manifestations and where the justice system is transparent, impartial, swift and incorruptible and anchored in the rule of law;
- Create a society with a value system firmly rooted in principles of morality, equity and justice;
- Create a society free from ethnic divisiveness and discrimination of all kinds;
- Create a cohesive and resilient society where every citizen has the opportunity for personal advancement to his or her full potential; and finally
- Create a society with an effective system of governance, particularly in terms of the regulatory framework which must promote harmonious social relationships, as well as the continuous development of the economy, especially its business sector.

Mr. Speaker, I wish to add that we on this side wish to create a society where we can truly manifest the words of our anthem “Here every creed and race find an equal place”.

I thank you.

**ELECTIONS AND BOUNDARIES COMMISSION
(LOCAL GOVERNMENT) (AMENDMENT AND VALIDATION) BILL
Senate Amendments**

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

Be it resolved that the Senate amendments to the Elections and Boundaries Commission (Local Government) (Amendment and Validation) Bill, 2008, listed in the Appendix of the Supplemental Order Paper, be considered.

Question proposed.

Question put and agreed to.

Clause 1.

Senate amendment read as follows:

In the Short title delete the words “(Local Government) [Amendment (Tobago House of Assembly) and Validation]” and substitute the words “(Local Government and Tobago House of Assembly) (Amendment and Validation)”.

Mr. Imbert: Mr. Speaker, I beg to move that this House of Representatives doth agree with the Senate in the said amendment to clause 1 of the Elections and Boundaries Commission (Local Government) (Amendment and Validation) Bill, 2008.

Question proposed.

Mr. Maharaj SC: Mr. Speaker, I just want to get some clarification. I know that the Bill deals with both the Tobago House of Assembly and municipal corporations, but by this amendment is it that a wrong impression can be created that the Government wants to equate municipal corporations with the Tobago House of Assembly? I just want to know if that is so, because I did not see the need, with the greatest respect, for this amendment.

I do not know whether there is another policy or if it is just to get it correct in the sense of that description. I hope it is not a policy change, because I know the people of Tobago are very concerned that it must not be equated and the whole policy of the new Tobago House of Assembly Act should not be equated with. I take the point that the provisions of the Bill deal with both the municipal corporations and the Tobago House of Assembly, but I did not think the whole thrust of this Bill was really for the Tobago House of Assembly elections. I think that the Government should really indicate that this has nothing to do with equating the Tobago House of Assembly with municipal corporations.

Mr. Imbert: Mr. Speaker, I will forgive the Member since he was not present when we debated this Bill, so he is not aware of the content of our deliberations. The Bill in particular deals only with Tobago, and it seeks to amend the Elections and Boundaries (Local Government) Act, because at this point in time, the arrangements for the conduct of elections for the Tobago House of Assembly are in that Act.

When we spoke on the previous occasion I made the point that the intention had always been that there would either be a special piece of legislation to deal with the conduct of elections in Tobago or it would have been contained in the Tobago House of Assembly Act, but for one reason or another over the last 20-odd years, that was not done. The election rules and so on, for the conduct of elections in Tobago are still contained within the Elections and Boundaries Commission (Local Government) Act, so that is the contrary. What we are trying to do with this amendment is make it very clear that elections in Tobago have to be treated very differently to municipal elections. It is the opposite of the impression that you got.

The purpose of this amendment is to make it very, very clear that for elections in Tobago, we want some distinct provisions within the legislation that at this time, governs the conduct of elections. We made a policy signal that at some point in the future it is our intention either to create a special piece of legislation for Tobago elections or to put it into the Tobago House of Assembly Act.

I beg to move.

Question put and agreed to.

New clause 3.

Senate amendment read as follows:

Insert new clause 3 Insert after clause 2, the following new clause:

“Long Title amended 3. The Long Title of the Act is amended by inserting after the words “Local Government Elections”, the words “and Tobago House of Assembly Elections”.

Mr. S. Panday: Mr. Speaker, on a point of clarification, at what point in time will the debate on this amendment take place?

Mr. Speaker: Let the Member move it. [*Crosstalk*]

Mr. Imbert: Mr. Speaker, I do not know if it is because it is last day of the sitting, allow me to move the amendment first, hon. Member, and then we can debate it, if you do not mind.

Mr. S. Panday: Thank you very much.

Mr. Imbert: The whole point is if you look at the Bill at present with respect to this specific amendment, hon. Member, it speaks to municipal corporations, local government, as it were, but it contains some provisions for the conduct of elections in Tobago. So an innocent observer looking at the title of the Bill might conclude that the Bill only dealt with local government elections in Trinidad. It does not; it deals with both local government elections in Trinidad and Tobago House of Assembly elections in Tobago.

So, we felt that for better clarity we would include within the title of the Bill the reference to Tobago House of Assembly. It does not change the clauses in the Bill; it does not change the matters that we discussed on the previous occasion or the effect or the intent of the amendments made previously to this Bill. All it does is clarify the fact that contained within this particular piece of legislation are provisions for the conduct of elections in Tobago in addition to municipal corporations.

Mrs. Persad-Bissessar: Would you not then want to say, “local government elections including THA”, because when you put an “and” it is a conjunction, you are then putting each one as a separate entity. If you are saying the THA is embodied, subsumed within local government, I would want to say local government—[*Interruption*] this is what he just said so that is my clarification.

Mr. Imbert: Mr. Speaker, through you, I do not know how the hon. Member got that impression, I am not saying that at all. What I am saying is that we have one piece of legislation, and in that piece of legislation are the provisions for local government elections, as well as the provisions, separate and distinct, for the Tobago House of Assembly, it is omnibus legislation. Are you okay now?

With those words, Mr. Speaker, I beg to move that this House of Representatives doth agree with the Senate in the said amendment.

Question proposed.

Mr. S. Panday: Thank you very much, Mr. Speaker. When we were dealing with the substantive amendment, we discovered that some time in 1992, Chap. 25:50 had in it the electoral area and Tobago was included in that legislation. Some time subsequently after the laws were amended—especially local

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government bodies' laws were amended—that electoral area was omitted, and today what we are really doing is placing it back in the legislation.

I wonder if the hon. Member for Diego Martin North/East can tell us what was the heading of that Bill at the time when Tobago was included in the legislation.

Because, the heading of the Bill at that time was the Elections and Boundaries Commission (Local Government) Act, and in that piece of legislation you had the electoral areas and the electoral districts being included, so why is it that you need to have this amendment where you say now it is the “(Local Government) [Amendment (Tobago House of Assembly) and Validation]”?

2.45 p.m.

What are you doing here then? Are you then bringing back Tobago into the rubric of the local government sphere, because the Bill as you read the amendment it says: “(Local Government) Amendment (Tobago House of Assembly) and Validation”, delete that and substitute “(Local Government) Tobago House of Assembly (Amendment and Validation)”?

So the question is, are you now equating them back again? In any event, having brought it back to where it was before—that piece of legislation which was omitted in subsequent pieces of legislation—why is the need now to amend it in such a way to say the Tobago House of Assembly? Because the people in Tobago have argued, do not bring back Tobago within local government. The people in Tobago are saying that the Tobago House of Assembly is a separate issue in which there has been a separate organization which is different and distinct from local government, in that there has been devolution of power which the local government bodies do not have. So the Tobago House of Assembly is saying, we have our own secretaries, et cetera, and hence we are different from local government.

I remember reading the *Hansard* and the hon. Member for Tobago East at the time said that Tobago is different. Tobago, first of all, was a county, like there are counties in Trinidad, where there were nine counties, eight in Trinidad, one in Tobago and then the Tobago House of Assembly did not go into the municipal area of legislation, but the Tobago House of Assembly went in a different direction where the Tobago House of Assembly was not a part of local government under the county set-up, but to get the Tobago House of Assembly which was a new organization with more powers and an organization with devolution. So, the point that the Member for Siparia was making, by doing this at this stage, what are we doing? Are we bringing Tobago House of Assembly back in the stream of local government?

And furthermore, we would have expected that since this matter came to this honourable House and was sent to the other place and debated there, now that we have amendments to the Bill that went to the other place, we would have expected that this Government would have informed the population about the information which they said they could not have obtained because of the urgency of the legislation in the first place.

For example, you remember when we were amending on the last occasion, we said in that amendment in this honourable House, that we were going to use the rules for determining the number of electors in an electoral district of any electoral area, we are going to use a report of 2004. We asked them on that occasion, you have come here, the EBC said that they have done some work, why did you not introduce that information, at least, in the House so you would be able to argue adequately? All they told us was, that as far as they were informed, it could have been, probably it is a situation where there has not been any significant increase in the electoral figures in Tobago, and furthermore, that maybe it could have been that there has not been much migration from one electoral district to another electoral district.

We were arguing on that occasion that it was unlawful at that time to say that they were using the 2004 report when in fact the law had stated that the reports shall not be more than four years. What is the rationale in that, Mr. Speaker? What is the rationale in the report not being more than four years? The rationale is to ensure that there is democracy. Instead of merely coming here and trying to put the House in straightjacket by merely talking about the amendments, one would have thought that the Government would have been responsible and come and tell us what is the situation. We ask the hon. mover of the Motion to tell us today if the report which we spoke about is still relevant?

Mr. Speaker: Well, I am trying to not necessarily hasten you, but what you need to do is to concentrate your comments on the new clause. What you are doing really is reopening a debate that occurred previously. Keep your comments strictly to the insertion of the new clause.

Mr. S. Panday: Mr. Speaker, the point I am making—I would abide by your ruling—is that this Government is so incompetent that to merely bring these simplistic amendments, that is not enough for the House, that they should only come and tell us, look, we changed the words, “Local Government and Tobago House Assembly”. I am saying that this nation needs more than that. The Government must be more accountable! The Government must be more efficient and they should have used this opportunity today to update the nation as to what

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has taken place with it. And that is the argument! [*Desk thumping*] Hence the reason that I—

Mr. Speaker: [*Inaudible*]

Mr. S. Panday:—crafted my arguments in such a way to call upon the Government to account. Because do you think it is fair to this House; is it fair to the people of Tobago to come to this honourable House today to say—using parliamentary time to insert after the words “Local Government Elections,” the words “and the Tobago House of Assembly”?

We are saying that is not fair to the people and hence there is need for the Government to be more competent and efficient in the way they perform. We want to find out, instead of bringing this kind of two-word amendment, if there are more fundamental things that we should discuss, because merely to say that we are amending with two words, tell us—there are certain rules which say that the electoral population in one district must not exceed [*Interruption*] a certain figure, come out and tell us what is the state of the people in Tobago now. This is the reason for that type of argument. We ask the hon. Minister if he would be kind enough to bring that information to the population merely than bringing this editorial amendment.

Thank you.

Mrs. Kamla Persad-Bissessar (*Siparia*): Thank you very much, Mr. Speaker. In light of the contribution by my colleague, I feel compelled to make some comments on these amendments. Basically what my colleague from Princes Town was saying is that we are taking this time, valuable parliamentary time and all that is happening here from what I am seeing, is a kind of grammatical change. I am seeing if we read the top of this, we are changing square brackets and round brackets. This is what is happening, because if we read it, we are reading the “Elections and Boundaries Commission (Local Government) [Amendment (Tobago House of Assembly) and Validation] Bill”.

And what we are now doing, we are saying we are inserting after the words “Local Government Elections”, “and Tobago House of Assembly”; we are doing that for the short title, we are doing that for the long title and we will come to the next clause, but they are all basically doing the same thing. It is really in my respectful view an attempt to take up valuable time, as my colleague has said, to correct a grammatical error that must have happened. That is what it was. It happened in the Senate, and therefore when the Bill came originally with those grammatical errors it means this House did not pick them up then. It has come

back to the House, the drafters, the persons who drafted this they are now asking us to change the round bracket, move it from that point, put it to another point, move the square bracket and that is all that we are doing here today, with due respect.

My point from my colleague which I want to emphasize is this; today is the last sitting of the year, we are going to be spending this time changing square and round brackets when we have a crime debate that should have been dealt with today [*Inaudible*] time out of it.

I thank you, Mr. Speaker.

Mr. Imbert: Mr. Speaker, through your very kind indulgence, Standing Order 36(1) has been ripped to shreds and if you would allow me I shall now read it:

“Subject to provisions of Standing Order No. 12...debate upon any motion, Bill or amendment shall be relevant to such motion, Bill or amendment and a Member shall confine his observations to the subject under discussion.”

I do not wish to be in breach of Standing Order 36(1) although the Member for Princes Town North had no qualms about running all around the Standing Orders. So I shall just say one thing, the Senate had a full deliberation on this matter—that is my understanding—they looked at the merits of the Bill, they went through the Bill clause by clause and after complete and full deliberation, including by Members of the UNC and the Independent Bench, these are the amendments that the Senate thought appropriate to make to this Bill. Therefore, all of those issues that the Member has raised should have been raised in the original debate, and if you want, resign your seat and go and get yourself appointed as a temporary Senator and make your points in the Senate. The whole point is, this is the end result of the debate in the Senate. The Senate was clearly satisfied with the merits of the Bill and they just felt that these adjustments had to be made to the title.

Now let me deal with the actual amendment before us and not the extraneous matters that the adventurous Members for Princes Town North and Siparia went into. First let me correct the record. The problem with this Bill was caused by the Municipal Corporations Act, 1990, not 1992, and it is in 1990 that all these references to Tobago and so on were inadvertently removed from the Elections and Boundaries Commission (Local Government) legislation. It was not by this administration. It was not by this party even, it was by another government comprised of another party that in 1990 came to—

Hon. Member: Parties.

Mr. Imbert: Parties I am being reminded—this Parliament in 1990 and introduced the Municipal Corporations Bill, debated it at length and inadvertently in that process deleted all these references to Tobago. So it is not we that took it out and I made this point before. It is not being laid as the fault of anyone. It happened in 1990.

None of people here as far as I know were members of the party or contested elections for the NAR, except maybe the Member for Siparia. That is the only one I know contested and lost a seat in 1991, I believe.

3.00 p.m.

Mrs. Persad-Bissessar: I am very proud.

Mr. Imbert: That is all right. But the only person who contested election on an NAR ticket in this House, unless I am wrong, is the Member of Parliament for Siparia. So if you want to blame anybody, blame her. It was her government and her party. But the fact of the matter is all we are doing is changing the title of the Bill, not the content of the Bill. All we are doing is to make the distinction, to make it crystal clear that the conduct of elections in Tobago is governed by a particular piece of legislation which at this time is called the Elections and Boundaries Commission (Local Government) Act, and we want to change that to say, the Local Government Election and Tobago House of Assembly Election. That is all.

All we are trying to do is to let people know that if you want to find out where the arrangements are for the conduct of the elections in Tobago, go and look in this particular legislation, by putting in the title. It is simply a road map. That is all it is, it does not change the content of the Bill. It does not change the Tobago House of Assembly. It does not change the functions in Tobago. It changes nothing, except to explain and give an illustration and a guide to persons, that if they want to know where the arrangements for the conduct of elections in Tobago are, go and look in this Bill and you will see it. That is all. So that people will understand what has happened, but it changes nothing in terms of the matters that have already been debated at length in this House with respect to this issue.

I beg to move. [*Desk thumping*]

Question put and agreed to.

New Clause 4.

Senate amendment read as follows:

Insert New clause 4 Insert after the new clause 3, the following new clause:

“Section 1 amended 4. Section 1 of the Act is amended by deleting the words ‘(Local Government)’, and substituting the words ‘(Local Government and Tobago House of Assembly)’.”

Mr. Imbert: Mr. Speaker, the purpose of this amendment is crystal clear. Again, to simply identify to persons that if they want to determine the arrangements for the conduct of elections in Tobago, look in this piece of legislation. That is all. And I want to reiterate the Government's policy, that the arrangements for the conduct of elections for Tobago will either be in their own special piece of legislation or will be put into the Tobago House of Assembly Act because we want to make it very, very clear. We want to avoid, if you would allow me, Mr. Speaker, I mean I have to say, this kind of “ol' talk”. We want to avoid this kind of back and forth about what it should be and what it should not be, and whether we are diminishing Tobago or whether we are elevating Tobago. All of that will be addressed when we have either a special piece of legislation for the conduct of election in Tobago or we put clear and unambiguous provisions within the Tobago House of Assembly Act.

I beg to move that the House of Representatives doth agree with the senate in the said amendment.

Question proposed.

Dr. Gopeesingh: Mr. Speaker, this new amendment to clause 4 is basically similar to the amendment in clause 3.

Hon. Member: Identical.

Dr. Gopeesingh: Identical. But what is happening there is that basically my colleague, the Member for Tabaquite, asked for some clarification. You are lumping the Tobago House of Assembly elections with the Municipal Corporations elections, and then you are giving the explanation that somewhere subsequently, the Tobago House of Assembly may incorporate the elections of the Tobago House of Assembly in its own Act or something else may happen. But meanwhile, what happens to any person in Trinidad and Tobago and particularly the Tobagians: would they feel comfortable lumping the Tobago House of Assembly

elections under the Municipal Corporations Act? Because you are equilibrating an independent authority with a municipal corporation and you are treating them as a municipal corporation.

There must be some other mechanism for doing that, while you are waiting for the Tobago House of Assembly to incorporate it into its own Act. And just one more point to that, it is the first time in the history of any elections in Trinidad and Tobago, that an election will be held with information that is five years old and archaic, and will be conducted five years later. Those are the two important points, so we want some explanation from him on that.

Mr. Imbert: You sure he is making it quick?

Dr. Gopeesingh: I had to slip that in.

Mr. Imbert: Mr. Speaker, I want to for the record, nobody is lumping anything with anything. For the last 20 years, elections in Tobago have been conducted using the provisions in the Elections and Boundaries Commission (Local Government) legislation. So nobody is lumping anything in anything.

The purpose of the legislation was to correct some errors where some provisions relating to Tobago were retained in that legislation and some were taken out in 1990, and your government presided over two Tobago House of Assembly elections without noticing that your government of 1990 had made errors, which created problems with respect to the legislation. We had gone through all of this before, nobody is lumping anything with anything. We are simply making it crystal clear, that the arrangements for the conduct of election in Tobago can now be found within this piece of legislation.

I make it clear, so that hopefully on the next occasion when an over-enthusiastic draft person or some other person is seeking to make amendment to this legislation, they will recognize that it deals with Tobago. You see, what happened under your government in 1990, your government was not aware that when they had interfered with the Elections and Boundaries Commission (Local Government) Act, they had deleted provisions relating to Tobago because all your government saw was local government. So they thought, well it is no problem interfering with this because it only affects operations within Trinidad. And I can only assume that it was an over-enthusiastic draftsman or some other misguided person who went through that municipal corporation operations in 1990, took out the references to Tobago in the Elections and Boundaries Commission (Local Government) legislation and created this mess. That is the conclusion I have come to, but I am not ascribing blame to any Government.

All I am saying, Mr. Speaker, that in my view it is—I am trying to struggle with words here. You know the Members opposite take offence to all kinds of words—hypocritical in the extreme for the Member of Siparia who was in the government that destroyed the provisions in the Elections and Boundaries Commission (Local Government) legislation, [*Desk thumping*] deleted Tobago, to come into this House, in this sanctimonious, pious manner and accuse Members on this side. [*Desk thumping*] It is hypocritical in the extreme.

I beg to move.

Question put and agreed to.

Mr. Speaker: Hon Members, the other amendment is just a consequential amendment and I do not think anybody will want to debate that. [*Crosstalk*] [*Laughter*] It is just a renumbering of the clauses, so I will put the question.

Clauses 3 to 8.

Senate amendment read as follows:

3 to 8 Renumber clauses 3 to 8 of the Bill as clauses 5 to 10, respectively

Question proposed.

Question put and agreed to.

FINANCIAL INSTITUTIONS BILL

Senate Amendments

Mr. Speaker: We are about to move on to the Motion dealing with the Financial Institutions Bill and hon. Members will see that there are 22 amendments. Now, the Standing Orders do provide for the Clerk to read each clause. If you insist on that procedure that we follow the Standing Orders, we will do that, failing which with your leave, we will agree just to call clauses without the Clerk having to read each amendment. Do I have an agreement of the House?

Hon. Members: Yes.

Mr. Speaker: I think we can do it in a group. If any Member wishes to come in on a particular clause, we can always adjust that accordingly.

Mrs. Persad-Bissessar: The amendment that deals with inserting after the word "*Gazette*", "...at least two daily newspapers published and circulated..." all those can go. The intent is exactly the same; the wording is the same. They could probably all go together.

Mr. Speaker: Well, we can do page 1. We can do page 1—actually we can do page 1, page 2, up to clause 60.

Dr. Gopeesingh: Mr. Speaker, there are 24 clauses in this and 18 of these clauses have the same amendment that my colleague just spoke about. On this side, unfortunately, Mr. Speaker, my colleague, Mr. Bharath who is not able to be here, spoke with me and I am representing basically this side for these issues and there is only one amendment he suggested that we should make with this. And therefore, all clauses that are incorporated from at least one to two daily newspapers. [*Interruption*] Well, there are a whole heap, 7, 8, 11, 16—

Mr. Speaker: Let us identify the clauses.

Dr. Gopeesingh: All right, then we will commence on that.

Mrs. Persad-Bissessar: We start at the top. Clauses 7, 8, 11, 21, 30, 57A, B, C—there is clause 42, but clause 42 has an A and B, so I do not think we want to interfere with it in this rush—58, 60, 66, 76, 79, 89, 95, 96, 120 and 131. We got rid of most of them, so we can take all those together.

The Minister in the Ministry of Finance (Sen. the Hon. Mariano Browne): Mr. Speaker, I beg to move the following Motion standing in my name:

Be it resolved that the Senate amendments to the Financial Institutions Bill, 2008 listed in Appendix II, be considered.

Question proposed.

Question put and agreed to.

Senate amendments read as follows:

Clause 7.

In sub-clause (8), insert after the word “*Gazette*” in line two, the words “and in at least two daily newspapers published and circulated in Trinidad and Tobago”.

Clause 8.

In sub-clause (6), delete the words “, a daily newspaper” after the word “*Gazette*” in line nine and substitute the words “and in at least two daily newspapers”.

Clause 11.

In sub-clause (2), insert after the word “*Gazette*” in line six the words “and in at least two daily newspapers published and circulated in Trinidad and Tobago”.

Clause 21.

In sub-clause (5), delete the words “and a daily newspaper” after the word “*Gazette*” in line two and substitute the words “and in at least two daily newspapers”.

Clause 30.

- A. In sub-clause (1), delete the words “and a daily newspaper” after the word “*Gazette*” in line two and substitute the words “and in at least two daily newspapers”.
- B. In sub-clause (3), delete the words “and a daily newspaper” after the word “*Gazette*” in line two and substitute the words “and in at least two daily newspapers”.

Clause 57.

- A. In sub-clause (1), insert after the word “*Gazette*” in line six, the words “and in at least two daily newspapers published and circulated in Trinidad and Tobago”.
- B. In sub-clause (2), insert after the word “*Gazette*” in line two, the words “and in at least two daily newspapers published and circulated in Trinidad and Tobago”.
- C. In sub-clause (3), insert after the word “*Gazette*” in line two, the words “and in at least two daily newspapers published and circulated in Trinidad and Tobago”.
- D. In sub-clause (5), insert after the word “*Gazette*” in line eight, the words “and in at least two daily newspapers published and circulated in Trinidad and Tobago”.

Clause 58.

In sub-clause (3), delete the words “, and a daily newspaper” in line two and insert the words “and in at least two daily newspapers”.

Clause 60.

In sub-clause (3), insert after the word “*Gazette*” in line two, and insert the words “and in at least two daily newspapers published and circulated in Trinidad and Tobago”.

Clause 66.

In paragraph (a) of sub-clause (5), insert after the word “*Gazette*” in line two, the words “and in at least two daily newspapers published and circulated in Trinidad and Tobago”.

Clause 76.

- A. In sub-clause (1), delete the words “and a daily newspaper” in line two and substitute the words “and in at least two daily newspapers”.
- B. In sub-clause (3), delete the words “and a daily newspaper” in lines four and five, and substitute the words “and in at least two daily newspapers”.

Clause 79.

In sub-clause (3), insert after the word “*Gazette*” in line two, the words “and in at least two daily newspapers published and circulated in Trinidad and Tobago”.

Clause 89.

- A. In sub-clause (1), insert after the word “*Gazette*” in line seven, the words “and in at least two daily newspapers published and circulated in Trinidad and Tobago”.
- B. In sub-clause (3), insert after the word “*Gazette*” in line three, the words “and in at least two daily newspapers published and circulated in Trinidad and Tobago”.

Clause 95.

- A. In sub-clause (4), insert after the word “*Gazette*” in line six, the words “and in at least two daily newspapers published and circulated in Trinidad and Tobago”.
- B. In sub-clause (5), insert after the word “*Gazette*” in line three, the words “and in at least two daily newspapers published and circulated in Trinidad and Tobago”.

Clause 96.

Insert after the word “*Gazette*” in line four, the words “and in at least two daily newspapers published and circulated in Trinidad and Tobago”.

Clause 120.

In paragraph (c) of sub-clause (2), insert after the word “*Gazette*” in line one, the words “and in at least two daily newspapers published and circulated in Trinidad and Tobago”.

Clause 131.

Insert after the word “*Gazette*” in line two, the words “and in at least two daily newspapers published and circulated in Trinidad and Tobago”.

3.15 p.m.

Mr. Browne: Mr. Speaker, I beg to move that the House of Representatives doth agree with the Senate in the said amendments. [*Interruption*]

Question proposed.

Question put and agreed to.

Dr. Gopeesingh: I just want to make one comment on that.

Mr. Speaker: I thought we had all agreed we would take this in a block without debate?

Dr. Gopeesingh: Mr. Speaker, I ask the Government to consider instead of “two daily newspapers”, to put “the daily newspapers”. Because of the arbitrary and capricious nature of the selection of newspapers for publication or advertisement, we would not know which newspapers they are selecting. We suggest that instead of “two daily newspapers”, “the daily newspapers”, since there are only three daily newspapers; because of what is happening in the country. You know that the Government has said that they do not like the *Express* and that they do not want the *Newsday*—[*Crosstalk*]

Mr. Speaker: Order!

Dr. Gopeesingh:—and they do not want them on the boat, and they are blocking them from the commission of enquiry. We suggest that because of the Government's behaviour in terms of attacking some of these newspapers on a daily basis in Parliament, and because of their arbitrariness in this election to the exclusion of other newspapers, which they may feel they do not want to give credibility to, that they want to choose their own newspapers. We suggest that instead of two daily newspapers, just a simple word, “the” daily newspapers, which would incorporate all three newspapers. [*Desk thumping*] [*Crosstalk*]

Mr. Dumas: “Next ting yuh know, Jack have a paper and you have a paper.”
[*Laughter*]

Mr. Imbert: Mr. Speaker, I will attempt to address matters raised by the Member for Caroni East.

If you looked at exactly what we were doing in the Bill that was passed in this House, with respect to some of the earlier clauses, there was only a requirement for matters to be published in the *Gazette*. We have enhanced the provision by including in a number of the clauses “in, at least, two daily newspapers”. I am advised that there are only three daily newspapers in Trinidad and Tobago and, therefore, this means two out of three newspapers that currently exist. [*Crosstalk*]

I do not know why the Member is so “jumpy”. Stop being so jumpy; this is the last sitting of the House; calm yourself. [*Laughter*]

If one looks at legislation generally—perhaps the hon. Member for Tabaquite, who may have looked at a lot more law than I have; I am sure he has, and maybe the Member for Siparia too—I am not aware of any legislation that has a requirement for the publication of matters like this in three daily newspapers. It is normally one; in some case it is two. The maximum I have ever seen, in my 17 years in this place, is two.

I see absolutely no reason why we should put three, at this point in time; there are only three daily newspapers. The whole point of this is not a question of discrimination or anything like that; this is a matter of information. [*Crosstalk*]

Mr. Speaker, would you tell him to calm down. I am going to answer you; calm yourself.

The only way that your scenario could possibly occur is if you do not look in the *Gazette*—that is understandable, not many people do—or you only read one daily newspaper, and the one you happen to read is the one that this is not advertised in, because it would be advertised in the other two. So we do not think there is any point in putting that it should be in three dailies.

The other point I wish to make is that, in my respectful view, Member for Caroni East, this is not a major point. If we agree to your amendment, we will have to go back to the other place. The Parliament is going to prorogue on December 16, and we see no need to reconvene the Senate just to put “in three daily newspapers”, instead of, “at least, two”.

Dr. Gopeesingh: [*Inaudible*]

Mr. Speaker: I have already put the question and the Ayes to my right have given their assent.

Can I ask a question? Do you have anything on the rest of the other clauses and, if so, which ones?

Dr. Gopeesingh: Yes, Mr. Speaker, clause 62; that is the only one.

Clause 16.

Senate amendments read as follows:

In subclause (6), delete the words “regulations made under this Act” in line six and substitute the words “Prudential criteria Regulations”.

Clause 19.

Delete the words 17 (9) and substitute the words 17 (10).

Clause 29.

In subclause (7), delete the words subsection (5) and substitute the words subsection (6).

Clause 37.

In subclause (1), delete the words “or upon request” in line two and substitute the words “and at such time as requested”.

Clause 38.

In subclause (4), delete the word “Board” after the word “The” in line three and substitute the words “Board of directors of a licensee”.

Clause 42.

- A. In paragraph (b) of subclause (6) insert after the word “Inspector” in line one, the words “after consultation with the Governor”.
- B. In subclause (11), insert after the word “Gazette” in line three, the words “and in two daily newspapers published and circulated in Trinidad and Tobago”.

Clause 71.

In subclause (6), delete the words “fifty per cent or more” in line two and substitute the words “more than fifty per cent”.

Third Schedule.

Insert the following new items in Part II:

Institutions	Activities
Chap. 83:02 “a securities Company registered under the Securities Industry Act	(a) The business of repurchase agreements; and (b) Lending and borrowing against securities as defined in the Securities Industry Act.”

*Question proposed.**Question put and agreed to.**Clause 62.*

Senate amendment read as follows:

- A. Delete subclause (17), and substitute the following new subclause:
- “(17) Where the Inspector or a person authorized by the Central Bank is—
- (a) prevented from exercising the powers given to him under subsection (13) (“hereinafter referred to as “the powers”);
 - (b) required to exercise the powers outside of normal working hours; or
 - (c) required to exercise the powers urgently,
- he shall apply for and obtain an ex-parte order of a Judge of the High Court, which order shall constitute the warrant for the designated authority to enter into the premises of the licensee or financial holding company”.
- B. In subclause (18), delete the word “(16)” and substitute the word “(17)”.

Mr. Browne: I could, perhaps, give a little background to the amendment. Clause 62 actually defines the powers of the inspector. The Government agreed to this amendment at the insistence of one of the Independent Senators in the Senate. We need to point out that the inspector is actually appointed by the President, and it was felt that section gave the inspector a tremendous amount of power; in fact, a power which allowed him to act independently of the Governor of the Central Bank.

As a result of the insistence, the Government agreed that the particular subsection (17) would be amended to take into consideration those objections. It is in that context this amendment is proposed.

Thank you.

Mr. Browne: I beg to move that the House of representatives doth agree with the Senate in the said amendments.

Question proposed.

Dr. Gopeesingh: Mr. Speaker, we have no difficulty whatsoever with the issues of the power of the inspector. We are happy that this has been brought into the legislation.

What we are having a little difficulty with, however, is that if that inspector fails to perform his duty, what is the sanction and penalty? There is nowhere in that clause for if the inspector fails to perform his duty. Since he is appointed by the President, what happens? That is a very important issue that we have to look at, if there is a failure to perform his duty.

You have areas within the clause to remove the inspector, but you have no penalties for failure to perform his duties as inspector of the bank, which can occur. That is the question I want to ask, and if there is any consideration to placing that in the amendment or if there is any elucidation on the part of the Government, as far as that part is concerned.

Mr. Imbert: Member for Caroni East, that is a very important point you have made, but this amendment does not address that. That deals with the substantive Bill itself.

I can give an undertaking on behalf of the Government that we will look very seriously at the point you are making about what remedies would exist for an aggrieved person, if they are of the view that the inspector has failed to perform his duties and carried out his functions, and certainly see whether that can be dealt with in the next session of Parliament. But this particular clause does not deal with the remedies that someone would have, if an inspector failed to carry out his duties. It is simply dealing with the matter addressed by the Minister.

Mr. Browne: Just to further clarify. One of the powers listed therein, and there was also a question raised with regard to the access of the inspector— This is just a further amplification of the reason for the changes.

The way the clause was being read was for every occasion the inspector would be required to go to court. This is also clarifying the powers of the inspector to take action and, in so doing, defining what the possibilities are.

Dr. Gopeesingh: Just one little comment on that.

I accept what the hon. Member for Diego Martin North/East said that on a subsequent occasion they would consider that.

Financial Institutions Bill
[DR. GOPEESINGH]

Friday, December 12, 2008

There are many other important issues in this Bill, I just want to ask this, since they are bringing some amendments to this. I know that they had promised that they would have an entire Financial Institutions Act to encompass almost every aspect of financing and banking, we just want to get an idea from them, because one of their own recommendations, as a government, was to bring the banking ombudsman into the position of a financial ombudsman. There was also another area where they said that they wanted to establish a small claims court. There are a few other issues, but, of course, this does not allow me to speak on that. I want them to seriously consider whether they would be prepared to bring an entire Financial Act to encompass almost all these areas of mutual funds, pensions, insurance, banks, credit unions, et cetera, which they had promised a long time ago.

Mr. Imbert: We are being very generous, Mr. Speaker.

The policy, at this point in time, is to have separate legislation for various things; but, of course, there is a lot to be said for an omnibus piece of legislation. The current policy is not to have omnibus legislation as far-reaching as what you are proposing, that they would be separated into sectors. Certainly, again, we will give your views very serious consideration.

Question put and agreed to.

3.30 p.m.

ADJOURNMENT

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

Mr. Speaker: Before I put the question on the adjournment, there are two matters to be raised on the adjournment. The first one is by the Member for Princes Town North.

SAUTT

(Legal Status of)

Mr. Subhas Panday (Princes Town North): Mr. Speaker, standing in my name is the Motion on the legal status of the Special Anti-crime Unit of Trinidad and Tobago (SAUTT). As we all know, SAUTT was established sometime in 2003 or 2004 and it was said that by its name, the Special Anti-crime Unit of Trinidad and Tobago, it was established to deal with crime.

Mr. Speaker, the functions of dealing with crime is that of the police service which is a special, independent, legal body established by law. This PNM Government established SAUTT saying it would be used to deal with crime.

One would have expected that before SAUTT was set up the legislation would have been introduced creating a legal framework before it was established. This Government has set up SAUTT as a private “Mongoose Gang” which is not responsible to anyone but the political directorate and that is a dangerous thing when there is an organization which is supposed to be dealing with crime and is not responsible to the Commissioner of Police but a Minister.

Mr. Speaker, we ask the question, apart from the legal status of SAUTT has it fulfilled its mandate? The answer is indeed no. SAUTT has been given more resources than the police service as a whole and although it has been given such resources, not having a legal framework it could do what it wants as long as it pleases the Minister.

Mr. Speaker, when one looks at the 2009 budget allocation, one sees the entire police service with over 5,000—6,000 members being allocated about \$600 million and SAUTT, which is comprised of about 300 members got about \$364 million. This Government has given SAUTT more resources; a body which is not incorporated and has no legal status has been given \$364 million and we ask: What is it doing with it?

Mr. Speaker, when we ask if it was a transfer, we saw it was under the Minister’s expenditure. SAUTT has been given so much money that it has a blimp. Does it have the legal capacity to operate such equipment? What does the blimp do? The Minister boasted that the airship is capable of listening in on cellphone conversations and its video cameras can view and record faces miles away. It is believed by privacy activists that it is operating outside the law.

I also hold the view that SAUTT is operating outside the law. As a matter of fact, we heard the hon. Prime Minister indicating that a certain agency has been monitoring the hon. Member for Siparia for a number of years, that is probably since 2003 to the present time and that was the time when SAUTT came into being. We ask, does it have that legal status to do what it is doing, if it is doing so?

Mr. Speaker, one would observe that SAUTT—that body that was created to deal with crime—was given so much money for the last four or five years, and the crime rate is increasing. What is it doing? Is it really a “Mongoose Gang” to deal with people who the Government perceives to be opposed to them and Members of the Opposition?

SAUTT has so much money being allocated to it and when you ask the hon. Minister to explain what SAUTT is he says: It is a tool in the army to deal with and solve crime. But as you see, the crime rate has been increasing. When one reads

SAUTT (Legal Status of)
[MR. S. PANDAY]

Friday, December 12, 2008

the newspapers today one sees it was 514, and before one could finish reading the newspapers, it went up to 515 when a man was killed in Princes Town this morning between 8.30 a.m. and 9.00 a.m.

Mr. Speaker, is it because the Government has this organization as a private army that it does not want to give legal status or indicate what is the status? How does this anti-crime unit recruit people? We have the police service which is an organization and when it recruits people their photographs are in the newspapers and the society knows what is taking place and persons are recruited according to the law.

We ask the question today: How is SAUTT recruiting persons? What power has been given to SAUTT? What guidelines? What criteria are there in place to deal with the recruitment in SAUTT? Or is it that you have friends and family pulled into SAUTT? Mr. Speaker, most of the police officers who are there are retirees from the police service.

Furthermore, I want to know what the qualifications to be appointed to SAUTT are, and whether SAUTT has done background checks on the persons who they have recruited. Because I have personal information where a police officer retired from the police service as being medically unfit and he is now a member of SAUTT. We cannot operate like that, crime is a very serious issue and all the arms or organizations which are supposed to deal with crime must have a legal status, but the way SAUTT is going along leaves many people to think about the function and purpose of SAUTT.

On the last occasion when the issue was raised it was said that it is a first-class organization. If it is so, why did they not bring legislation in 2003 to give it legal framework? Why did the Government not bring legislation in 2004, 2005, and 2006? It said it was going to bring the legislation in 2008 because it is a beautiful organization and everything is in place.

This is the last sitting of Parliament and one would have thought that it would have brought that legislation so that we could consider what are the role and functions and the legal status of SAUTT. That information should have been brought to the Parliament as a matter of urgency because the crime rate is so high in Trinidad and Tobago, but instead we heard nothing about it. Is it that the PNM wants to perform underhand tactics and movement before it brings the legislation? We do not know, but this Government has a way to act in that clandestine manner.

Mr. Speaker, we hear today that next year it hopes to have the legislation. We are saying that crime is so important and people are dying like flies in this

country, they are concerned and want to see that the crime situation has been dealt with but this Government sits and plays the fool.

This Government is really not interested in crime; it does not care about crime. Not only has it not put in the structure and legal framework for SAUTT so we can know the ambit of the powers of SAUTT. We want to know whether they can perform acts which are now illegal, what is the basis for that and how it will do it. These are things that we need to know, but it seems to me that SAUTT could do whatever it wants secretly and the population does not know.

Mr. Speaker, the Government said SAUTT was an anti-crime unit. Not only has this Government treated SAUTT as its private property, it has also treated the police service in a way that is most despicable. We were asking that SAUTT be brought under the police service where it would be responsible to the Commissioner of Police so that we can have a unified and coordinated approach to deal with crime, but to which commissioner?

Since July 04, it has struck down the appointment which was sent to the President and the Parliament for the appointment of a new Commissioner. The Government did not get who it wanted, so it struck it down and left the police service almost without a legal framework like SAUTT.

Mr. Speaker, one would have expected that with the crime rate so high in this country: robberies, murders and rapes, one would have thought this Government would not have only brought legislation to give SAUTT a legal framework, but legislation to bring strength to the police service and create succession so that it could perform. But from July to now it has failed to bring legislation for the appointment; it merely brought regulations. The substantive law is in place but it does not want to bring the regulations because it does not care about crime. The Government is only spending money on SAUTT and it does not care about crime.

I feel sorry for the Minister because he came here and said: We are not bringing the regulations because we want to get it right. So shameless and boldfaced! I want to ask this PNM Government: Will it take six months merely to put regulations in place? It happened on July 04, today is December 12, 2008 and Parliament may open next year.

3.45 p.m.

Why are you sitting like that; why do you not want to put legal frameworks in place? But you would go to the party in Hyatt while people are dying on the streets; while people are suffering. You are seeing Members of the Government

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posing at the Hyatt with cocktail glasses in their hands spreeing at some party sponsored by the President or the leader of Hyatt. While they are feting, the country is dying; while they are feting, the people are killing themselves, because they do not care about crime; they do not have the will to deal with crime and you have a Commissioner there that less said is better.

Thank you. [*Desk thumping*]

The Minister of National Security (Sen. The Hon. Martin Joseph): Mr. Speaker, I thank you for this opportunity to set the record straight on the burning issue of the legal status of the Special Anti-crime Unit of Trinidad and Tobago (SAUTT), which has been the focus of attention both within this House and in the media. Also during the course of my response to this Motion on the Adjournment moved by the Member for Princes Town North, the hon. Subhas Panday, I would like to address the link issue that SAUTT has been engaging in illegal activities, namely the unfounded allegations that SAUTT has been spying on law-abiding citizens.

I feel it is essential to give the facts on these issues to Members of the House because I believe that ill-informed speculation undermines the work of SAUTT, which was established to provide a coordinated response to crimes of national significance in this country. I find it very unfortunate and disheartening that there are those in our society who would want to exploit the rising crime situation in our country for cheap political gains at a time when our communities are under attack by criminals.

As I address the issue of legality, let me start by stating categorically that SAUTT is a task force, legally established within the confines of legislative enactment. This can be unquestionably concluded by an examination of the history of how SAUTT came into being. SAUTT operates as a task force and was set up over a three-month period, between November 2003 and February 2004.

This process began on November 28, 2003 when the National Security Council approved the establishment of SAUTT. On the same day, the Special Services Unit (SSU) was established by His Excellency the President as a unit of the Defence Force. Then in January 2004, Cabinet agreed to matters relating to the establishment of SAUTT specifically in the areas of structure and funding. Finally, on February 11, 2004, the Anti-Crime Unit (ACU) was established as an operational unit under the Police Service Act.

There is nothing illegal about joint or inter-agency law enforcement operations. In fact, there is a long history of inter-agency cooperation in law enforcement operations between the police service and the defence force. For

years both agencies have worked closely on such events as security for special events, Carnival, Christmas and routine crime suppression. The inter-agency task force is the most recent manifestation of this point of collaboration.

All aspects of SAUTT's operations are accordingly embodied within the common law and the laws of Trinidad and Tobago, specifically through three pieces of domestic legislation. The legislation used to create the SSU was the Defence Act, Chap. 14:01. Under section 5(1)(c) of the Defence Act:

“Such units of the Defence Force may be formed as His Excellency the President may think fit and styled by such designation as the President shall declare by notification.”

Secondly, the legislation underpinning the Cabinet's decision relating to the establishment of SAUTT in January 2004 is section 75(1) of the Constitution of the Republic of Trinidad and Tobago which directs that:

“There shall be a Cabinet for Trinidad and Tobago which shall have the general direction and control of the Government of Trinidad and Tobago and shall be collectively responsible therefore to Parliament.”

Thirdly, the Anti-crime Unit was established under the Police Service Regulations made under the former Police Service Act, Chap. 15:01. Regulation 10 states:

“The Police Service shall consist of such divisions, districts, branches, sections, stations or other administrative or operational units as may be approved by the Minister.”

Although this Act has since been replaced by the Police Service Act of 2006, there is a savings clause in the current legislation to ensure that all decisions made under the former Act continue to have validity. As such, the police force and defence force officers within SAUTT retain all their legal powers and through them, SAUTT functions within the powers of the Police Service Act and the Defence Force Act to investigate crime and criminal activities. In fact, the Commissioner of Police and the Chief of Defence Staff retain responsibilities for their officers within SAUTT.

I apologize for going into such detail, but as I have already said, in order to fully grasp the current legal position of SAUTT, I felt it was necessary that all the Members of this House have a clear understanding of the genesis of SAUTT. It must be pointed out that the setting up of SAUTT as a task force was always intended to be a temporary measure and was subject to the formulation of a

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comprehensive legislative framework. I indicated during the budget debate that the passage of SAUTT legislation is a priority item on the Ministry's legislative agenda for fiscal year 2008/2009, and this was underscored by the Attorney General in the statement she made earlier today in this honourable House.

Let me therefore reassure Members that the necessary legislation is currently being developed to formalize SAUTT's status within the law enforcement community of Trinidad and Tobago. As time and events have shown, legislation drafted in haste is often unenforceable. As such, this Government is taking great pains to ensure that the legislation for SAUTT is both effective and enforceable. I hope I have adequately addressed the issue of the legal status of the Special Anti-crime Unit of Trinidad and Tobago.

Although this Motion on the adjournment of the House was specific to the legal status of SAUTT, it would be remiss of me not to expand my response to treat with the allegations that SAUTT is acting outside the law and is some sort of political tool being used by the Government to spy on innocent citizens. That is because the same people who are alleging that SAUTT is illegal, are also claiming that this illegal status allows it to act outside the law and engage in illegal activity.

Again, let me set the record straight. SAUTT is one of several divisions and agencies which comprise the Ministry of National Security and is answerable to the people of Trinidad and Tobago through the Minister of National Security. As the head of SAUTT, Brigadier Peter Joseph, like other heads of security agencies and divisions within the Ministry of National Security, attends all heads of security and heads of divisions meetings which are chaired by the Minister of National Security. As such, the reporting relationship between the Director of SAUTT and the Minister of National Security is exactly the same as that which exists between the Minister of National Security and all other agencies, units and heads of divisions, including the Commissioner of Police and the Chief of Defence Staff.

As the person responsible for holding SAUTT to account, let me reassure you that SAUTT's mandate is to tackle serious crimes. As I mentioned earlier, SAUTT's role is to provide a coordinated and effective response to disrupt criminal activity of national significance. Criminal intelligence gathering plays an important role in the fight against crime. SAUTT seeks to gain criminal intelligence which can assist in targeting specific serious crimes. Last year, working with its partners in the police service, it successfully targeted kidnapping for ransom. Recently, it has been given responsibility for investigating gang-related murders, so its intelligence gathering is currently focused on solving and reducing these murders.

SAUTT is intelligence-led and its resources are used to target criminals and solve crime. Let me emphasize that SAUTT's only interests are in those persons who perpetrate serious crimes against this country's citizens and against those who engage in activities which are detrimental to national security interests of Trinidad and Tobago. SAUTT as a task force seeks to adopt best practice from successful law enforcement countries. In all the countries where law enforcement has successfully tackled crime, intelligence-led investigations have been identified as the key to their success.

Mr. Speaker and hon. Members, this Government's track record in safeguarding the rights of every citizen as enshrined in the Constitution is undeniable. I wish to reassure all of you that this Government has never used and will never use SAUTT or any law enforcement body as a political unit to spy. Let me also state that the only valid justification for the use of criminal intelligence gathering by law enforcement agencies is to target persons suspected of committing serious criminal offences or putting national security at risk.

Thank you for this opportunity to present the facts to this honourable House and to voice my support for all law enforcement agencies, divisions, task force and units, which are working assiduously to address and arrest the crime problem within Trinidad and Tobago so as to make this country a safe and secure place for citizens and visitors alike.

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

Specialized Treatment for Children (Government's Failure to Provide Funding)

Dr. Tim Gopeesingh (*Caroni East*): Mr. Speaker, the Motion standing in my name and which I am privileged to be able to bring to Parliament today with your permission, is the failure of the Government to provide adequate resources for the support of children in need of specialized, surgical, medical care which is not provided in Trinidad and Tobago.

This was sent as early as November 12, almost a month ago and at the end of the first week when this was due, the hon. Minister of Health indicated that he was not going to be here and he sent a message through my colleague, the Member for Oropouche East, which we accepted. Then he met me in the tea room subsequently and indicated that he would like to have it deferred for a week. I said, of course, on the understanding that I am sure he will be here when we want to raise it. That was two weeks later.

Then last week when we were going to raise it, the hon. Minister of Health was not here, and today, the hon. Minister of Health was in Parliament for the joint select committee meetings and I find it very strange that the hon. Minister of Health would not give the Parliament the respect that it needs and I feel that he holds the Parliament in contempt by not being present to respond to very important issues facing the health sector, particularly the children, and we had a large Children Bill and so many things were debated on it.

I raise this in the context of what was happening nationally particularly to children and other people who are unable to afford the type of health care that they need. The first one that was of national importance was the Marissa Ramlal's case, I believe. That was the young child who had biliary atresia, which is the absence of the bile duct and, therefore, the liver becomes damaged and she needed to have surgery to reconnect the liver to the bowel area.

The Minister of Health was asked, and he said that he was only going to give \$60,000 because that is the maximum amount that they are allowed to give. But in a budget of \$4 billion for health, when there are a few children in Trinidad and Tobago requiring assistance internationally because it cannot be done nationally—but I will speak about that in a few minutes as well; why a lot of these things cannot be done nationally—why not arrange a special fund to take care of children and that a certain amount of money would be available?

Millions of dollars could be available because if you spend the \$4 billion well, you would have money to take care of those who cannot have surgery in Trinidad and Tobago. But when you spend \$200 million on the Scarborough Hospital and nothing has been done and it is wasted; when you spend \$100 million on the Oncology Centre and it only has a foundation and grass is growing on the foundation now and nothing is being done, you wasted \$300 million already.

4.00 p.m.

When you spend almost \$400 million on the Brian Lara Stadium and it is supposed to cost \$1.1 billion and you are going ahead with the project, that is another \$700 million. You have \$1 billion there already and you are giving one child only \$60,000 to go abroad. What is even worse is that I have nothing against giving money to a Miss Universe, but you are giving a child \$60,000 and you are giving Miss Universe \$250,000 to go to a beauty pageant. That is acceptable, but you should be providing more for your children and the people of Trinidad and Tobago.

Not all cases require intervention overseas. If the hospital systems in Trinidad and Tobago had been working well, a number of people would not have asked to

go abroad. Many people have leukemia. In those cases, some of them need stem cell replacement which cannot be done here and is done internationally. There are children who need to have liver transplants and for them you need a piece of a liver from a donor. If there is a system with a government to government relationship, let us say the Government of Trinidad and Tobago with the government of the United States and the British government, you can ask for assistance in terms of a relationship between the health institutions in your country and those abroad.

Recently, Johns Hopkins University was awarded—I am happy to see the hon. Minister. Minister, I am happy to see you here to respond to this. It is something that we need to debate and discuss. If we establish a relationship between Johns Hopkins University and the University of Trinidad and Tobago or the University of the West Indies, Johns Hopkins University is getting \$320 million—I promise to send you that information to show that it was not done with any tendering process on the ACI. Why can we not establish a relationship with Johns Hopkins University, the Sloan-Kettering Institute in New York or the MD Anderson in Texas?

There are doctors working in the institutions of Trinidad and Tobago who have a direct link with international institutions or hospitals, whereby they can get some of these things done very cheaply and at little or no cost. I advise the hon. Minister to look for a government to government relationship; hospital and university to university coordination with those I spoke about. Look at the doctors in Trinidad and Tobago who have international connections that would give support to this type of situation.

We started a kidney transplant programme. A number of people went to Pakistan because they could not get their kidney transplants done. We have had a number of people dying in Pakistan including our chief medical officer who went for transplant surgery. This transplant surgery started in Trinidad but it has halted to some extent. There has been one transplant from not a donor, but someone who died and whose organs could have been given. Now we have hundreds of people waiting for kidney transplant. Some of them have to go abroad. *[Interruption]* I am coming to children. There are children who need surgery.

What is happening with the health surcharge? It goes into a consolidated fund. It could be used as one of the areas where we can consider utilizing part of it or the entire thing for the health sector if we have shortfalls there. Princess Margaret Hospital has a national lottery system for looking after all their cancer patients. Why can we not establish a lottery system similar to that of Princess Margaret Hospital to take care of these types of problems where medical care needs to be given

and the Government says that it cannot afford? The lottery system seems to be funding and we do not know what is happening. A lot is given away in social and community programmes, but where it needs to be given it is not. I recommend that we should consider something similar to Johns Hopkins University.

Another reason many people have to go abroad—do you know that the hon. Minister indicated that the sum of \$18 million has been spent in paying private nursing institutions for cases that the public hospitals could not have dealt with because of overcrowding and people had to be transferred to private institutions. The sum of approximately \$20 million has been paid to the doctors for doing these cases outside in private institutions, when the public institutions should be taking care of the children.

Another reason children have to go abroad is because in the hospital system the same hon. Minister of Health indicated in answer to a question that over 172 senior doctors are missing from the public institutions. That is the reason a number of patients go to the hospital system alive and come out dead. It is only junior doctors who are taking care of them in the public institutions. Now, when you walk through Port of Spain General Hospital, you think you are in another country. You believe that you are in Nigeria, India or Uganda because it is only foreign doctors operating there and the local doctors who are extremely competent are not being employed. I recommend to the hon. Minister to take an active part in bringing back the senior doctors to the public institutions. If he could spend \$80 million plus another \$20 million to pay doctors in the private sector, that is another major issue.

One thousand, two hundred and fifty nurses are missing from the public institutions. That is abysmal. They take care of the children. When children cannot get health care here, they have to go abroad. You had children with burns. They promised a burns unit at San Fernando Hospital; then they promised to move it to a hospital in central Trinidad. Now they have said that no hospital is being built in central Trinidad. When these young children get burns where would they go? They sent the adults abroad when they received severe burns in an ambulance. There are children who receive severe burns and have to be taken to institutions abroad because we cannot provide the type of care that is supposed to be given at the hospital. They said that they were going to do it in San Fernando; then they transferred it to a hospital to be built in central Trinidad. Now they say that no hospital will be built in central Trinidad; it is being deferred.

Many young children need treatment for cancer. Many mothers have to take their children for cancer operations and treatment abroad. What has happened to

our national oncology centre? It is taking 11 years. In 2001, you said that you will build a cancer institute and you promised to build it in 2011. If we had a cancer institute and a national cancer hospital, today, God forbid, the hon. Prime Minister might have been able to get his treatment right here.

From here, we wish him well. We give him our sincere best wishes for a speedy recovery. Notwithstanding that, this Government is at fault for taking 11 years to think about constructing a cancer hospital. Worse than that, children at the cancer centre are waiting for cancer treatment for more than a year. I do not want to talk about the adults. They are waiting for more than that. You know that if you are waiting for cancer treatment for more than a month what happens. What is this Government doing with the \$4 billion and the wastage occurring in the construction of these hospitals? They have no plan to deal with children who need this type of interventional surgery, care and management.

It is a shame and national disgrace that this Government with almost \$250 billion spent in six years cannot take care of its children and people have to go a begging; have barbecues and fund raisers. Health and education are the fundamental pillars of any civilized society. When you deprive the population and the children from the health care which they ought to receive, something has gone wrong. They cannot account for the waste, corruption, mismanagement and the lives of the children. The blood and death of those children in this country are on the hands of the Government of Trinidad and Tobago.

We are willing to make recommendations to them. I have made some recommendations of how they can deal with this issue. I rest my case. I want to see this Government do something tangible and substantial to take care of the children because it is a shame and disgrace when you go to the Eric Williams Medical Sciences Complex and the Wendy Fitzwilliam wing at the hospital to see the state of the children. They are overflowing in the accident and emergency section and you cannot do a thing for them. It is a sad day in the history of Trinidad and Tobago.

Thank you.

The Minister of Health (Sen. The Hon. Jerry Narace): Mr. Speaker, I understand fully the difficulties that the Member for Chaguanas West and the Member for Tabaquite face, if we have to put up with this kind of behaviour. Firstly, I asked the Leader of the House what time to come. He said, "4 o'clock." Obviously, you are running ahead of schedule and he chose to mislead the Parliament. It is no different from how he chose to mislead Parliament by

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allowing us to think that we are coming here to debate a motion that spoke about medical and surgical specialized care for children and he debated everything else under the moon.

I can imagine why you are unhappy with that caucus. I empathize with you. [*Desk thumping*] You are doing the right thing. All those issues that the Member of Parliament for Caroni East raised, I have fully ventilated them and he knows all the answers. [*Interruption*] Mr. Speaker, can I have your protection please? The behaviour of the caucus is now in the Parliament.

The Motion seeks to imply that funding is not being provided by this Government to the hundreds of patients requiring specialized surgical or medical care. Nothing could be further from the truth. Let me say from the onset that we reject this Motion outright. In the 1980s, the Medical Aid Committee was established to review cases especially as they related to children. However, in the 1990s, it was reorganized to grant financial assistance to nationals of Trinidad and Tobago for medical treatment locally or abroad, in cases where such treatment was not provided by government institutions and especially, the patient is unable to meet the cost of treatment at home or a private institution locally.

There are specific guidelines determining eligibility of patients to benefit from this fund. These are as follows: the need for investigation and treatment; the unavailability of the treatment in Trinidad and Tobago; the inability of the patient to afford treatment either partially or wholly; the proposed good prognosis with good prospect of cure. In order to meet these criteria, the applicant has to be seen and recommended by a consultant and assessed by the medical social worker, regarding his or her ability to afford medical treatment abroad.

4.15 p.m.

The Ministry of Health has been constantly increasing the allocation of funds to the Medical Aid Committee in order to reduce the burden on persons accessing local and overseas treatment. In fact, the allocation of funds has increased. When his government was in office and he was at the North West Regional Health Authority—that is when all the money went missing—it moved from \$455,521 in 1995 to \$2.6 million in 2001. Do you know how much we have allocated this year, Mr. Speaker? This year, we have allocated \$45.6 million to that fund from \$455,521. The Ministry has also allocated the sum of \$42.5 million as an original provision for assisting nationals in need of urgent medical treatment.

Mr. Speaker, they come and give all this pretty talk about collecting the health surcharge. Do you know the total health surcharge? It is \$241 million. He just

alluded to the sums we pay for private institutions. Moreover, the expenditure and the number of children requiring treatment, both locally and abroad, have increased substantially from \$886,847 for 110 children in 2007 to \$2 million for 148 children as at October 31, 2008. This Government, every day, every month, every year, is trying to increase the benefits to people, particularly the people who are vulnerable.

In addition to the Medical Aid Committee, the Ministry of Health has been funding the UWI Tele-Health Initiative for the past five years. This initiative enables needy patients, especially children, to get access to the required health care services through consultations with local health care professionals along with specialists at the Hospital for Sick Children and other sites in Canada. We already have in place an initiative like that.

Mr. Speaker, 56 consultations were conducted during the period 2004—2008. The sub-specialties or consultations include child development, paediatric neurology, complex congenital abnormalities, cardiology, oncology, genetics, haematology, dermatology, nephrology, nutrition and a number of others. Clearly, this Government continues to provide substantial resources for persons in need of specialty care which is not provided in Trinidad and Tobago.

More importantly, the Ministry of Health also contributes to the National Health Care Fund for Children, which manages the provision of paediatric open heart surgery in and out of Trinidad and Tobago. This fund has been in existence for the last 10 years and brings together the expertise and financial resources from several governmental agencies and NGOs such as the Community Trust Limited, the Rotary Clubs of St. Augustine and Port of Spain, the Caribbean Heart Care Medcorp Limited.

In this regard the Ministry of Health contributed approximately \$2.7 million per year which benefited approximately 350 persons. In light of this, the Ministry has expended approximately \$5.6 million for over 200 children seeking local and overseas treatment in the last fiscal year via the Medical Aid Committee, the UWI Tele-Health Initiative and the National Heart Care Fund for Children.

I congratulate and express my sincere thanks to all the public and private institutions, especially the NGOs, which have understood this plight and continue to provide that helping hand whenever someone is in need of funding. In particular, I wish to thank the following:

- the Faculty of Medical Sciences
- the UWI Tele-Health Project Unit, and
- the National Heart Care Fund for Children

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Having said that, the Ministry recognizes the need further to create an additional funding arrangement, especially for children requiring urgent medical treatment abroad.

Mr. Speaker, this Government, through the Ministry of Health, on an ongoing basis, is trying to do more and more for the citizens of Trinidad and Tobago. So we are seeking to collaborate with the private sector in an effort to secure more funds for patients in need of specialty treatment abroad and, in particular, those facing catastrophic circumstances.

I have already contacted the Trinidad and Tobago Chamber of Industry and Commerce with the intention of creating a PPP relationship to expand the existing funding arrangement and to ensure that all catastrophic cases are dealt with in an equitable, efficient and timely manner.

I wish to inform this honourable House that this current funding for catastrophic circumstances is an interim intervention to improve the health status of citizens. I take this opportunity to reassure the nation that in a few years this Government will introduce a national health service which will fund patients requiring specialized surgical medical care.

In order for us to create the kind of health care system, we need to create a sustainable financing mechanism. [*Interruption*] I know what is bothering him, you know. Every week you pick up the newspapers and you see the Ministry of Health has opened another paediatric facility, a neonatal ward, a health centre there. They are seeing things happening—free glucometers. I can understand the Member for Chaguanas West. Had I been him, I would be worried too. If they do not do something as an Opposition, and allow the Government to perform that way, particularly in the Ministry of Health, that is one area about which they would not be able to knock the Government. I understand their panic, so I am not worried by it at all.

Just to let you know the purpose of this system, as I described it, inter alia, is to ensure the provision of timely and quality health care and address the current challenges we face in regard to patients requiring medical aid.

This Government is about change [*Desk thumping*] and incorporating modernized systems to manage health care. I cannot help but recognize the work of the Member for Chaguanas West. He is correct. If he comes here every week and lie and mislead the House and bring inappropriate language—

Mr. Speaker: No, No. Be careful!

Sen. The Hon. J. Narace: He is economical with the truth, then the nation will judge you. Right now, we are being judged. They have heard his contribution and they have heard my rebuttal. Once again, people will say that is not the alternative. That could never be the alternative.

Mr. Speaker, I am sure that the hon. Members opposite, especially the hon. Member for Caroni East, are well aware of some of these systems and know that the Ministry of Health is doing the best it can, given the circumstances. I am not happy with where we are, but I can tell you that we have a clear plan and we know where we are going. Five years from today, children seeking this kind of attention would be in a position to benefit from it.

I thank you very much.

Christmas Greetings

The Minister of Works and Transport (Hon. Colm Imbert): Mr. Speaker, this is the last sitting of this Session of the House of Representatives and unless there is some emergency, it is likely to be the last sitting for the year 2008. In those circumstances, I wish to express, on behalf of the Government and on my own behalf, the warmest felicitations to the hon. Members opposite and to the national community and to wish everyone a happy, holy, healthy and peaceful Christmas.

Some of us tend to forget the reason for the season. Christmas is the celebration of the birth of Christ. We are very fortunate in this country—there are other countries in which it is illegal or persons have gone to the courts to prevent the promotion and advertisement of Christmas. In fact, if you are fortunate enough to go to the United States now, Mr. Speaker, you would see that rather than the words “Merry Christmas”, or other words that denote the birth of Christ, only the words “Happy Holidays”. We are very fortunate in this country that we can still celebrate the birth of Christ. [*Desk thumping*] It is my sincere wish that it will remain so.

Thank you, Mr. Speaker.

Mr. Ramesh Lawrence Maharaj SC (Tabaquite): Mr. Speaker, in reciprocating, on behalf of the Opposition and on my own behalf, I wish the Members of the Government a happy and holy Christmas and a bright and prosperous New Year.

I wish you, Mr. Speaker, and your family, a blessed Christmas and a bright and prosperous New Year. I also wish the staff of the Parliament a happy and blessed Christmas and a bright and prosperous New Year.

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I would not like to forget the members of the media and their families who have played a very important part in the life of the Parliament for the session and members of the public because without them the Parliament would be of no significance. I also remember members of the police service.

Christmas is really a time when everyone, regardless of our differences, is able to share. The bedrock of Christmas and Christianity is love. We will remember that the young lawyer confronted Christ and asked what the most important law is. Christ answered that he must love the Lord his God with all his soul, might and his neighbor as himself. [*Desk thumping*]

So, Mr. Speaker, this is a time of love. This is a time that no matter what are our differences, we must all love one another, reflect on the past year and understand that if we believe that we have treated someone badly; we have done wrong, it is our duty, not only at Christmas time, to clean up the place, but also to clear up our hearts and minds.

I again wish everyone a blessed Christmas.

Mr. Speaker: You know, I always thought that the Member for Tabaquite would have made a fantastic preacher. [*Laughter*]

Hon. Members, on my own behalf, let me wish all of you and your families, members of staff, the media, members of the police service, who protect us when we are here, a safe and a very holy Christmas.

For the New Year, it is my wish that the Almighty God will extend to this nation his richest blessings. As I stand wishing all Members Christmas felicitations, we must remember that the hon. Member for San Fernando East is not with us and on behalf of all of us—staff, police, media—and on my own behalf, I would like to wish him a speedy and safe return to this country. I hope that his medical situation will be attended to and he will come back fully cured.

As I said in an interview, the hon. Member for San Fernando East is a fighter. God willing, he will be back with us in the not-too-distant future. I also wish his wife, who has accompanied him, best wishes.

Before I close, it is traditional that at the end of a session, particularly at Christmas time, the Speaker invites hon. Members of the House—and we have guests from the other place; two persons who were with us earlier, to whom I have extended an invitation for them to join us in the tea room for some Christmas cheer. We know that we all have to tighten our belts, but the cheer that you will receive will not affect your waistline. So I invite all Members to join me in the tea room for some Christmas cheer.

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Before moving the Motion, let me include in my greetings members of the national community. As a nation, it is a particularly reverent time that we will celebrate, so let us keep it that way. Mindful of what is happening in the country, we also wish that it is a safe season for all Members because the way things are going sometimes you are not sure whether you are safe or unsafe.

I wish Members, their families and the entire national community a very safe Yuletide season.

Question put and agreed to

House adjourned accordingly.

Adjourned at 4.30 p.m.