

*Leave of Absence*

*Friday, May 22, 2009*

**HOUSE OF REPRESENTATIVES**

*Friday, May 22, 2009*

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: The hon. Roger Joseph, Member of Parliament for La Horquetta/Talparo, for the period May 22—May 31, 2009; the hon. Jack Warner, Member of Parliament for Chaguanas West, for the period May 21—June 04, 2009; and the hon. Dr. Roodal Moonilal, Member of Parliament for Oropouche East, from today's sitting of the House. The leave which these Members seek is granted.

**PAPERS LAID**

1. Annual audited financial statements of Lake Asphalt of Trinidad and Tobago (1978) Limited for the financial year ended September 30, 2006. [*The Minister of Finance (Hon. Karen Nunez-Tesheira)*]
2. Annual audited financial statements of Lake Asphalt of Trinidad and Tobago (1978) Limited for the financial year ended September 30, 2007. [*Hon. K. Nunez-Tesheira*]

*Papers 1 and 2 to be referred to the Public Accounts (Enterprises) Committee.*

**ORAL ANSWERS TO QUESTIONS**

**The Minister of Works and Transport (Hon. Colm Imbert):** Mr. Speaker, I regret to inform the House that the Government is unable to answer any of the questions on the Order Paper today, and I would respectfully ask for a two-week deferral of these questions.

**Mr. Speaker:** I see you are looking and, perhaps, your Minister may be arriving to answer, at least one of the questions. Is that the position?

**Hon. C. Imbert:** Actually, I was waiting for the Member for Lopinot/Bon Air West to show up since he is speaking next in the debate. [*Laughter*]

*The following questions stood on the Order Paper:*

**5th Summit of the Americas  
(Details of)**

- 62.** In respect of the 5th Summit of the Americas could the hon. Minister of Trade and Industry and Minister in the Ministry of Finance inform this House who was responsible for the costs of:
- (i) travel to and from Trinidad and Tobago;
  - (ii) ground transportation in Trinidad and Tobago;
  - (iii) accommodation and meals in Trinidad and Tobago in respect of: Heads of States, spouses, various personal staff of Heads; the various visiting Ministers and their staff, visitors' personal security services; and foreign media observers? [*Mr. J. Warner*]

**Pre-Summit Preparations  
(Details of)**

- 64.** With respect to the pre-summit preparations could the hon. Minister of Trade and Industry and Minister in the Ministry of Finance please advise:
- A. the number of personnel who were hired;
    - (i) to clean the area along the route travelled by the summit participants; and
    - (ii) paint the curb walls and road barriers along the route? and
  - B. whether this work was done by existing CEPEP and URP workers? [*Mr. J. Warner*]

**Prof. Stephen Mastrofski and George Mason University  
(Details of Contract)**

- 65.** Could the hon. Minister of National Security state:
- (a) whether Professor Stephen Mastrofski and George Mason University (GMU) received any further contracts or extensions to contracts from the Government since August 2008; and
  - (b) the total cost incurred by the Government in hiring Professor Mastrofski and GMU for the Police Transformation Project? [*Mr. B. Panday*]

**Police Transformation Project  
(Details of)**

- 66.** Could the hon. Minister of National Security inform this House:
- (a) whether the objectives of the Police Transformation Project have been accomplished;
  - (b) if answer to (c) is in the negative, why not; and
  - (c) if the answer to (c) is affirmative, why there continues to be a spiraling increase in crime in Trinidad and Tobago? [*Mr. B. Panday*]

**Solicitor General  
(Details of Appointment)**

- 67.** With respect to the appointment of a Solicitor General could the hon. Attorney General state:
- (a) the date on which the post became vacant;
  - (b) since the post became vacant, the number of times the Prime Minister objected to the appointment of persons recommended to fill the post;
  - (c) the names of the persons to whom he objected; and
  - (d) the reasons for his objection in each case? [*Dr. H. Rafeeq*]

**Chief Parliamentary Counsel  
(Details of Appointment)**

- 68.** With respect to the appointment of a Chief Parliamentary Counsel could the hon. Attorney General state:
- (a) the date on which the post became vacant;
  - (b) since the post became vacant, the number of times the Prime Minister objected to the appointment of the persons recommended to fill the post;
  - (c) the names of the persons to whom he objected; and
  - (d) the reasons for his objection in each case? [*Dr. H. Rafeeq*]

**Director of Public Prosecutions  
(Details of Appointment)**

- 69.** With respect to the appointment of a Director of Public Prosecutions, could the hon. Attorney General state:
- (a) the date on which the post became vacant;
  - (b) since the post became vacant, the number of times the Prime Minister objected to the appointment of the persons recommended to fill the post;
  - (c) the names of the persons to whom he objected; and
  - (d) the reasons for his objection in each case? [*Dr. H. Rafeeq*]

*Questions, by leave, deferred.*

**DEFINITE URGENT MATTERS  
(LEAVE)**

**Dismissal of WASA Workers**

**Dr. Tim Gopeesingh** (*Caroni East*): Mr. Speaker, in accordance with Standing Order 12 of the House of Representatives, I hereby seek your leave to move the adjournment of the House at today's sitting for the purpose of discussing a definite matter of urgent public importance, namely, the failure of the board of management of WASA to respect, adhere and conform with well documented and established industrial relations employment practices and code of conduct resulting in the dismissal of over 20 Water and Sewerage Authority (WASA) employees, including managers.

The matter is definite as it pertains to the fact that these workers are now unemployed and are seriously aggrieved and undergoing economic hardship as a result of their wrongful dismissal.

The matter is urgent because of the imminent escalation of industrial action of WASA workers which will result in the shutdown of water supply throughout the country.

The matter is of public importance because of the failure of the Minister of Public Utilities and the board of WASA to address this untenable situation; the failure to ensure continued employment of these workers and the inevitable escalation of this matter which could result in industrial action of WASA employees, resulting in the complete shutdown of the water supply of the entire country.

Mr. Speaker, thank you.

**Mr. Speaker:** Hon. Members, regrettably, this Motion does not qualify under this particular Standing Order.

**Penal/Debe Regional Corporation  
(Government's Failure to Provide Funding)**

**Miss Mickela Panday** (*Oropouche West*): Mr. Speaker, in accordance with Standing Order 12 of the House of Representatives, I hereby seek your leave to move the adjournment of the House of today's sitting, for the purpose of discussing a definite matter of urgent public importance, namely, the failure of the central government to provide the Penal/Debe Regional Corporation with sufficient funding to allow a supply of potable truck-borne water to thousands of tax-paying citizens, who currently do not have a pipe-borne water supply.

The matter is definite as thousands of persons are unable to access a potable water supply to meet their daily hygienic and existential needs.

It is urgent since, in addition to being deprived of this essential commodity, there is also the imminent risk of disease.

The matter is of public importance because unless immediately resolved, it can have deleterious effect on health, safety and the overall standard of living of these individuals and result in disease outbreak and loss of human life.

Thank you.

**Mr. Speaker:** Again, hon. Members, this matter does not qualify under this particular Standing Order.

**European Union Funds  
(Accessibility of)**

**Dr. Hamza Rafeeq** (*Caroni Central*): Mr. Speaker, thank you. In accordance with Standing Order 12 of the House of Representatives, I hereby seek your leave to adjourn today's sitting of the House for the purpose of discussing a definite matter of urgent public importance, namely, the need for the Government to put measures in place urgently to access the grant funds from the European Union in order to benefit the thousands of ex-cane farmers. [*Desk thumping*]

Mr. Speaker, the matter is definite since it refers to the specific issue of the Government accessing funds from the European Union which have been approved to be used by the Government of Trinidad and Tobago to alleviate the hardships caused by the ex-cane farmers, as a result of the closure of Caroni (1975) Limited.

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The matter is urgent since the funds are available at the European Union and if not utilized, as a matter of urgency, can be allocated to other countries. It is also urgent since the thousands of ex-cane farmers who depended on cane farming for a livelihood are no longer employed since the closure of Caroni (1975) Limited and, as a result, are undergoing severe hardships and difficulties in earning a livelihood.

The matter is of public importance since thousands of ex-cane farmers and their families who are already unemployed are in danger of facing poverty and hardship if the funds are not accessed and made available to them.

Mr. Speaker, thank you very much.

**Mr. Speaker:** Again, hon. Members, this Motion does not qualify under this Standing Order.

**Mr. Ramnath:** Bring one on the summit and that will qualify.

**PROCEEDS OF CRIME (AMDT.) BILL**

[Second Day]

*Order read for resuming adjourned debate on question [May 15, 2009]:*

*That the Bill be read a second time.*

*Question again proposed.*

**Mr. Speaker:** Hon. Members, the debate on the following Bill which was in progress when the House was adjourned on Friday, May 15, 2009 will be resumed: a Bill entitled an Act to amend the Proceeds of Crime Act, Chap. 11:27. On the last occasion, the hon. Member for Lopinot/Bon Air West was on his legs, and he spoke for 15 minutes. He has 30 minutes of original time remaining.

**Hon. N. Parsanlal:** Mr. Speaker, thank you. Let me proffer my apologies for causing anyone any kind of heartache or palpitations they might have experienced. In the process, I assure you that I was garnering even more information for the debate today.

On the last occasion when we were debating the Proceeds of Crime (Amdt.) Bill, the Member for Princes Town North made his entire contribution the substance of which really came into question, if only because it lacked substance in its entirety—the key point that he attempted to make on that occasion was the role being given to the President and the extent of the powers that would now be bestowed on the President of the Republic.

Mr. Speaker, I have reviewed the contribution of the Member for Princes Town North, and I had hoped that the journalists who covered the Parliament would have seen the theatrics that were involved in the Member's contribution. They would have seen the grandstanding that was taking place—the general obfuscation that was part of the contribution, characterized by the Member's contribution—and they would have treated it as such.

One of the things that we need to remind ourselves about is that all the proceedings of this House are carried live on television through the Parliament Channel and it is also carried live on radio and, therefore, the contributions that are made in this House, on any Bill, would have wide repercussions, once people hold us to what hon. Members in this House say to the national community.

I am hoping that the media that cover the Parliament would have read, in part for themselves, the Proceeds of Crime (Amdt.) Bill, and having done so, they would have then come to the inescapable conclusion that the Member for Princes Town North did not have a leg to stand on with respect to his contribution. [*Desk thumping*] He did not have a leg to stand on with respect to the comments he made about the powers now being given to the President of the Republic.

Perhaps, for the few friends I still have in the media, I should advise that all the Bills that are laid in this House for debate can be found on the Parliament's website. I am sure the Minister of Legal Affairs would concur that a CD copy of the laws of Trinidad and Tobago is available from the Ministry of Legal Affairs, and there is no need for members of the media to rely solely or entirely on the contributions from either side because, admittedly, we both have our biases. So, for the benefit of the national community, I wish to correct the record.

There has been a long established tradition and it is a well entrenched principle in our Constitution; both in our Independence and Republican Constitutions, that the President has the power to pardon. Being a learned attorney, himself, I am sure the Member for Princes Town North would be familiar with section 87 of the Constitution that speaks of the powers of pardon.

**1.45 p.m.**

The powers of pardon in section 87 says:

"The President may grant to any person a pardon, either free or subject to lawful conditions, respecting any offences that he may have committed."

In the Constitution there is power given to the President already to pardon any offence that any citizen of this country might have committed. Every governor,

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every president that has passed through this country, that has served this country, has had the power bestowed on him by virtue of the Constitution. It is nothing new and it is nothing peculiar to the incumbent President.

So, for the Member for Princes Town North to come to this House and suggest that this is something new; these additional powers are being given to the President by virtue of the Proceeds of Crime (Amdt.) Bill, is manifestly untrue and it is something that the Member for Princes Town North knows better and should not be done.

When you looked at what was reported in the newspapers after the Members contribution, the *Guardian* headline May 16 said: "Too much power for President"; the *Newsday* headline said: "No pardon for launderers"; and the *Express* headline said: "Protection for big boys". The members of the media are using precisely the contribution made by the Member for Princes Town North in order to garner their stories. All of this is a mere fabrication, because if we go back to the Constitution then, we are sure that it was in fact enshrined in the Constitution.

Mr. Speaker, more than that; in the very Act, the parent Act, which we are seeking to amend today, Act 55 of 2000 says in section 2(7):

"Proceedings for an offence are concluded on the occurrence of one of the following events:"

And one of the events referred to in subsection (7)(d):

"the grant of the President's pardon in respect of his conviction for the offence;"

This is the Act that the United National Congress passed; this is the Act that they took their time, and very deliberately championed by the Member for Tabaquite, the then Attorney General, passed this legislation. So, for the Member for Princes Town North to come to this House on the last occasion and suggest to us that this is something new; these are new and additional powers being given to the President of the Republic, again, is manifestly untrue. The Member for Princes Town North ought to know better than that. Not only in section 2(7), but if you go to section 42 of the parent Act, it says very clearly:

"The President may direct that anything forfeited under sections 38 to 41 of this Act, other than a dangerous drug, be restored on such terms and conditions as he thinks fit."



The sum of all of this is that the Member for Princes Town North has engaged in—I would hate to think that he was misleading the House—a flight of fancy. Perhaps they have said it often enough to themselves so that they believe it. The Member for Princes Town North has come to this House and has accused the Government of all kinds of misdemeanours, not least of which is giving additional power to the President, when in truth and in fact, all of this is already contained in the legislation. It is contained in the legislation that they passed.

To suggest therefore that the incumbent President ought not to have the same powers, ought not to have the same prerogative based on a single set of circumstances that they have outlined, flies in the face of logic. Therefore, what it represents is a personal and singular attack on the incumbent President. It depersonalizes the thing and makes it a personal attack against the President of the Republic, and they must be condemned for that.

If it was true and it held for all other presidents, then why is it that this particular President must not enjoy the same power? This is not about the person in the office; this is not about the office holder; this is about the Office of the President, and that is what we are called upon to uphold at all cost.

The fact that the United National Congress had the opportunity to change it in their time and did not, seems to imply, at least in my mind, that they, themselves, recognized the consistency of the principle; that the president enjoyed this prerogative no matter who was in office. To reject that now and to suggest to the national community that we should change this because of a person in office now, it confirms their personalization of the issue.

Mr. Speaker, there have been only two occasions in my lifetime, at least, when I have heard the UNC clamour for the removal of a president. In this present instance, when their embattled leader, the Member for Couva North, found the letter sent to him and responded to that letter; he and his colleagues on that side might have been able to claim the moral authority to challenge and question His Excellency.

For yet another time, because of their leader's conduct—and I do not want to describe the conduct—they have absolutely no credibility; they have absolutely no authority whatsoever to comment on this matter—[*Desk thumping*—since for all intents and purposes, they had and he had, like Pontius Pilate, washed his hands of the appointments to the Integrity Commission.

The second occasion or the second time in my recollection when the Members opposite—and let me be precise—when the Members of the UNC opposite had clamoured for the removal of a president was when the Member for Couva North,

the then Prime Minister, attempted to appoint seven persons, who had been soundly rejected by the electorate to the Senate. That was the only other time I recall them trying to hound a president out of office.

There is one constant in this. [*Crosstalk*] [*Interruption*] I am certain of that my Lord.

**Mr. B. Panday:** I can tell you what happened up on the Mount. So, you leave me alone.

**Mr. Speaker:** Please. Hon. Members, I am appealing to you to let us have a very quiet session, do not do anything that would provoke Members, and let us have a good debate, please. [*Crosstalk*]

**Hon. N. Parsanlal:** Mr. Speaker, as I indicated on the last occasion, I have been raised in a house that says, one must have pity on the afflicted, the conflicted and the convicted. So, I am not going to take that on. [*Desk thumping*] [*Laughter*]

The only constant in the two occasions is the Member for Couva North. In reading the newspapers, one hears or one understands, that even one of the persons who lost the election and was promoted on that occasion, has now been suspended by that very party. One understands that the confusion continues. [*Desk thumping*] There is one person who is the constant.

**Mr. B. Panday:** What business is that of yours?

**Mr. Speaker:** Order! Order! Order!

**Mr. Imbert:** Mr. Speaker, Standing Order 36(4). The Member for Couva North is violating Standing Order 36(4). [*Crosstalk*]

**Mr. B. Panday:** This is not going on in this House this time, you know.

**Mr. Ramnath:** You can move any Standing Order you want.

**Mr. Imbert:** Standing Order 36(4). [*Crosstalk*]

**Mr. Speaker:** Hon. Members, please.

**Mr. Ramnath:** “3, 2, 36, 4.”

**Mr. Speaker:** Member for Couva South, I am on my feet. [*Interruption*] I can sit while you take your exit.

**Mr. Ramnath:** Go ahead I will determine that after you speak.

**Mr. Speaker:** No, Standing Order 36(4) is not applicable. [*Interruption*] No, no, one has to take it in the context. Please continue. Before you do, let me appeal to Members opposite—

**Mr. B. Panday:** I apologize.

**Mr. Speaker:** Yes, I accept your apology, but let us take it in good stride. You have Members who can answer the Member after he had contributed. Continue.

**Hon. N. Parsanlal:** I thank you very much for your protection. I wish to remind the Members opposite that I am only responding to comments made by their own Member, the Member for Princes Town North. [*Desk thumping*] That is all I am responding to.

**Mr. B. Panday:** Respond to the Mount.

**Hon. N. Parsanlal:** It is only that. Mr. Speaker, the repeated calls by the tireless irate minority on that side will not deter any of us on this side. [*Desk thumping*] [*Crosstalk*]

I cannot understand why they are so upset today. What has touched the nerve? The other point that the Member for Princes Town North made in his contribution; this is a debate— [*Crosstalk*] You see, Mr. Speaker, they are attempting to provoke me, and I would not, because as a real man, [*Desk thumping*] I know where all my money and my wife's money is. [*Desk thumping*] I know where the bank accounts are. I am a real man, I run my house. [*Desk thumping*]

The interesting thing—

**Mr. Speaker:** Order, please!

**Hon. N. Parsanlal:**—in the midst of his contribution, he had calls for change in the Constitution. I think it is important for us to understand; I think it is important for the benefit of the national community to understand as well, that while the Teaching Service Commission, the Police Service Commission, the Judicial and Legal Services Commission, are enshrined in the Constitution the Integrity Commission is not enshrined in the Constitution.

The Draft Working Paper on Constitutional Reform that has been laid in this House proposes a significant shift in that. So, what happens in those commissions now or what is proposed in those commissions is that, like the appointment of the Police Commissioner, all those names would now come before the Parliament.

So, while on the one hand they complain it has gone too far, in this respect it has not gone far enough. The Integrity Commission is not currently enshrined in the Constitution. It is passed by an Act of Parliament and there is no mention at all of it in the working document.

**2.00 p.m.**

Mr. Speaker, the third point that the Member for Princes Town North made was that this legislation—

**Mr. B. Panday:** The Member for Couva North?

**Hon. N. Parsanlal:** Princes Town North. The third point that he attempted to make was that the new Bill provided protection for Government "big boys".

As I respond in this debate—because that is what it is—there is an old saying that says, "it is better to keep silent and be thought ignorant than to open your mouth and it be proven otherwise or proven correct". The Member for Princes Town North made heavy weather of the Bill and he said and it is quoted here in the *Express* of Saturday, May 16, which says:

“Opposition MP Subhas Panday yesterday accused the Government of bringing legislation to the House to protect persons embroiled in corruption.

Panday was speaking during his contribution to the Proceeds of Crime Amendment Act at the Parliament sitting...

He questioned whether such legislation was being put in place to protect ‘PNM’—big—“‘boys’, as he said the bill contained ulterior motives.”

**Mr. S. Panday:** Like Calder Hart.

**Hon. N. Parsanlal:** *Sunday Express*, July 22, 2001; the headline reads, “Humphrey’s daughter get airport contract”. [Interruption] *Newsday*, Sunday, August 18, 2002, “Carlos ignored JCC advice and did what he wanted”.

**Mr. S. Panday:** Like Calder Hart.

**Mr. Speaker:** Member for Princes Town North, you have already contributed, I am not going to permit you to sit there and keep calling person's names; whether it is Mr. Hart, Mr. Liver or whatever it is, you cannot do it. [Laughter]

**Mr. S. Panday:** Forgive me.

**Hon. N. Parsanlal:** *Sunday Express*, July 22, 2001. “Panday blocks Ramesh”. There is none on that side who has the moral authority to stand in this House and speak—and we can go on, you know, this is—

**Mr. B. Panday:** You have? You have it?

**Hon. N. Parsanlal:** Wednesday, September 04, 2002, *Newsday*, “Panday ignored Nipdec's complaints”.

Mr. Speaker, when Members opposite get up in this House and talk about PNM protecting big boys and that sort of thing in a Bill that is meant to strengthen this country's financial legislation and strengthen this country, they know not of what they speak. But I want to remind them, this is a book by Selwyn Ryan, the title of it is *Dead Lock* and the subtitle is *Ethnicity and Electoral Competition in Trinidad and Tobago 1995 to 2002* and on page 222 of this book, Dr. Ryan writes and in this he is quoting the Member for Tabaquite:

“Mr. Panday has said I have caused his head to be in water, but it is Mr. Panday who immersed his head. Other people around him helped to do that. I was telling him that some of his financiers would push his head down in the water, but he did not believe me. He did not accept my advice.”

Dr. Ryan goes on to say:

“Maharaj also chided Mr. Panday for not speaking out against ministers and associates who plundered the Treasury. He openly chastised Panday for turning a blind eye to corruption, knowing full well that Mr. Panday could not take the high ground on this issue. As he told a party meeting:”

And I quote Mr. Ramesh Lawrence Maharaj:

“Where members of a political party are perceived by the public to have done wrong, it is the duty of the party to investigate these matters and to give answers to the population. The party must condemn the irregular practices which the member was guilty of and must condemn these irregular practices in the strongest possible terms. That is what is meant by enforcing sanctions against such conduct. Where a member of the party breaks the law or the rules, he must be condemned, instead of being praised, especially where the member said he would do it again.

Maharaj said that he joined the UNC in 1990 as part of a ‘historic crusade to create a society based on quality, honesty and high moral principles and fairness, but that the party had “now” lost its way.’ Were it to be provided with good leadership, it could however be a strong party.”

This is not the PNM, this is not anybody else! This is the Member for Tabaquite, talking about the actions of his own leader in protecting at the time the financiers who were pushing his head below the water. None of them—the evidence is here—can come to this House and charge the People's National Movement with attempting to protect big boys when all the Bill asked is for us to strengthen our legislation to ensure that money laundering is now a crime; to

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ensure that there are provisions in place so that we can comply with the international demands of the Financial Action Task Force. That is all the legislation requires! Yet still we have the Member for Princes Town North going on about all kinds of other things.

Mr. Speaker, I think I have raised their blood pressure enough this afternoon causing them to go off on tangents that I am sure under normal circumstances they would not have. [*Interruption*] As I said my life is an open book so I will not say anything more. Primarily, we must ask what is the difference between the Acts. Why is it we needed to come today or come this week to this House with the amendments to the Proceeds of Crime Act? What is the difference between the parent Act and the amendments we are bringing today? Primarily, the parent Act dealt with only two things: Drug trafficking and money laundering. Although that was the focus—the money laundering and the drug trafficking—the offence of money laundering was never clearly defined in the Act. The offence of money laundering was never clearly defined in the 2000 Act and therefore it made the administration of that almost impossible. That was the reality.

The amendments we have brought to the House today, therefore seek to address these two deficiencies in the 2000 Act and in so doing—by addressing these two deficiencies—we will significantly improve this country's compliance rating with the Financial Action Task Force or the Caribbean Financial Action Task Force. The first deficiency is that the 2000 Act allowed for the confiscation of proceeds of crime only in respect of drug trafficking and money laundering. The amendments before us today seek to expand as per the recommendations of the Financial Action Task Force the confiscation of proceeds of crime to all indictable offences, whether they are tried indictably or summarily, or in other words, either at the Magistrates' Court or in the High Court.

Passage of these amendments would ensure that all indictable offences from which proceeds may be derived, whether committed in Trinidad and Tobago or in another jurisdiction, offences committed listed in the Second Schedule which fall under the Income Tax Act, the Corporation Tax Act, the Value Added Tax Act and the Copyright Act—all offences—would attract the full brunt of the law. This amendment has made it necessary to amend the First Schedule of the Act which speaks to listed businesses.

By amending the First Schedule the Government is taking cognizance of the fact that the tentacles of money launderers can spread far beyond the traditional scope of drug traffickers. That is why the amendment now expands the range of businesses under scrutiny to include inter alia, real estate, motor vehicle sales,

money or transfer value services or courier services, gaming houses as businesses registered under the Gambling and Betting Act, pool betting, online betting games, the national lottery or businesses operated in accordance with the National Lotteries Act, jewellery, jewellery shops where businesses licensed under the Precious Metals and Precious Stones Act, private members club, accountants, attorneys-at-law, other independent legal professionals who perform functions on behalf of clients whether it is buying and selling of real estate, managing client money and assets, management of banking savings, organization of contributions, that sort of thing and art dealers, because we know that art dealership is another way that people can seek to clean the money they have.

So that is why we had to amend the First Schedule as well to widen the net as it were of persons who would be caught up in this Bill. In other words, Mr. Speaker, what we are doing through these amendments is bringing a whole new approach to dealing with persons involved in criminal lifestyles. We are now in a position to seek out and follow the trail of money—

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

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

*Question put and agreed to.*

**Hon. N. Parsanlal:** Mr. Speaker, I thank hon. Members on both sides. I was saying that through the amendments that we are proposing today we are now in a position to seek out and follow the trail of money as it goes through the system and as it changes faces in different ways through a process—that others have referred to—as reverse engineering and with cooperation from our international partners on the Financial Action Task Force, we can now trace back these funds to the source and bring such persons to justice so that they cannot benefit or enjoy the gains of their illicit proceeds.

This has to be seen in conjunction with another amendment we propose to the Bill in clause 5 which deletes the term "designated authority and persons engaged in relevant business activity" wherever they occur and instead substitutes the acronym "FIU or Financial Intelligence Unit" and the words "Listed business" respectively.

The Financial Intelligence Unit which will be the subject of another piece of legislation to be piloted by the Minister of Finance has or will have an administrative precursor as a division within the Ministry of Finance. But once we pass this legislation it would prequalify Trinidad and Tobago to be admitted to an

organization called the Egmont Group of FIUs. The importance of this Egmont Group is that once admitted the FIU of Trinidad and Tobago would now be in a position to freely exchange information with other Finance Intelligence Units throughout the world, so that the exchange of information is facilitated much more easily.

We are quite aware of the criticisms that have been raised by those Members of the Opposition on the other side, but I want to give the national community the assurance that the establishment of the Financial Intelligence Unit is done entirely in conjunction with our fellow Financial Action Task Force partners and will be governed by the Egmont Group, and therefore will attract not only the scrutiny of the partner countries, but for compliance with best practice, but will attract the scrutiny of international institutions like the World Bank and the International Monetary Fund as well.

Once the FIU has been established it is not simply a question of persons going after individuals, it is not a witch hunt but rather the FIU having the ability to engage in long-term strategic analysis of the entire financial system.

**2.15 p.m.**

The FIU will be in a position to observe the movement in the financial system and based on their intelligence gathering capacity, the FIU will now be in a position to indicate to the Governor of the Central Bank for example, that there is a suspicious trend in the way money is either being brought in or taken out of Trinidad and Tobago. [*Interruption*]

**Mr. Ramnath:** The Governor took out his money first.

**Hon. N Parsanlal:** This, of course, will trigger the policy-makers to now scrutinize or change laws for example, at the operational levels. Because of the financial intelligence unit, there will also be a different type of inquiry, where a suspicious activity report generated by one of the financial institutions goes to the FIU and based on their investigation, it is passed unto law enforcement. Having been passed unto law enforcement, it could now generate an inquiry, escalate into an investigation that could eventually result in arrest and apprehension.

So the FIU that we are seeking to put, or to develop through the amendments today, will be a repository for different levels of financial intelligence investigation, at the tactical level, at the operational level, and certainly at the strategic level. In other words, is not about personalities here. It is a broad-base kind of intelligence entity that will observe and report previously unnoticed trends and patterns throughout the financial system, as well as having the capacity to talk to their overseas counterparts.



Mr. Speaker, one of the results of this kind of information sharing is the successful prosecution of the persons, and the consequential seizure of their assets which have been deemed to have been illicitly acquired.

Clause 32 of the Bill amends section 58 of the parent Act and by doing that, we insert a new subsection which empowers the Attorney General to enter into reciprocal arrangements with any foreign State for the sharing of proceeds of property confiscated, forfeited or seized by the foreign State. That clause 32 which we are now seeking to introduce by these amendments satisfies the Financial Action Task Force recommendation for the sharing of confiscated assets between or among governments.

Mr. Speaker, the question is often asked, "Where has this worked before? Where have we seen this implemented?" Certainly, there is evidence of the successful implementation of these provisions, in such countries as Antigua and Barbuda as they exchange information with the United States, and also between the US Virgin Islands and Bermuda, both instances occurring in 2008.

Mr. Speaker, I pointed to two deficiencies in the parent Act, and the second one is the absence of a clear definition of money laundering and which, as I indicated, rendered the 2000 Act an administrative nightmare. We have sought to remedy this by inserting a new section 42A into the Bill.

Money laundering is a term that is used to describe the way in which criminals process money derived from the proceeds of any legal activity through a succession of transfers and deals until the source of the illegally acquired funds are obscured and the money takes on the semblance of legitimate or clean funds, or assets.

Money laundering, we are told, and the evidence is there, has become a serious global issue, and list estimate that worldwide, the illicit proceeds derived from money laundering range from about US \$590 billion to US \$1.5 trillion, or approximately 2 to 5 per cent of the world's Gross Domestic Product. Huge numbers! Huge numbers and that is why we must in our little slice of paradise here in Trinidad and Tobago, do our best to ensure that we curtail as much as is possible what happens with money laundering. [*Desk thumping*]

According to the national policy to develop, monitor and promote a county money laundering and terrorist financing framework, that has been produced—and this is a policy that is produced by the Ministry of National Security and is available for those who so desire—there are three internationally recognized phases in money laundering: placement, layering and integration. It is those three areas, those three avenues, those three processes that we are seeking to curtail by

the amendment of the Bill before us because it is clear that if Trinidad and Tobago is to mount a serious challenge, this international menace, then the way to move forward is to ensure passage of the amendments before us today, and we hope we can gain the support of the Members of the Opposition to do that.

Mr. Speaker, specifically on the parent Act, there are also a number of cross-referencing errors in the 2000 Act, which we have sought to correct through the amendments before us today. The effect rather of these amendments, is to strengthen legislatively the country's financial section and I want to give hon. Members the assurance today as well, that these amendments are in complete harmony with the other various pieces of financial legislation that we have recently passed in this House.

The amendments before us today are in concert with, for instance, the Central Bank Bill that we passed earlier, the Insurance Bill that we passed earlier and certainly is in harmony with those to come: the Data Protection Bill, as well as the Electronic Transaction Bill. We want to give the House this assurance that all the legislation has been developed in concert with each other, so that there is no longer the disharmony existing amongst pieces of legislation.

As it now stands, financial institutions in Trinidad and Tobago are under no legal obligation to report suspicious activity and we need to make that abundantly clear. As it stands now, financial institutions, the banks, the insurance companies, they are under no legal obligation to report suspicious activity. They do that though, by virtue of a mutual agreement with the Central Bank. What the amendments before us today seek to accomplish, is to codify these mutual arrangements. It seeks to put legislation in place so that it now becomes a mandatory requirement that there will be reports of suspicious activity, so that there can be no room for doubt in anybody's mind and in so doing, we have satisfied the recommendations as well of the Financial Action Task force.

Mr. Speaker, the final point I wish to address today, is the repercussions of us not collectively agreeing to the amendments before us. What are the repercussions? What happens if we do not do this today? Failure to secure passage of these amendments will almost automatically ensure that Trinidad and Tobago is placed on an international blacklist. What this means is that:

1. Trinidad and Tobago will find itself under severe financial pressure.
2. Larger territories with significant financial centres will consider any transaction coming from Trinidad and Tobago as suspicious.
3. The basic suspicion will result in even closer regulatory scrutiny.

Mr. Speaker, that means that banks in Trinidad and Tobago, financial houses in Trinidad and Tobago, financial institutions in Trinidad and Tobago will have to provide much more details on their transactions, much more paper work and basically, the lead time for businesses to trade internationally will then be extended. This cannot augur well for the continued growth and development of the economic sector in Trinidad and Tobago.

In the past, and the evidence is there, major financial international institutions have refused to conduct business with financial institutions operating in countries that have been blacklisted. And that is what will happen if we do not pass the amendments, if we do not have concurrence on the amendment before us today. Mr. Speaker, as well, if as a member of the Caribbean Financial Action Task Force we fail to do this, this country and its financial sector will be placed under intense financial scrutiny and it opens the door for any Member of the Finance Action Task Force to invoke Recommendation 21, which says essentially that a member is deemed not to be showing any sort of commitment in terms of having the core recommendations satisfied.

The result of this is that a vote of no-confidence about doing business in Trinidad Tobago could result, and that vote of no-confidence will have absolutely nothing to do with our sound macro-economic fundamentals. It will have nothing to do with our low debt to GDP ratio, it will have nothing to do our strong foreign reserve position, and it will have nothing to do with our low unemployment figure. All it will have to do with, is the fact that we are not compliant with the Financial Action Task Force recommendation.

Mr. Speaker, failure to do this could result in one of our trading partners saying to us, that the absence of the legislation, absence of this Bill that we are hoping to get concurrence from the Opposition today on, means that our financial systems are fragile, that they do not protect us from money laundering, and therefore, our international partners will be at risk for trading if they continue trading with us.

Mr. Speaker, I have taken the time to go through the Bill, to go through the major points of departure from the parent Act of 2000 to the Proceeds of Crime (Amdt.) Bill, 2009. I have done so in the sure and certain hope that all of us gathered here, ostensibly with the interest of the people of Trinidad and Tobago at heart, will do what is necessary, that all of us in this House will support this piece of legislation; a piece of legislation that is at once relevant, that is at once timely and that, certainly, is extremely beneficial to the national community.

With these few words, I rest. [*Desk thumping*]

**Dr. Tim Gopeesingh** (*Caroni East*): Mr. Speaker, this afternoon we heard a Minister of Government from the other side speaking on a Bill, on the Proceeds of Crime (Amdt.) Bill, asking for support from the Opposition to give legitimacy to the amendment of the Proceeds of Crime (Amdt.) Bill, but behaving in a manner that is not befitting.

You want to condemn, chastise and criticize us on one hand, and the other hand, you want to ask us for our support.

**Mr. Imbert:** What wrong with that.

**Dr. T. Gopeesingh:** The audacity and the temerity of the Member on the other side who spoke, that we on this side have no moral authority to speak on any of the issues, and he was imputing the issues of corruption and so on, but they on the other side have absolutely no moral authority whatsoever. As PNM administration upon PNM administration, upon PNM administration, [*Desk thumping*] for 41 out of the 53 years have corrupted this society with the massive corruption within the PNM. [*Desk thumping*] It is a liturgy of corruption starting with the PMN from the 1950s and I want them to understand that they have no moral authority on the PNM, to speak about anything on this side.

It started with the Lock Joint scandal. I am responding to his statement about moral authority, Mr. Speaker. In the 1950s, it was the Lock Joint scandal when Prime Minister Eric Williams took office and it went on in the early 60s. In the 70s, two of the members of Government, John O' Halloran and Francis Prevatt, had to flee this country. They could not come back in this country because of money laundering and because of corruption in the Government then at that time. And it moves on from the 70s of PNM to the early 80s, when in the construction of Eric Williams Medical Sciences Complex by Sodeteg, which was supposed to cost \$600 million it went on to over \$1 billion in the early 1980s. There were cost overruns in the Financial Twin Towers and the Hall of Justice.

**2.30 p.m.**

The corruption that went on in the early 1980s was over \$1 billion by this PNM Government, and they want to talk about moral authority on this side? Do you know what \$1 billion in the 1980s is worth today, Mr. Speaker? That is worth over \$20 billion.

In the 1980s, the PNM government corruptly spent over \$1 billion in cost overruns. I did not mention the Caroni Racing Complex. In the 1990s when they formed the government again, after they plundered the entire Treasury and the

NAR had to take over and save this country between 1986 to 1991, when Mr. B. Panday gave the NAR the strength to move on, because he gave Mr. Robinson the prime ministership, that was honour. He could have been the Prime Minister, but he gave it to Mr. Robinson, 1986 to 1991. When they came back into government, another PNM regime started.

Have we heard anything about Project Pride? Mr. Speaker, \$200 million was spent on Project Pride; one of the present ministers of Government was on that Project Pride and nothing has been done about it.

What about the Labidco scandal? Mr. Speaker, \$250 million was spent corruptly in the Labidco scandal. The Director of Public Prosecutions wrote a 2,000 page report to give to the Commissioner of Police, so that the Commissioner of Police could work on that Labidco report and prosecute anybody who was involved in it. Two senior officials of the Government now, plus two others, were implicated in that Labidco report. Since 2002 that report is outstanding; seven years later we are hearing nothing whatever. When you ask about it, "It is being worked on".

So who are the PNM to speak about moral authority on this side? They have to examine themselves and look in the mirror. I will speak later on about the other issues, but I just wanted to give them a little background about themselves and let them understand where they came from as a PNM. It continues with this regime.

The hon. Member spoke about institutions in this country. He was speaking about the Teaching Service Commission, the Public Service Commission and so on. [*Crosstalk*]

**Mr. Speaker:** Order!

**Mr. Sharma:** If you do not want to hear the truth, go outside. [*Crosstalk*]

**Mr. Ramnath:** "All that money all yuh tiefing in the Sports Ministry."

**Dr. T. Gopeesingh:** These independent institutions or commissions which the hon. Member mentioned: the Police Service Commission, the Public Service Commission, the Statutory Authorities Service Commission, are constitutional, independent institutions established to protect and shield public officers from being victimized by politicians.

Mr. Speaker, the Prime Minister of this country and his administration have attacked every single one of these institutions and service commissions, when they could not get them to do their bidding to treat public officers unfairly. You would remember the public officers who were victimized by the PNM administration had to go to the courts to get justice and to seek protection.

We know of such officers as Marlene Coudray from the Statutory Authorities Service Commission; that the Prime Minister tried to direct to get Marlene Coudray transferred from San Fernando to Point Fortin. Devant Maharaj had to go to the courts to get redress. Dennis Graham, Assistant Commissioner of Police, had to go to the courts to get redress, because there was the invisible hand moving into the Police Service Commission trying to deal with Mr. Graham, because he did not agree with some of the things they were doing. What about Ganga Persad Kissoon, the Director of State Lands? He too had to go to court when he was victimized by the PNM.

**Mr. Ramnath:** His case was one of race!

**Dr. T. Gopeesingh:** And they have moral authority and they want to speak about independent constitutional institutions? None whatsoever! They have interfered with every independent institution in this country.

We must never forget that it was the PNM Government that interfered with the administration of justice, when it gave instructions to the police to discontinue the prosecution of Bajan fishermen who were appearing before the court on a charge of fishing illegally. We know who gave the instruction. Is that the moral authority they are speaking about? We know who gave the instruction to free the Bajan fishermen, and you know who the person was. [*Interruption*]

**Mr. Ramnath:** Who gave the instructions to Mc Nichols? The Prime Minister.

**Dr. T. Gopeesingh:** The PNM administration that succeeded in bringing the police under its control and using the Special Anti-Crime Unit of Trinidad and Tobago (SAUTT), which reports to the Attorney General, as an instrument of oppression to hound persons for political reasons with the result that the police has no time left to protect and serve citizens.

Mr. Speaker, SAUTT is one of these bodies that have been deliberately crafted by this administration so it could hound and persecute citizens. You know they went to the Leader of the Opposition's home with a barrage of very heavily armed police officers from SAUTT. They went to the Chief Justice's home to lock him up, and there was a barrage of heavily armed SAUTT officers, and SAUTT is an illegal institution running for the last six or seven years in this country.

You want to talk about moral authority on that side, and you are over a government that has SAUTT, 400 and something officers with a budget of over \$500 million, take caring of 400 officers of the police service. It is the PNM's "mongoose gang", and they are getting better paid than the normal police officers.

I refer to an article:

"Can SAUTT lay charges?"

Can SAUTT really lay charges? People were appearing in court and they could not do anything about it. Two persons were in court for a triple homicide, but the attorney questions:

“Can SAUTT lay charges?”

They have no legal leg to stand on and they could basically deny you the rights you are entitled to. Mr. Speaker, SAUTT has no jurisdiction whatsoever; they are an illegal group of police officers operating under the directorship of high authorities within the PNM. They are reporting to the Attorney General, not to the Police Commissioner, and doing their own thing.

You see this headline: [*Member shows newspaper page*]

"Can SAUTT lay charges?"

We must never forget that; they continue to operate illegally in this country. They are so bad.

I read from the *Guardian* of January 25, 2009:

"Police have failed

Assistant Commissioner of Police Stephen Williams says that the T&T Police Service has failed in some of its crime reduction strategies. He said that the Trinidad and Tobago Police Service has had some crime reduction strategies."

So here they are interfering with independent institutions; they are so corrupt; they have invented corruption; they have masterminded corruption. They have perfected corruption, and they want to talk about moral authority and independent institutions.

Mr. Speaker, this is a government that has done nothing about crime; crime has worsened under their administration, yet still they want to talk about moral authority. I just want to give some figures. How can they deal with drug smuggling, how can they deal with money laundering, when they cannot even deal with the issue of the reduction of murders?

Under their administration, 2002, 171 murders; 2003, 229; 2004, 260; 2005, 386; 2006, 368; 2007, 395, and 2008, 550; for this year alone it is over 220. The political leader received a call a few days ago from Jamaica. Jamaica was gloating over the fact that Trinidad and Tobago has now superseded Jamaica as far as

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crime is concerned, in terms of homicide. Imagine you are now rating higher than Jamaica in terms of the homicides in the population per capita; it is a shame and disgrace on this PNM. Shame and disgrace.

Plan after plan by this Government and money spent, and they cannot deal with the crime situation, but they bring a Bill on money laundering, drug smuggling and drug trafficking. How are they going to deal with that?

Projects and initiatives from this Government: Anaconda; Baghdad; Weed and Seed; Policing for People; strategic crime control seminars; community policing; big talk all that time. Police reform legislation; police service transformation; model stations; community leader peacemaking; gang suppression; area lock downs; mobile posts, this is the talk all the time.

The Minister of National Security and the Prime Minister speak about this all the time; this is what they are saying: Crime and Justice Commission; Interagency Task Force; multiple police specialist units in multiple uniforms. They have failed miserably as far as crime is concerned, and they do not have any authority whatsoever, no moral authority to talk about trying to introduce legislation for money laundering and drug trafficking. If they cannot solve the little problems, as far as homicide is concerned, do you think they can solve that?

What about the persons who have been involved in the thrust to prevent crime? Martin Joseph; John Jeremie; Stephen Mastrofski; Edward McGuire; Jeffrey Snipes; John B Gold; Steve Henry; Hilton Guy; Everard Snaggs; Trevor Paul and James Philbert; all these persons put there by the PNM and they have failed. What moral authority do you speak about?

I think the hon. Minister should hide his face in shame, when he could utter those words, when you look at these and it tells you very clearly that you have no moral authority. [*Interruption*]

**Mr. Ramnath:** White-collar crime with your withdrawal of money. [*Crosstalk*]

**Dr. T. Gopeesingh:** Mr. Speaker, hear the organizations involved in fighting crime, which has direct effect on this Bill on drug trafficking and money laundering: Special Anti-Crime Unit; Scotland Yard; FBI; Penn State Justice and Safety Institute; George Mason University. All these people involved; millions and millions of dollars; over \$20 billion has been spent by this PNM regime over the last six years, in comparison to what the UNC spent of \$4.5 billion.

During the UNC time, the murder rate in 1998 was 98; 1999 was 93 and 1997 was 91; compare that. Mr. Speaker, \$4.4 billion that we spent in six years; they



have spent \$20 billion in six years, but the murder rate keeps going higher and higher. We have now gone beyond Jamaica as far as the murder rate. The rate of increase is so astronomical.

The gadgets and equipment are really radar, blimps, eye in the sky, computers, helicopters, coastal patrol boats, cars, jeeps, SUVs, better guns, body armour; all these things they say they have. They have these things to control homicides; how are they going to do anything about drug trafficking and money laundering?

We have an Act to deal with drug trafficking and money laundering, an Act which they failed to do anything about. They cannot even arrest anybody; nobody could be arrested by them. What has happened, as far as drug trafficking is concerned, in this country? Every one knows it is the little man who has a little thing of marijuana who is being arrested, or a "fella" carrying something, about one or two kilogrammes on an aircraft who is being arrested. Which big man is arrested by this Government? We know that the financiers of the PNM political party know where they get their financing from.

They get their financing from the drug culprits and they are afraid to arrest them, they cannot arrest them because they will get no more money for financing their political campaigns and party. [*Desk thumping*] They know who they are.

**2.45 p.m.**

Mr. Speaker, the big drug bust at Monos Island, \$700 and something million worth of cocaine, who had been arrested? Seven puny "fellas" were thrown in jail for it. Was there any big man arrested? But two days after you hear a building was burnt down on the Churchill Roosevelt Highway conveniently. Was it to hide something? Who was arrested? The police know and they have their link about it but did nothing. Is this Government really prepared to do anything about money laundering, drug trafficking and gun smuggling? Absolutely not! It has no desire to do anything because their boys are involved.

Do you remember the cocaine that was found in the diplomatic pouch? Who is involved with that? They tried to hold a young lady from the office, but it is not there, it is coming from the big boys. Who was transporting money in the diplomatic pouch going to England? A pouch was found on the runway of the airport subsequent to that and nothing was done about that. These things are hushed, Mr. Speaker.

Down the islands, on one of the piers of Trinidad and Tobago which is owned by a previous Member of Government, about three years ago a captain came off a

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ship and was found to have \$5 million worth of cocaine. What was done about it? You have not heard anything about it, this is the PNM Government. They did not impound the boat, they did nothing about it and on two occasions at that same pier—and these are Members of Government who are related to that. [*Desk thumping*]

Mr. Speaker, proceeds of crime, money laundering, drug trafficking, where is the money going? Human trafficking, gun smuggling, are all related to this Government, the PNM and they want to tell us they want to change legislation. They have no moral authority to tell us to change the legislation. The legislation is there. People can be arrested, but the Government has no will and determination to do anything because their boys are involved, they want to protect their boys. Do you remember one of the boys said: “We will take care of our own.” That person may probably be the next acting Prime Minister. I wonder what the hon. Member for Diego Martin East will do when the other Minister is appointed as acting Prime Minister. I feel sorry for him; he has been here for 17 years, he should be the acting Prime Minister.

**Mr. Imbert:** Eighteen years.

**Dr. T. Gopeesingh:** Eighteen years. He has a little good blood in him sometimes you know, Mr. Speaker. [*Interruption*]

**Hon. Member:** No way.

**Dr. T. Gopeesingh:** My colleagues differ from me significantly, look at their faces. [*Interruption*]

Mr. Speaker, we were talking about the drug smuggling and the drug trafficking. The informal economy in Trinidad and Tobago is larger than the formal one. The budget every year is about \$50 million. You, myself and a few others all live in Port of Spain. You have seen the escalation in cost in town houses in the West being sold for \$15 million and \$20 million for a town house in a multi-storey building which was supposed to be given permission for 20 apartments at \$7 million each which went up to 50 and 60 apartments being sold at \$10 million and \$15 million. [*Interruption*]

Who could afford to buy those? Mr. Speaker, you work hard for your money, we all work hard for our money and we cannot afford to buy one at a lower level, but who is buying those at \$15 million and \$17 million? That is proceeds of crime and it is being hidden and the Government knows it and these guys have their way of manipulating it and they pay for cash, and this Government knows who their friends are and from where they get the money to fund their campaign.

Mr. Speaker, I am going to speak about a UN World Bank report. [Interruption] A recent study conducted by the United Nations office on drugs and crime in the Latin American and the Caribbean region entitled *Crime, Violence, and Development: Trends, Costs, and Policy Options in the Caribbean* was published in March, 2007. It said this country now has the dubious distinction of becoming high profile for kidnapping and gun crimes.

An entire chapter of the report is captioned “Guns and Crime: A Case Study of Trinidad and Tobago”.

It continues:

“In fact, drug trafficking has spawned a vibrant industry, namely, *guns for hire*...a service particularly useful for addicts who need to commit crimes to support their habit and hence perpetuate more violent crimes. From this has spun off another criminal industry, contract murders...”

Mr. Speaker, drug trafficking; gun smuggling; crime; murders; contract murders; and drug trafficking causing money laundering is what we are debating today and this is a UN report in 2007. According to the study six years ago one-third of all homicides was due to firearms; by May 2007 that percentage had risen to 74 per cent, a 200 per cent growth in the use of firearms to commit crime under this Government. This is the Government that speaks of moral authority.

The report also noted: Drug trafficking in Trinidad and Tobago has spawned two vibrant industries; guns for hire and contract murders. You see it everywhere, Mr. Speaker, guns for hire by young boys 12, 14 and 15 years. This is what this PNM Government has encouraged and what it is involved in. Money obtained from drug trafficking goes to the purchase of guns and I will illustrate what the Prime Minister said about that.

The study repeated the claim often made by our Prime Minister that firearms are required for protection of illegal drugs. When the drugs are transshipped, the Prime Minister has stated, the guns usually remain hence the proliferation of firearms in the country. The Prime Minister knows there is a proliferation of firearms in this country. There is an existing law, the Proceeds of Crime Act, Chap. 55 of 2000, where you can catch the criminals, but you have done nothing about it.

The report goes on:

“These weapons are used for protecting turf, for intimidating customers and competitors, for empowering recruits into the distribution networks,... for maintaining discipline within them and for executing informers.

The report also notes the number of murders with a firearm has increased. In addition, the seizure of guns by police, mostly 9mm pistols and .38 revolvers has increased from 132 in 2000 to 199 in 2005. In 2008, over 400 guns were confiscated. If 400 guns were obtained, there are many more outside and they are coming in together with drug trafficking. What has this Government done about it? It has done nothing about the drug trafficking to Trinidad.

**Mr. Ramnath:** “Dey hound down Panday, de Chief Justice, only Indians. That is what dey do.”

**Dr. T. Gopeesingh:** Mr. Speaker, the coastal surveillance about which this Government has been speaking. This is a Government which boasts about coastal surveillance to be able to catch the culprits in drug trafficking. The United National Congress government under Mr. Panday had a wide country network for coastal surveillance and the unit for that was at a central station, all around the country was being monitored.

This Government went on to buy \$61 million in spy equipment from Israel; VMCOTT bought it and Mr. Manning made a trip to Israel to purchase it, but what is it being used for now? It is not being used for determining the coastal surveillance; it is now used for spying on people who are opposed to the Prime Minister, not to the PNM alone, to the Prime Minister, so Dr. Rowley is being spied on and I want to let every Member on the other side know that their telephones are tapped, your moves are checked, they know where you go and the Prime Minister knows everything about all of you and this is what he is doing to every citizen in Trinidad and Tobago.

Do you remember he said he knew where Mrs. Persad-Bissessar, the Member for Siparia, was? He had her monitored for three years, and it slipped out of his mouth. The Prime Minister is using the \$60 million equipment for spying and “macoing” on people who are opposed to him.

He has a mongoose gang in the Special Anti-Crime Unit of Trinidad and Tobago (SAUTT). Imagine the Prime Minister has to walk with his own security services now because he does not trust the local police service to take care of him. He takes foreign policemen; I see a number of foreign police around the Prime Minister.

They talk about a coastal surveillance; I want to quote from an article from the *Express* of Saturday, January 12, 2008:

“...sources said that as many as six other radar stations have been hit by technical problems, compromising the much vaunted 360 security blanket around Trinidad and Tobago.”

To catch drug traffickers and gun smugglers. That is what Prime Minister Manning said. Who has he caught?

“No one wanted to speak on record yesterday about the failure of the radar installations, but a source in the Special Anti-Crime Unit...”

The same SAUTT doing the monitoring; SAUTT doing the “macoing”; SAUTT going as the heavy “mongoose gang” for the Prime Minister and doing the dirty work. It says:

“...if the system did not work as designed, the success of the State’s anti-crime measures will be in peril.

But both South Western and Southern Division officers believe that there continues to be a flood of drugs, guns and contraband coming across from the Venezuelan mainland, which is only seven miles from Trinidad at its closest point.”

The SAUTT officers are saying that, Mr. Speaker, and this Government is talking about bringing legislation to amend an Act which is already there which they can use and have not been using it. There is nothing in this amendment which will improve the detection and deterrence of drug trafficking, gun smuggling and money laundering. Nothing in this Bill will improve it, but they want to hoodwink the population saying they are doing something about drug trafficking and gun smuggling and so forth.

The report goes on to say:

“On Thursday, Trinidadian technicians trained by the Israelis repaired the San Fernando Hill radar station that had not been functioning for at least three months.

The radar is part of the Advanced Coastal Surveillance Radar system bought from Israel’s Aircraft Industries Limited.

The system is the centerpiece of Government’s fight against violent crime which Prime Minister Patrick Manning and National Security Minister Martin Joseph said was being fuelled by the drugs and guns being smuggled into the country.”

Tuesday February 19, 2008:

“Another of the State’s high-tech surveillance defence radar is down.

It is located on a forested hill in Cedros, where Coast Guard officers have the job of finding potential drug-and gun-smuggling boats coming in from Venezuela, eight miles away.”

**3.00 p.m.**

“...the radar installation on Green Hill, near Galfa Beach on the peninsula’s south coast, has not worked for at least a month.

The installation is the second to malfunction in recent months.

Last October, the radar on the San Fernando Hill broke down and became a roost for corbeaux...”

This is important.

“The officer said during his time monitoring the radar, during night shifts in a building on site, there was never any success using the equipment.”

They have the radar equipment. One of the officers said that during the night they have never caught anybody whatsoever. All this issue about radars and coastal surveillance has done nothing for this Government whatsoever. When people on the street are asked about the performance of the Government and the Minister of National Security: Do you have confidence in National Security Minister, Martin Joseph’s assurance that the murder toll will be lower than 552 this year? Hear the answers: No, no, no, no, no. Five of them, all of them, no.

As far as crime is concerned with money laundering and drug trafficking, this Government can claim no success. In fact, it has been a total failure. No matter what laws you try to bring today to amend whatever existing law, that would not improve it. If you cannot implement the existing law, you amend the legislation, how can you determine that you are going to improve the deterrence, detection and prosecution, as far as these three areas, drug trafficking, money laundering and gun smuggling are concerned?

The introduction of this Proceeds of Crime (Amdt.) Bill, 2009 raises a number of serious concerns and questions from us as the alternative government. The attitude of this Government leaves a lot to be desired as far as solving crime is concerned. This Government has shown gross incompetence, gross failure and inability to deter, detect and prosecute for serious crimes as drug trafficking, money laundering and gun smuggling relating to drug trafficking, corruption, bribery and white collar crimes. This Government's failure has been a marked and a stark reality.

This Bill goes on to introduce the question of terrorism, the financing of terrorism. This Government cannot be serious about that legislation of terrorism. This Government is talking about passing legislation to finance terrorism. Right

here in Trinidad, we “doh” have to go far for terrorism. Who is financing the terrorism in Trinidad that took place in 1990? Who financed the terrorism that took place in the 2002 general election?

**Mr. Ramnath:** He was with you all in Balisier House. "What yuh looking so surprised at?"

**Miss Kangaloo:** I am not surprised. I am disgusted.

**Dr. T. Gopeesingh:** Mr. Speaker, the Privy Council ruled recently in a judgment of the Lords of the Judicial Committee of the Privy Council on the Prevention of Corruption Act 1987. It reads:

“The essence of the agreement between the Prime Minister and Mr. Abu Bakr on behalf of Jamaat was that certain advantages would be given to the Jamaat out of State property, in return for securing voting support for the Prime Minister's political party,…”

**Mr. Speaker:** A preliminary point was taken to the Privy Council. The substantive matter is still before the court.

**Dr. T. Gopeesingh:** Mr. Speaker, I bow to your—I defer to you, but the question is that the interim issue on the public judgment was that the board said that in the opinion of the board—

**Mr. Imbert:** Mr. Speaker, Standing Order, 36(2).

**Mr. Speaker:** No, no, please.

**Mr. B. Panday:** Can he read from the newspaper?

**Mr. Speaker:** I am dealing with two sets of Standing Orders. The first Standing Order deals with the sub judice matter and the substantive matter is before the court. I think you recognize that. The second matter I have to deal with now is 36(4). *[Interruption]* The hon. Member for Couva North knows that he cannot call anybody a fool. *[Interruption]* I think you really have to apologize to the House.

**Mr. B. Panday:** Yes, I do.

**Mr. Speaker:** You have. Yes. Please continue. Order please!

**Dr. T. Gopeesingh:** The point that I was making is that this Government has no moral authority to introduce any Bill on terrorism, when they have facilitated terrorism right here. They have facilitated gang terrorism by not doing anything about it, ensuring that guns remain in the society, encouraging drug smuggling

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and drug trafficking. They are treating with gang leaders. There were 24 gang leaders with whom they signed agreements. What did they call them? Community leaders. They signed a pact with 24 community leaders. All 24 community leaders have been "ganged" down. That is the history of this Government. They want to placate; they want to talk about terrorism. Terrorism exists right here.

I do not know, I have heard that right in this Government there is probably terrorism. I have just heard that their people went up to the airport to take part in the uprising and when the security officer reached there before, the person had to run and hide. The person run and hide in cylinders in Patna Village for two weeks. That is what I heard. I do not know whether there is terrorism in the Government right here.

I want to quote the Minister of National Security who piloted the Proceeds of Crime (Amdt.) Bill. Do you know what he told the media at one time?

“To be honest with you, I thought that the job — work I had here in terms of the Ministry of National Security, I think I under estimated the extent of the work and the length of the time it would have taken.”

Martin Joseph *Trinidad Guardian*, Wednesday November 21<sup>st</sup>, 2007. The Minister of National Security admitting that he knew he could not do the work. How could the Minister of National Security do anything about drug trafficking, gun smuggling and money laundering? He cannot. He has admitted that he has failed.

If this hon. Minister is being honest with the population about his non-achievement and failure over the last seven and a half years, when he rose in this House about two weeks ago, I thought that he was going to read to the population his letter of resignation. I thought that he was going to read and give the letter of resignation to the hon. Prime Minister sitting on his left. This would have been the second time that he would have been handing the Prime Minister his letter of resignation. The first time the Prime Minister did not accept it. The Prime Minister wants the Minister of National Security to be under torture and torment. He wants to torment and torture the Minister of National Security by leaving him there for this period of time. The country is awaiting his resignation and to exhale. We believe that he should do the honourable thing and resign.

The white collar crime that we have been talking about that encourages money laundering, drug trafficking, drug smuggling and gun smuggling, this Government in its present incarnation from 2001 to 2008, seven years, has spent over \$50 billion of this \$250 billion that this country has spent on massively corrupt projects. They



have the audacity to talk about Piarco Airport which was \$1.2 billion. We showed that we have an airport in Piarco. What can they show? It is \$50 billion they have spent. If you want to hear about it, this is where the money laundering is coming from. The money laundering is coming from the expenditure of the cost overrun.

It is corruption within all these state sectors. There are 34 state enterprises in Trinidad and 15 special purpose companies. The Government has signed guarantees for almost \$19 billion for these state enterprises and contingent liability for \$14 billion; \$33 billion the Government has stood loans and contingent liability for these state enterprises. They have established 15 special purpose companies to bypass the Central Tenders Board, so that they could spend money without any accountability, transparency and probity, so that their boys can launder the money and take it abroad. Who is taking the money abroad? Project after project. Just in four projects there are cost overruns of \$2.2 billion. I want to give you the quotes on them.

While the Tarouba Stadium is caught up with the UDeCott fiasco or the Brian Lara—I heard the Members speaking about it—Brian is probably ashamed to know that his name is being associated on a daily basis with a corrupt activity as the Tarouba Stadium. He should tell the Government, "I don't want my name to be in that any more." The poor guy who has distinguished himself worldwide and the world is seeing a stadium being constructed corruptly and his name is being associated with it. I am sure Sir Charles will want to tell this Government to take his name off that, because UDeCott is the most corrupt public body that we have ever seen. That Tarouba Stadium went up from \$375 million from the original estimate to \$642 million in 2006 and to \$885 million as of March 2008, \$510 million more. It is counting and climbing. I do not need to go into details. The population knows what is going on with UDeCott.

The population saw where the family of Calder Hart was involved in the construction of the legal towers and the CH group. The link between Calder Hart's family and the people who got the—they linked up the telephone fax machine right there from the same office. This is not the only part of UDeCott that is corrupt. It is not the Tarouba Stadium alone. The north and south Academies of the Performing Arts have climbed from the initial budget of \$260 million to \$864 million as at December 2008; \$584 million more for money laundering. We ask the question: Where is this money going? In which bank accounts, England? You have the audacity to speak about us. Tarouba Stadium, the National Performing Arts alone, \$510 million more; \$584 million more; \$1 billion so far in money laundering. What is the government doing about it?

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

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

*Question put and agreed to.*

**Dr. T. Gopeesingh:** Thank you, Mr. Speaker. I see the smiles from my colleagues on the other side. I think that they are enjoying hearing this about themselves. I hope that when they sit in Cabinet, from the males, they have the testicular fortitude and for the females, the intestinal fortitude to tell their Prime Minister that something has to be done about this massive corruption and the money laundering that is going on under their eyes. You must be strong to tell your Prime Minister that you cannot sit in a Cabinet where this is going on.

**3.15 p.m.**

Mr. Speaker, I will go on. [*Interruption*] They cannot do it. The Prime Minister's mansion was estimated to cost \$40 million; that rose to \$148 million in September 2008. The figure was revised to \$175.3 million, but when "de mark buss" in December last year, they began to admit that there was additional work. UDeCott's lawyers' submission to the Uff Commission of Enquiry was that the cost is \$243.961 million. In that cost we had drapes, blinds and bed clothes worth \$38 million.

In the four projects of this Government by UDeCott, there were cost overruns of \$2.97 million. Where is that money going to? Is that going into the hands or pockets of the money launderers? How are they transporting this money? What is this Government doing about it? This is money earned unjustly—proceeds of crime. This is white-collar crime. You do not know how much drugs and guns would be bought as a result. This piece of legislation wants to deal with drug trafficking and gun smuggling.

The National Oncology Centre, \$120 million has already been spent and grass is growing on the foundation. The sum of \$3.4 million has been spent on the Waterfront Project. Constructed by whom? UDeCott and Calder Hart. Sorry, Mr. Speaker, I know we were in the Privileges Committee today and you mentioned certain things. Calder Hart was thanked for his work. Yet, the commission of enquiry is firing "licks" like fire on him. The evidence is there; \$3.4 billion. Do you know what? They want to say that they have an International Financial Centre in the complex down there. They have built a white elephant costing \$3.4 million and the International Financial Centre is not occupied at the moment.

Mr. Khan gave testimony. It was on the website that the owners of the Malaysian company are related to Mrs. Hart. We do not have to say anymore on that. The country has seen it. They want to bring this piece of legislation, because they want to enact the 40 + 9 recommendations from the Financial Action Task Force, because they do not want to have an international scenario where people, internationally, would be signing to this agreement and they would say that Trinidad and Tobago has not signed on and we would be treated with disrespect. Trinidad and Tobago has grossly disrespected itself. This Manning administration has grossly disrespected itself and has brought total disrespect to the citizens of Trinidad and Tobago. Nobody in Trinidad and Tobago feels proud of being a Trinidadian, when this is on the international Internet, YouTube and Twitter. All over the world, they are seeing the massive corruption with UDeCott and the erosion of democracy by this Government. They want to talk about bringing legislation so that we would have international respect?

In the last regime, their Government had five Ministers before the Integrity Commission and two of them had been charged. In this Government, there are four Ministers: one with the Trinre scandal; one with the US \$6 million scandal; and one with the Clico scandal, who should not be in Parliament at all. You have the audacity to—*[Interruption]* Sorry, I withdraw that. The question is being asked whether the hon. Member for D'Abadie/O'Meara should participate in anything dealing with Clico whatsoever again. We still see her continuing to do work with Clico and negotiating. The hon. Member for D'Abadie/O'Meara should do the honourable thing and recuse herself from all those deliberations with Clico whatsoever. When the international community sees all of this going on in Trinidad and Tobago; four Ministers of Government—

There is an engineering company from South Trinidad which wrote the Prime Minister about a senior official of EMBDC who asked for a bribe in exchange for payments of money owed to him. I have that letter here in my briefcase.

In 2008, that letter was written and copied to the Attorney General, the Minister of Finance and Minister Piggott, informing those four Ministers, plus the Prime Minister, that a bribe was asked for by a senior official of the EMBDC. The Prime Minister did nothing about it. He speaks about the fact that he would make sure all allegations of corruption would be dealt with? He did absolutely nothing. He sent it to the Minister of Finance and said: "You pay the guy." He did nothing about the accusation of corruption.

My good friend, Noel Garcia, said that he looked into the matter and he decided there was no prima facie evidence to substantiate that. Is he the judge and

jury, the DPP and the police? What audacity! This goes on in our country. We talk about moral authority and integrity and integrity in public life? It was the UNC that forced this Government to back down on a number of issues. We forced the Government to back down on the purchase of the private executive Bombardier jet. We forced the Government to back down on the Joint Select Committee of Parliament on UDeCott. The Prime Minister was forced to appoint a Commission of Enquiry. The Government had to back down when they wanted to appoint Gordon Deane as the chairman of the commission of enquiry. It goes on. I have given you about four or five of the areas of corruption and money laundering of the Government.

Let us talk about the EMBDC. The sum of \$1.2 billion was spent by the EMBDC for developing the land for Caroni (1975) Limited. Where is the senior official of the EMBDC? He is out of the country. We understand that a private plane was taken to send him away, because money has been laundered by a senior public official of the EMBDC and the Prime Minister has done nothing about it. We have a number of bagmen around Trinidad and Tobago. The Estate Management Business Development Company is one, UDeCott is one and UTT is the next one. “Ah fella in de Waterfront Project said: ‘Ah never get \$10 million so easy in meh life.’”

We have a Member speaking about moral authority and he did not file his assets with the Integrity Commission; the last Member who spoke. It is there. You have not filed your integrity forms.

We saw a series on television recently where this Government bought a vehicle for the water taxi and it could not sail from where it came. They had to pay money to tow it. When it reached on dry dock they had to spend \$24 million more than the cost of the original vehicle.

We ask the Minister of Public Utilities, the Member for Diego Martin North/East, to account for the expenditure on NIDCO. You have one person with a private telephone with a bill of \$34,000 per month; the CEO. There was no board operating in NIDCO for the last two years. It was run directly by the Minister of Public Utilities. They have spent over \$508 million in NIDCO, with no board whatsoever. Where is the accountability and transparency? The Minister of Public Utilities has to answer to this population. [*Interruption*] The Minister of Works and Transport—sorry, no offence meant to my colleague from Chaguanas East; the Minister of Works and Transport, the Member for Diego Martin North/East.

Evolving TecKnologies and Enterprise Development Company Limited (eTecK) has spent \$220 million in renovations at the Hilton; and \$214 million to buy out VHL Tobago Golf and Spa Resort. Do you know who is the chairman of

that board? It is Mr. Ken Julien. Do you know who is a member of that board? Rennie Monteil is a member. They are spending over \$2 billion or \$3 billion of our money buying golf and spa resorts. They are taking taxpayers' money to buy golf and spa resorts. Where is the money going? Where is the money being laundered to? We have to do forensic enquiries and audits into all of these.

This amended Bill that they speak about, had issues in four or five different areas: the legal systems, the financial systems, the criminal justice systems, constitutional framework and international corporations. This Government has fallen short very badly in all these areas. They have no moral authority to talk about introducing this piece of legislation as an amendment to the Proceeds of Crime Act, Chap. 55 of 2000. This amendment should incorporate a number of these areas as predicate offences. These should be the predicate offences. The glossary to this amendment introduces a number of areas: trafficking in human beings; illicit arms trafficking; corruption and bribery; fraud; environmental crime; insider trading and market manipulation and designated non-financial business; and profession. All these areas are listed in the glossary as predicate offences, but none brought into the amendment Bill.

Where are we going? All these things have to be brought into the Bill. They have been deliberately left out. Where in the amendment does it speak about trafficking human beings; sexual exploitation; illicit arms trafficking; corruption and bribery and fraud and environmental crime? These are the recommendations of the Financial Action Task Force; the 40 + 9 recommendations. They have left out all these things. You want to say that you are bringing legislation to take care of these things. These are the most important things, but you have deliberately left them out. This is a useless piece of legislation.

They have brought the Proceeds of Crime (Amdt.) Bill before the Financial Intelligence Unit Bill. This Bill removes from it, in the original Act, designated authority and it introduces the Financial Intelligence Unit. Who comprises the designated authority at the moment? We do not know. Who will comprise the members of the Financial Intelligence Unit? Do you know what they are doing? This Government wants to form the Financial Intelligence Unit, so that they can appoint their boys to be in another unit for political oppression and political persecution. When that unit is formed and there are people on that unit who have been appointed by the PNM, do you know what they would be doing? There is a favourite saying that the PNM is guilty of putting a "tief" to catch a "tief". "Yuh know when de "tiefs" get together, they collude." This Government puts thieves to catch thieves, but they all collude and at the end of it, nobody is caught.

Who is going to be the head of the Financial Intelligence Unit? Are we going to have chairman of chairmen? We had a chairman before, it was Ken Julien. We have a chairman of chairmen, Calder Hart. Who will be the new chairman of chairmen for the Financial Intelligence Unit? They are asking us to pass a piece of legislation now, based on a Bill to come; the Financial Intelligence Unit Bill. What have you been doing? Are you putting the cart before the horse?

**3.30 p.m.**

You brought this Bill predicated on the fact that you are going to establish a Financial Intelligence Unit which is another Bill to come. That Bill has not yet been established, and you are asking us to deal with a Bill based on what is to come. How can we legislate on that? You cannot legislate on something to come!

Mr. Speaker, I want to go to the issue of the supervisory function of banks, as far as financial institutions and non-financial institutions are concerned since you want to have a Financial Intelligence Unit. The Central Bank has failed this country, because if they were doing their work, Clico would not have found itself in this position. The Central Bank and the Supervisor of Financial Institutions have to take responsibility for what has happened to Clico. Do you know what? They must have been deliberate in their intent to let Clico fail so that they could get into the organization and the books and begin to prosecute people, because that was their motive. This is why they created the run on Clico.

The Government's intention is to go at the Opposition, and this is because Mr. Duprey supported Mr. Panday in his court matter. That is one of the reasons that they have decided to make Clico fail. You deliberately made Clico fail. When Mr. Duprey was asking for help—the Member for D'Abadie/ O'Meara was there when Mr. Duprey went to ask for help—that morning he found himself having to sign an MOU, giving the whole of Clico to the Government. It was deliberate.

If the Director of Cooperatives had done his job, 100,000 members of the Hindu Credit Union would not have found themselves in the difficulty that they are in today. So, when we talk about the Central Bank supervision of financial institutions in this country, this Government promised to bring the Financial Institutions Bill to govern the entire financial institution sector.

Since 2004, there was a White Paper on this matter and five years later, where is it? You are bringing pieces of legislation. You brought the Financial Institutions Act, 2008; the Proceeds of Crime (Amdt.) Bill, you are bringing the Financial Intelligence Unit Bill and Financial Obligations Regulations Bill in the future. What a confused Government!

**Mrs. Nunez-Tesheira:** What should we do?

**Dr. T. Gopeesingh:** You should have one Financial Institutions Act to incorporate everything, but you all do not have the capacity to do that. That was promised for so many years and this Government cannot do it. They are incapable and incompetent. They just cannot do it. If you cannot do it, bring somebody from outside to assist in drafting the legislation.

Mr. Speaker, as far as the Central Bank is concerned there are over 48 major insurance companies in Trinidad and Tobago, and the Central Bank has only been able to monitor 17 of the 48 companies. So, what has happened to the other 31 companies? Do you understand why these things are happening in Trinidad and Tobago?

You have removed the Central Bank under the Freedom of Information Act and you have removed 14 other companies from the Freedom of Information Act. On the Monday night forum, my colleague, the Member for St. Augustine, mentioned all the companies—First Citizens Bank, Nidco, the Integrity Commission and others. They have all been removed and now you have to fight to get information. Is this what you call a transparent Government?

There is one new chairman of chairmen—head of TSTT, head of the Revenue Authority and head of all the FCB's groups.

**Mr. Ramnath:** Is it Sam Martin?

**Dr. T. Gopeesingh:** What is happening in this country? You have Mr. Hart, Mr. Ken Julien, Mr. Malcolm Jones and Mr. Sam Martin. Are they demigods? They can run four or five big institutions! So, who are you going to put on this FIU? *[Interruption]* He is also the head of the Heritage and Stabilisation Fund. Mr. Speaker, this is what is happening in this country. Do you know that this country is being run by three or four persons? The Members of the Government know that their bread and butter depend on who they talk to. *[Interruption]* I can say it. This country is run by Mr. Ken Julien, Dr. Lenny Saith, the Prime Minister, and Malcolm Jones has a little part to play sometimes. *[Interruption]* This country is being run by those persons. Who went to the Far East to get eTeck to do the work? Who went to the Far East to get UDeCott to do their things? This country is really suffering as a result of this dictatorship.

I just want to show what has happened to this country over a period of time. This PNM administration showed contempt for democratic principles when it failed to call local government election which was due in July 2006, on two

occasions. Instead, the Government extended the term of councillors for one year and then another year, but during that time, they perversely and spitefully did not extend the terms of mayors, chairmen and aldermen in order to get rid of some of their own.

From 2000—2002, the PNM attacked the EBC. Minister of Works and Transport, do you remember that? A commission of enquiry was set up to investigate the operations of the EBC. The Minister of Works and Transport said that people were dead, and the next day dead men came and said that they were alive. The Minister of Works and Transport said that the ink was not good but the ink was good. This exercise proves to be a serious abuse of power by the Government and a waste of taxpayers' money. A High Court judge, reversing the findings of the commission of enquiry, found that there were no irregularities in the operations of the EBC.

Mr. Speaker, Mr. Manning's administration, in his effort to bring the Judiciary under his control, relentlessly and shamelessly violated the principles of the separation of powers that requires the Judiciary to be independent of the Executive, which Prime Minister Manning ensures does not exist.

Prime Minister Patrick Manning has made Trinidad and Tobago an object of ridicule in the international community and the civilized world by attempting to arrest the Chief Justice, despite an order by High Court Judge, Judith Jones, who said that the Chief Justice must not be arrested.

The Privy Council found that the Government had infringed on the Maha Sabha's rights to freedom of expression; guilty of arbitrary and conspicuous conduct and had misled the court by withholding crucial information. This is the Government that withheld crucial information from the court. The Prime Minister, his Cabinet, John Jeremie and the State attorneys misled the Appeal Court at the time on the Maha Sabha's case by withholding significant information.

The PNM administration had by-passed the public service and established a number of state enterprises to perform functions which are legally vested or can be performed by ministries, departments and municipal and regional corporations. There was also the Unit Trust Corporation fiasco. Do you remember the firing of Clary Benn and Hubert Alleyne by this PNM administration?

There was also Mr. Manning's personal desire to evict Parliament from the Red House—Nidco and a number of companies were removed from the Freedom of Information Act. We had the issue of the taking over of the St. Ann's Grounds for the Prime Minister's residence and he had to back down after persons protested in St. Ann's.



You had a senior police officer associated with a kidnapping. Mr. Speaker, \$300,000 was found on this senior police officer, but he was promoted and sent to London and brought back after, and nothing was done about this officer.

Ian Artherly had a matter concerning election, and his case was discontinued by the DPP. We had the freeing of Eddie Hart after being found guilty of assault on Orlando Nagesar. There was the handing over of appointment letter to ex-Commissioner of Police, Mr. Snaggs, by the Prime Minister. Mr. Speaker, it is a shame and a disgrace.

Do you know what is worse now? There has been no appointment of a Solicitor General. Prime Minister Patrick Manning has vetoed the appointment of the Deputy Director of Public Prosecutions, Carla Brown-Antoine. This was in the *Sunday Express* on February 15, 2009. "The Prime Minister said no to Brown-Antoine". So, he vetoed the appointment of Deputy Director of Public Prosecutions as the country's next DPP, prompting serious concerns in high-level judicial and legal circles about yet another possible move by the PNM administration to interfere with the independence of the judicial system.

However, as with several other commissions which appoint senior officers to the State, the Prime Minister has a right to veto regarding the JLSC's choice for the post of DPP, but sources who are intimately familiar with the process, and who spoke on the condition of strict anonymity, confirmed that when the JLSC gave the all clear to appoint Mr. Henderson as a judge in December, 2008, they also short-listed four names to replace him as DPP. They were Carla Brown-Antoine, fellow DPP, Roger Gaspard, who works in the south office, Norton Jack and Ian Roach. Mrs. Brown-Antoine and Mr. Gaspard are the two most senior state attorneys vying for the post. It has come to our understanding that Mr. Norton Jack did not apply for the position of DPP, and it is our understanding that he was advised by a senior person in the Government to apply for the post, because he wants to give Norton Jack the post. He does not want Carla Brown-Antoine, because matters are before the DPP. He wants somebody whom he can manipulate.

It has come to our understanding that the Prime Minister has, in fact, written to Mr. Norton Jack and asked him to apply for the position of DPP. It is for the Prime Minister and the Government to tell us whether that is so. They could refute it if they want.

According to sources, the JLSC was sometimes surprised that the Prime Minister took over a month to respond to their recommendation of Carla Brown-Antoine as the country's next DPP, and was even more surprised that he officially vetoed the nomination.

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Mr. Speaker, the Prime Minister vetoed the position of the Solicitor General. He has not allowed the appointment of the Chief Parliamentary Counsel; he has not allowed the formal position of a Deputy Director of Public Prosecutions nor a Director of Public Prosecutions. What is happening in this country? The JLSC is supposed to be an independent commission under the Constitution.

In closing, it is a shame and a disgrace that there are Members on the other side speaking about moral authority, and they have absolutely no shame whatsoever. I have been through the litany of the erosion of democracy.

I want to show the Government that the Proceeds of Crime (Amdt.) Bill is not necessary. We cannot support it in its present form. They have not brought the Financial Intelligence Unit Bill and, therefore, we cannot support it without knowing who are going to be the members. We believe that the people for the FIU should be brought to Parliament and be under the scrutiny of Parliament before that person is appointed.

Thank you very much.

**The Minister of Tourism (Hon. Joseph Ross):** Mr. Speaker, thank you very much. I am extremely happy to contribute to this very interesting debate. As I listened to the Member for Caroni East, I was of the view that he was still on the cruise ship. [*Desk thumping*] I understand that he had a very good time on the post-summit cruise, something that he criticized so strongly, but yet he took the advantage to enjoy himself.

**3.45 p.m.**

I had planned to go directly and deal strictly with some of the amendments, but having listened to the Member for Caroni East, I feel that I should briefly and very briefly dismiss some of his wild baseless statements that he made for almost 75 minutes. He was very quick at criticizing the PNM Government of the "60s, 70s, 80s" as being the most corrupt thing that ever passed through this country.

**Mr. Bharath:** The "90s" too.

**Hon. J. Ross:** The "90s" too? I left out the "90s" for spite. This is the man who is criticizing the PNM, and I understand that in 1991 he was screened for the Fyzabad seat under the People's National Movement. [*Laughter*]

**Dr. Gopeesingh:** Mr. Speaker, I cannot allow that. That is a total lie! If I ever vote PNM "ah cut off meh finger". [*Laughter*] [*Desk thumping*] Total lie! [*Crosstalk*]

**Hon. J. Ross:** Mr. Speaker, you really have to wonder what kind of people you are dealing with. You found every single fault with the People's National Movement and yet you want to go up—[*Crosstalk*] We found him not suitable, Mr. Speaker. [*Laughter*] [*Desk thumping*]

**Mr. Imbert:** "He get blank."

**Hon. J. Ross:** His character, I believe was under question. [*Laughter*] I also want to just dismiss some of the statements that he made. He criticized us again; he looked at some crime statistics. [*Interruption*] I said I understood.

**Mr. Bharath:** Sources told you.

**Hon. J. Ross:** You would get the source in time. He went on to compare Trinidad and Tobago with Jamaica and to refer to us as having surpassed Jamaica in terms of crime, in terms of murders. How misleading again could the Member for Caroni East be?

Of course, we are all concerned about the level of crime in Trinidad and Tobago, but to make the statement that Trinidad and Tobago is worse than Jamaica is so far from the truth. Let me just quote some statistics for you that were shown in the *Daily Express* of Monday, May 18, 2009 using the very article that he referred to. It was written by one Darryl Heeralal.

In the first quarter January to March 31, 2009 and 2008 they were comparing the both years' first quarter. In 2009, murders Trinidad and Tobago, 129; murders in Jamaica, 345. In 2008, murders in Trinidad and Tobago for the same quarter January to March, 106; murders in Jamaica, 367. Woundings for the first quarter in 2009, in Trinidad and Tobago, 144; in Jamaica, 338. Shootings in Trinidad and Tobago for the first quarter January to March, 2009, 162; in Jamaica, 340.

Mr. Speaker, it appears to me that the hon. Member for Caroni East, or the would-have-been Member for Fyzabad, clearly does not understand figures when he sees them. He went on to say as well, that this Government was responsible for deliberately sinking Clico. I would not go through the story but I will refer him again to the *Express* of Saturday, September 22, 2001, "Clico technically insolvent" says a MORI report, I think it was, a 1998 report.

Here he is coming today to say that this Government is responsible for sinking Clico when Clico was shown to be technically insolvent since 1998. There are so many other things that he said that were erroneous, that I would prefer to simply leave them aside. He referred to the security at the Prime Minister's residence, I

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believe, when he said that the Prime Minister has gone and brought in these foreign people to guard him. Nothing is further from the truth, Mr. Speaker.

What I understand is that the same security system that the Member for Tabaquite has introduced at the Attorney General's Office, when he was Attorney General, is the same security system that the Prime Minister has at the residence of the Prime Minister.

Mr. Speaker, with respect to other comments, I feel that he missed the point and he missed a golden opportunity to, really and truly, look at the importance of this particular Act and the amendments that we are proposing this evening. I would just like to dismiss him and say that most of what he said could not stand to scrutiny.

What I propose to do this evening is to provide to this House a brief historical perspective to show the significance of money laundering and drug trafficking to us, as a people, to the entire region and to look at how it affects the global economy; to look at the purpose of the amendments here this evening, and to speak briefly on some of the deficiencies which the Bill seeks to address.

This subject that we are debating, the Proceeds of Crime (Amdt.) Bill, 2009, is one which I believe has significant impact on many aspects of our society. The Bill impacts upon the economic and social development of the people of Trinidad and Tobago. It also impacts on our political stability as an independent nation. It impacts upon the regional and international reputation and image of Trinidad and Tobago, and it has impact on the security of our country, the security of the region and the security of the entire hemisphere.

These are some of the reasons why I felt that the hon. Member for Caroni East threw away a golden opportunity to look at the significance of these amendments and the significance of the Act to the people of Trinidad and Tobago.

This Government seeks to pilot this country to a position where on or before the year 2020 we could be classed as a developed country. Two of the pillars on which we base our development thrust are nurturing a caring society and also providing effective governance to the people of Trinidad and Tobago. The Proceeds of Crime (Amdt.) Bill, 2009, which we are discussing this evening fits very snugly into the vision and overall development programme, which this Government has for Trinidad and Tobago.

I am saying that the Bill is absolutely necessary for us as a people now, and we must act on it as a matter of urgency.

**Mr. Sharma:** Tell us why.

**Hon. J. Ross:** You will find out, be patient. Why are we at this juncture today? It is important for us to go back to 1988 and to come forward to the year 2009, to see why we are at this position. Article 7 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, the Vienna Convention, which we referred to, called upon all states to enact appropriate laws to counter money laundering.

So, we started in 1989, the Vienna Convention. In 1989, the Finance Action Task Force was established by a G7 Summit, which was held in Paris. In 1990, the Financial Action Task Force issued 40 recommendations as a plan to combat money laundering worldwide. In 1992, we had the Caribbean Financial Action Task Force, which was established and Member states, including Trinidad and Tobago, agreed to endorse the 40 recommendations of the Financial Action Task Force.

Mr. Speaker, after 1992, we came to the year 2000, when the proceeds of crime legislation was enacted in Trinidad and Tobago. In the year 2001, Trinidad and Tobago became a signatory to the UN Convention, signifying that we recognized the importance of money laundering and the importance of taking the corrective measures that we needed to take.

In 2005, Trinidad and Tobago Anti-Money Laundering (AML) and Combating the Financing of Terrorism (CFT) regime, was evaluated and a mutual evaluation report was prepared. In 2007, the Caribbean Financial Action Task Force Council of Ministers Plenary meeting determined that Trinidad and Tobago was not fully compliant. That is why, the main reason I believe we are here this evening, is to ensure that the laws in Trinidad and Tobago are updated, so that we can become more compliant.

**4.00 p.m.**

I want to go back to a comment that was made by the Member for Caroni East. The Member for Caroni East indicated that we already have an Act in place so there was no need for us to come with all of these amendments, that we should ensure that we enforce the Act. But the point is to be made that the Act had so many deficiencies that it could not be enforced. It was non-functional, and that is why a team that reviewed the Act—let me see if I get the names right, Mr. Clustin Francis, a law enforcement expert from St. Vincent and the Grenadines; we had Miss Renne Fog, legal expert from Bermuda; Miss Gwen Amelio, a financial expert from Suriname and one other person, I believe—

**Mr. Sharma:** Who from Trinidad?

**Hon. J. Ross:** And that is the point, they were not from Trinidad. They were independent and objective individuals who came to do the valuation so that we were assured that we had a proper evaluation to see where we fell short, where we were falling short and they identified a number of areas where this country was not compliant.

This is why we have brought this amendment Bill to this House in 2009 to ensure that all the deficiencies that were identified by that team would be corrected so that we can now have a functional Act, something that we could implement. So the Member for Caroni East—I think—again, did not do his research to see why the Act was not being implemented in the manner it should be.

The proceeds of crime, drug trafficking in particular, these proceeds do not just end on the blocks, they do not end on the turf and they do not end with more savage and cruel killings as we have today. These proceeds redound to the benefits of an industry that far exceeds the gross domestic product of most legal economies in the world. This is why what we are discussing today is significant. We are talking about proceeds exceeding the gross domestic product of most countries in the world. To put it another way, it is not simply about guns, it is not simply about gun talk but we are talking very big money here.

I want to read to you an article, it was written by Mr. Peter Lily and the article is entitled “Dirty Dealing Money Laundering Statistics”, again to bring out to you the significance of the matter before us. I will read certain sections, he said:

“In 2000, illegal narcotic sales in the United States were”—in the vicinity of—“\$160 billion”—and he went on to break down the expenditure—“\$36 billion spent on cocaine, \$11 billion on marijuana, \$10 billion on heroin”—and \$7.8 billion—“on other illegal substances.”

So we are dealing with, in the year 2000 in the United States, \$160 billion being spent. He goes on to say:

“Research has shown that 90 per cent of banknotes in circulation in the United States are contaminated by narcotics; a similar analysis in London in 1999 showed that 99 per cent of all banknotes circulating in the city are tainted with cocaine...”

Mr. Speaker, I am reading from his article again:

“The black market peso exchange system in Colombia is estimated to launder \$6 billion per annum in drug profits

...in the mid 1990’s calculated that 25 per cent of the country’s gross national income was derived from organized criminal activities.”

That is in Russia—25 per cent of the gross national income of Russia came from criminal activities. The customs authorities in the United Kingdom had estimated that the annual proceeds from crime in the UK were anywhere between \$19 billion and \$48 billion. What this is saying to us is that the proceeds from crime in the UK in any one year could run this country for 14 years.

**Mr. Bharath:** Not with you all spending it.

**Hon. J. Ross:** This thing is about big money and I am sure Members on the other side understand what we are talking about when we are talking about the proceeds of crime.

Again in 1996 the World Bank estimated that the value of the underground economies or the value of money laundering activities was in the vicinity of US \$500 billion—and it was quoted before—or 2 per cent of the gross domestic product of the entire world. So we are talking here about a massive underground economy. With that kind of money we could have probably held the Summit of the Americas for 6,000 years straight. [*Laughter*] It is enough to run this country for the next 75 years. I am only trying to bring out the picture of the significance of money laundering and why we should take the amendments that are being brought before this House very seriously.

Money laundering does not only contribute to the social and economic decline of a country—and it has been proven over and over—but also to the conditions that lead to international terrorism. This point has been brought very clearly by Michael Kramer, a certified fraud expert.

Mr. Speaker, these are some of the reasons why these amendments are very serious, why it is important for us to act decisively at this point in time. I am saying that unless we act quickly, unless we act decisively on this matter, drug trafficking and the proceeds there from could threaten our very development as a nation, it could threaten our stability, it could threaten our reputation regionally and internationally and also it could threaten our very security.

As I see it when I read and I listen to the hon. Minister of National Security in his presentation in introducing the Bill and the amendments, and something for which I honestly believe he should be commended, I agree with him that the amendments seek to enable Trinidad and Tobago to achieve a higher compliance rating with the revised 40 recommendations of the Financial Action Task Force on money laundering and the nine special recommendations on terrorist financing.

I agree that the amendments seek to improve the functionality of the Act, because as was highlighted, in its present form it is very difficult to operate the

Act. The amendments also seek to correct a number of erroneous cross-referencing in the existing Act and when I check those cross-referencing errors, I checked roughly about a minimum of 17, there may be more. But I am sure that there were at least 17 instances where the cross-referencing was inaccurate, and these are some of the things that the amendments that we are putting before this House would achieve to correct the erroneous cross-referencing. The bottom line, what we achieve in the final analysis, is, we are going to reduce the chances of individuals benefitting from the evil that they want to impose on this country.

We want to ensure that crime will not pay in Trinidad and Tobago and this is the bottom line, the criminal must not benefit. The criminal and the proceeds of his crime should not go together, they must be separated.

I heard the Member for Caroni East talk about bringing in fraud, human trafficking and all of that in the amendments, but because fraud, drug trafficking, corruption, money laundering have become so complex and so all pervasive in our modern society, many countries and, indeed, many organizations have had to be continuously looking for remedies. We have cases of very complex situations involving money laundering, involving corruption, involving fraud. What we are saying and what the information is showing is that all over the world countries have been looking for remedies for ways to deal with these situations.

We have the US Foreign Corrupt Practices Act which addresses the question of accountability and transparency requirements under the US Security Exchange Act. That Act also deals with bribery of foreign officials. We have the Organization for Economic Cooperation and Development Anti-Bribery Convention. Again, another organization which aims at reducing corruption in developing countries like ours by establishing sanctions against all of those individuals who would be involved in bribing and corrupting foreign officials. We have the Council of Europe Criminal Law on Corruption in 1996 and I want to read what this particular one is about. It says:

“Corruption threatens the rule of law, democracy and human rights, undermines good governance, fairness and social justice, distorts competition, hinders economic development and endangers the stability of democratic institutions and the moral foundations of society.”

The World Bank and similar bodies now have rules that debar corrupt individuals from doing business. In Trinidad and Tobago we have the Prevention of Corruption Act, 1997. We can go on and on, but many countries, including Trinidad and Tobago, have gone a step further and we have now put in place laws that can separate the criminals from the profits of their crime.



**4.15 p.m.**

This is what we are dealing with today, separating the criminals from the profits of their crime. In the United Kingdom, we have the Proceeds of Crime Act 2000; in Canada, the Proceeds of Crime, Money Laundering and Terrorist Financing Act, 1999; in Australia, the Proceeds of Crime Act, 2002; in Jamaica, the Proceeds of Crime Act 2005; and there are many other countries that have seen it necessary to put these kinds of legislation in place.

Mr. Speaker, I understand that in the United Kingdom, after the Serious Organized Crime Agency was set up somewhere in 2006 and the agency started to look at suspicious activities—something that the hon. Member for Lopinot/Bon Air talked about, suspicious activities, and something that the amendments seek to address—the information is that 25 per cent of the enquiries that they have made, have led to arrest and confiscation of ill-gotten properties, ill-gotten gains. Twenty-five per cent, that is in the United Kingdom.

In Australia, between 2003 and 2006, the system has already resulted in the confiscation of over \$17 million worth of ill-gotten gains. And right in our backyard, in Jamaica, we are being told that the Proceeds of Crime Act 2006, addresses not only the issue of confiscation of the proceeds, but also using the money, using all the proceeds that they confiscate to put back, to plough back into other aspects of the country to fight other forms of crime, to assist in the alleviation of poverty and to provide social services.

Mr. Speaker, I think it was sometime ago, the former Attorney General, Mr. John Jeremie, reported—I cannot recall if it was in this House—the amount of money that we are getting back because of his efforts to deal with corruption that occurred by some associates to Members on the other side.

Quite recently, we would all recall the Allen Stanford case in Antigua and Barbuda. I know that the matter is not finalized as yet, but it is a lesson for all of us to learn. The accusation by the Securities and Exchange Commission against Mr. Allen Stanford almost brought the economy of Antigua and Barbuda to the ground, and these are some of the things that we are attempting to address in these amendments.

Some of you may recall Montserrat, before the last eruption I think, it was said that the island of Montserrat was saved by a volcano. Prior to the volcano, Montserrat had a ratio of something like 1,000:1. That is individuals to banks. A country with just about 100,000 people, they had a ratio of 1,000:1 banks, and further, when they checked on the banks, the banks were merely some nameplates

on the offices of lawyers and so on. Ratio of 1,000:1. So these banks were just banks in name only, and these are the things that we are attempting to address in these amendments.

These things can only happen when the relevant laws are too lax; when the laws are not in place at all; when you do not have laws to deal with them; when the laws are not enforced; and also when the laws are not enforceable. And as it stands, the Act that currently exists is non-functional and what that means, is that we are opening ourselves up to all these ills.

Mr. Speaker, let me look briefly at a couple of the amendments that have been suggested. I want to look at section 58. A new subsection has been introduced. Subsection (3A) is now added, which gives the Attorney General the option to enter into agreement with any foreign state for the reciprocal sharing or disposition of property which has been forfeited and seized. This is a new amendment. This is one of the recommendations again, that came before us and we needed to have such a recommendation in place.

Another area is section 56. Subsection (1) is repealed and substituted by a new provision. Among other things, what is now required, is that the Minister may make regulations prescribing measures that persons to whom the Act applies, must take to ascertain the identity of persons with whom they are dealing, and to treat with circumstances in which sufficient identification data is not made available by the applicant and so on and so on.

What we are saying is that the new amendments or the amendments that we are proposing will ensure that you can identify, that you take adequate information so that individuals who are involved in laundering money and so on, that the information that you would get, would be sufficient now to identify them so that we can go after them when that becomes necessary. The records that are to be kept are no longer limited to financial institutions, but a number of the listed businesses. Because a lot of times money laundering and so on, does not just happen in banks, but there are so many other institutions, and the legislation and the amendments list these organizations. So we are saying we are trying to ensure that we capture all the organizations that you can possibly think of at this point in time, to which money laundering would be applicable.

Mr. Speaker, these are some areas and we look at section 53 as well. In section 53, the amended law now says that if a person is found guilty of suspicious dealings—and it went on to define what suspicious dealings are, of concealing the proceeds of crime; it tells us what concealing the proceeds would

be—concealing another person’s proceeds of crime. In other words, you get some proceeds from an individual who committed a crime and you seek to conceal it. Receiving another’s proceeds, a person who had committed some crime again, who was involved in money laundering, drug trafficking and so on, and you receive the proceeds from that individual and so on. It went on to tell you what the new fines are or the new penalties. He may be fined \$25 million and 15 years in prison; previously, it was \$10 million and 10 years.

So in other words, the amendments are making it less attractive for people to get involved in money laundering, to get involved in drug trafficking and to get involved in any form of crime, whatsoever. We are saying on this side, crime in Trinidad and Tobago should not benefit the perpetrators.

Mr. Speaker, as this Government seeks to pilot the amendments in keeping with the stated intent of better compliance with the recommendations of the Financial Action Task Force, while we are not a member of the Financial Action Task Force, Trinidad and Tobago belongs to the Caribbean Financial Action Task Force and this is an organization of several Caribbean states—*[Interruption]*

**Dr. Gopeesingh:** Thirty-three.

**Hon. J. Ross:** How many?

**Dr. Gopeesingh:** Thirty-three.

**Hon. J. Ross:** Thirty-three? Thirty-three Caribbean countries at the moment and they have all agreed to implement common countermeasures against money laundering. They have all agreed, Mr. Speaker.

In November 1996, 21 members including Trinidad and Tobago entered into a Memorandum of Understanding, where they agreed to adopt and implement the UN Convention. That was in 1996. They also agreed to endorse and implement other measures to combat and to fight against the crime of money laundering, drug trafficking.

Mr. Speaker, the 40 recommendations and the recommendations from the Caribbean Financial Action Task Force were also agreed upon to be implemented. They also agreed to fulfil certain obligations that were expressed in an earlier meeting in Jamaica, by committing themselves to implement international anti-money laundering systems and standards, and other measures to prevent and to control money laundering in this part of the world.

The Bill before us seeks to advance Trinidad and Tobago’s commitment—

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

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

*Question put and agreed to.*

**Hon. J. Ross:** Thank you, my colleagues. The Bill seeks to advance Trinidad and Tobago's commitment to the community of nations, and to the development of an international economy that is free of the burden of undeclared funds, that is free of the burden of dirty money and terrorism. It also seeks to strengthen our exemplary image in this region.

As Trinidad and Tobago is now positioned to be the Financial Centre in the Caribbean, we can ill-afford not to have the amendments before this House passed. I want to encourage Members on the other side to put aside political differences, to put aside their own party differences, and I ask them at this time to recognize the significance of these amendments.

Mr. Speaker, we came from 1988 to the year 2009, and the time for us to get this right, I honestly believe, is now. I ask them to search their consciences and do the right thing. Do this in the interest of Trinidad and Tobago, in the interest of the children of Trinidad and Tobago and in the interest of every single citizen in Trinidad and Tobago, and support these amendments.

I thank you. [*Desk thumping*]

**Mr. Speaker:** Hon. Members, the sitting of the House is suspended for tea. We will resume at 5 o'clock, when it would be our pleasure to hear the distinguished Member for Fyzabad. [*Desk thumping*]

**4.30 p.m.:** *Sitting suspended.*

**5.00 p.m.:** *Sitting resumed.*

**Mr. Chandresh Sharma (Fyzabad):** Madam Deputy Speaker, is it proper to welcome you to the Chair? I want to welcome you to the Chair.

**Hon. Member:** It is not improper.

**Mr. C. Sharma:** It is not improper; thank you. I notice when you sit in the Chair, Members opposite say very few things to you, but I want to say how kind you are and how very accommodating you are. Oftentimes when Members slide a bit, you do it very gracefully to bring us back in line.

As I enter the debate on the Proceeds of Crime (Amdt.) Bill, I want you to remember that is the Bill I am speaking on. *[Laughter]* If you find me elsewhere, feel free to invite me to return. *[Laughter]*

Madame Deputy Speaker, as I listened to my distinguished friend, the Member for Barataria/San Juan, I could not help but feel sorry for him. He and I worked together when I was at the Ministry; he was a project manager at the Water and Sewerage Authority (WASA). He was a very good project manager. He was so good that he did apply to become a member of the UNC, with the hopes of becoming a candidate. *[Laughter]* Unfortunately, we could not treat with him at that time. *[Mr. Ross rises]* I am sure you notice I am ignoring him. *[Laughter]*

**Mr. Ross:** Madam Deputy Speaker, he will never ever see that. I am one who believes that morality is morality. I do not believe that politics has a morality of its own.

**Mr. C. Sharma:** I purposely said that, because it was no secret, but more than that, there are a number of Members opposite who actively courted the UNC, a number of Members opposite who applied for membership, who wanted to become Senators, who wanted to become ministers, who wanted to join boards.

**Hon. Members:** Call names!

**Mr. C. Sharma:** I can start with the Member for Lopinot/Bon Air West. *[Laughter]* He worked with us as well at the South West Regional Health Authority. In fact, the only exception was the Member sitting behind Tobago East—could you just move your head a bit?—the Member for Arouca/Maloney, because we did not have a youth membership at that time and she was grossly underage at that time. *[Laughter]*

I was making the point, coming back to the Bill, that I heard the Member for Barataria/San Juan attacking a Member of the loyal Opposition on this side, for responding to the call of the Government of Trinidad and Tobago, in that, they acknowledged having wasted billions of dollars on the Summit, having rented a ship for \$133 million and then saying that they did not have money to pay, "Let us run a cruise." We encouraged Members of the Opposition and members of the public to go on it. Here was a Member of the loyal Opposition paying his money to go on it, whereas on the PNM side all their friends and family got it for free. *[Crosstalk]* It was a free for all.

The Members for Point Fortin and San Juan/Barataria could confirm it that it was the first time, in the history of that cruise line, that all the food and drinks had finished,

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[MR. SHARMA]

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because the PNM sent their supporters; "dey ent pay a cent; food for all, free-for-all, drink till yuh dead and tote." When they were leaving the ships, you should have seen bags coming out. When you go on an aircraft you are allowed 25 kilos or something like that, I do not know what the limit is. If they had to pay extra charges, they would have made another \$1 million or \$2 million. That is the PNM. [*Laughter*]

As I listened to the Minister, he really had nothing to say. I felt sorry for him, because in this day of technology there is so much information available. This Minister is a senior policymaker of the Government of Trinidad and Tobago. He went all over the place quoting from the Internet what obtained in the United Kingdom (UK), what obtained in Grenada and Jamaica. The only place he did not talk about was Tobago. Having nothing to say, giving this Parliament no direction to say, "Look, this is Government policy; this is where we are going to go; this is what we hope to achieve." It is very, very sad when senior Members of Government get up to speak in this Parliament and cannot give this country some kind of direction.

We have our children writing the Caribbean Examination Council (CXC) examinations and CAPE; if they have to write on social studies, write something about the Caribbean or what is the Government's policy on the proceeds of crime. If they listened to the Member for Barataria/San Juan, they would all fail the exam, because they would have absolutely nothing to say. It is the policy of a government that when you get up here to speak, that you speak on policy.

Reflect on what you spoke about. You spoke for 53 minutes, and maybe for three or five minutes, if I am being kind, you referred to the Bill. It was absolutely nothing; all this foolishness.

This PNM Government has no interest in the governance of Trinidad and Tobago. It has absolutely no interest in good governance of Trinidad and Tobago. The Minister confirmed that, because he said so in his contribution. He took us to 1988; he took us up to 2009. I want to go to the period 1991—1995, when the PNM was in government. From what he said, they did absolutely nothing. The Minister could not direct us to one piece of legislation, to one paragraph in the *Hansard* of this Parliament, in this House or in the other place, where they contributed; not a single line. In fact, he did tell us that the Proceeds of Crime Act came through the UNC administration and under the Basdeo Panday watch in 2000. Of course, in 2001, we signed the UN conventions, so you could see the UNC at work.

Why is the PNM in the habit of doing this? He went on to say that this Bill would treat with the criminals and separate the criminals from enjoying the proceeds of crime, but once you think of the PNM there are few things that must

come to mind: crimes, criminal, discrimination, jobs for the boys, lawlessness—thank you, Member for Lopinot—power, the hunger for power at all costs. [Laughter] Sorry, it was Hon. Peter Taylor, the Member for Princes Town South/Tableland. They both said it in rhyme. [Laughter]

The PNM in this country, and we have to go back to history, has been associated with criminal behaviour. In fact, it was this PNM Government, using taxpayers' money, that treated with criminals at Holiday Inn then, Crowne Plaza a few years later. Where in the world have you heard of a Prime Minister meeting with criminal gangs and calling them “community leaders”? It is very interesting that every one of those leaders that the Prime Minister met with was shot.

**Hon. Member:** Twenty-four!

**Mr. C. Sharma:** How many? Madam Deputy Speaker, 24 of them murdered. With the proceeds of crime come guns, so it is a link. Was the meeting with the criminals by the Prime Minister for them to be identified so they could be shot later? Is that what the simple-minded person in Barrackpore or Laventille feels? It seems so.

It is very clear that once the PNM is in government—first they get into government by using the criminal element. How else could the Member for Tobago East be a Member of this House? How else could the Member for Chaguanas East be a Member of this House? It is through criminal activities. When you look at the records of elections, there is a process to engage. [Interruption]

**Mr. Dumas:** On a point of order!

**Mr. C. Sharma:** Look, I will just give way, because you do not know better. You will learn it after; this is the only time; put it properly in the future.

**Mr. Dumas:** Standing Order 36(5) is imputing improper motives. You went on fast to say that I became a Member by engaging in criminal activities. [Crosstalk] No, he said, "Tobago East". I am very clear. I say to people that what we impute in here, we are sending a message out there. If he wants to get killed by calling himself a criminal, he could do that. I got in here by being elected by the people of Tobago East. [Desk thumping]

**Madam Deputy Speaker:** Hon. Member, I listened to what you said and I am sure you would want to do the honourable thing.

**Mr. C. Sharma:** Which is what?

**Madam Deputy Speaker:** Clearly what you said you were imputing improper motives to the hon. Member.

**Mr. C. Sharma:** Perhaps I should repeat what I said, because some people are using it conveniently. I indicated that the Prime Minister met with criminals at a number of places. I further made the point that the PNM has always used the criminal gangs and criminal connections to get into government. I asked how else could the Member for Tobago East and the Member for Chaguanas get here. Further, the evidence that obtains—in fact, when you look at the Abu Bakr matter—[*Interruption*]

**Madam Deputy Speaker:** You are going on to say and develop other things. I know what you said; I heard it myself. You have been going good so far, just simply withdraw that statement and proceed.

**Mr. C. Sharma:** Certainly; had you directed me, I would have done that long time. The matter is withdrawn. The matter is withdrawn, but the point has to be made that in the last few general elections, in particular, the number of criminal gangs engaged—In fact, the election in San Fernando West was on the television, it was both in the print and electronic media, armed civilians supporting the PNM with guns.

**Mr. Taylor:** I had no guns down by me.

**Mr. C. Sharma:** Where were you? Again, you see the confirmation comes in different ways; there is divine intervention. The Member for Princes Town South/Tableland said that he did not have any. He did not say, "We all did not have." [*Laughter*] That is exactly the point. [*Crosstalk*]

There is a difficulty to treat with the truth by Members opposite. There is always a difficulty, because it is in the public domain, it is public knowledge, it is well known the world over, that the PNM has used criminal activities. As we talk about the Proceeds of Crime (Amdt.) Bill, there are a number of ways to qualify it. The Member for Baratavia/San Juan said that we had to look at how the proceeds of crime were used. He is correct; they are used to win elections as well. The PNM use the proceeds of crime.

I read in the newspapers a few days ago about a matter on a ruling of the Privy Council. The Privy Council expressed concern; five senior Law Lords expressed concern of what appeared to be an arrangement, illegal as it was, between a group in Trinidad that attempted to overthrow the Government at one period in 1990, to what obtained in the last election. The group said that they had an arrangement with the Prime Minister. [*Interruption*]



**Mr. Imbert:** Madam Deputy Speaker, this matter came up previously in this debate; that matter is sub judice.

**Mr. C. Sharma:** What are you on?

**Mr. Imbert:** That matter is sub judice; Standing Order 36(2).

**Mr. C. Sharma:** Are you treating with the Member? At least you are learning the Standing Orders. [*Crosstalk*]

**Madam Deputy Speaker:** Hon. Member, I know you are referring to the actual decision of the Privy Council. Whilst we know that there is another matter in the court, just be careful in terms of your reference to the newspaper article.

**Mr. Ramnath:** You do not know the sub judice rule.

**Mr. C. Sharma:** Thank you for the guidance. It is clear that the Minister is misleading the House by quoting 36(2). The loyal Opposition of Trinidad and Tobago has a responsibility. Part of that responsibility is to bring the truth and the facts to this House, as they relate to any matter that is debated. One cannot debate the Proceeds of Crime (Amdt.) Bill without making reference to certain situations that emerge on a continuous basis.

What would the constituents of Fyzabad say? Whenever a Bill like this comes up, one of the responsibilities of all Members on both sides of the House, but oftentimes practised only by this side, is to meet with our constituents and share with them what we are going to debate and obtain from them their thinking on it.

What are the simple-minded constituents of Fyzabad and elsewhere thinking?

**Hon. Members:** Why are you saying simple minded?

**Mr. C. Sharma:** They are saying, that based on the conduct of this Government, based on the history of the PNM Government, the use of violence and the proceeds of crime has been consistent.

**5.15 p.m.**

Madam Deputy Speaker, it is instructive to note the comments of the Member for Barataria/San Juan. In 1988, it was the NAR government; he can only account for the period he was there. From 1991 to 1995 they did absolutely nothing, why are you crying crocodile tears today? You just wasted \$1 billion and the country has seen nothing for it. You spent \$90 million for 45 minutes of culture that discriminated against half the country, that is \$442 per minute.

In 2005, it was a continuation of what obtained in 2000. He went on to say that there was a group and when I asked who was from Trinidad he said nobody because he wanted to be impartial. He wanted to get the best minds and he called some guy from St. Vincent whom he does not know, a Member from Suriname. It shows the Government's commitment. There was nobody from Trinidad because they had no interest in it and Trinidad and Tobago has some of the best minds in the country.

**Mr. Ross:** That was not a Government selected thing.

**Mr. C. Sharma:** Of course, it was. It was the Caribbean, and Trinidad and Tobago is the leading presenter, but when it is the PNM, it is convenient to them they put nobody. In fact, under the UNC, to every one of those Conventions and meetings we sent participants, we engaged the best minds. What a total waste of time this Government is, Madam Deputy Speaker!

Today half of the country is without pipe-borne water, many of our hospitals are without basic medication. Our schools—I am sure it obtains in Arima as well—in fact, I had a request from Arima to purchase sanitizer because the schools were without water. Simple things! The Government is wasting money all over the place.

Madam Deputy Speaker, how do we qualify when a country has fallen under the proceeds of crime? How did the Member for Lopinot/Bon Air West and the Member for Barataria/San Juan arrive at this? We need to revisit what obtains in the country. There is a breakdown in law and governance in the country; it is a free for all; the Government keeps wasting money; these are symbols that something is happening. What is happening is that the country is almost on automatic pilot, there is absolutely no ability to govern this country anymore.

In fact, why the Government could not tell us today that under the Money Laundering Act not a single person has been charged? You want to tell me this is a Government sitting for six or seven years and we have this thing since 2000 and not a person has been charged under the Money Laundering Act. Hear the lame argument. [*Interruption*] This is not even a school leaving certificate presenter. He said it was not possible. There are laws in the country that allow it. Here is a senior Government Minister saying it could not be done.

Madam Deputy Speaker, this country is in crisis, the Government cannot govern this country. There are no levels of intelligence opposite. Let me remind the Member for Barataria/San Juan and others who may risk saying foolish things this evening. Chap. 11:27, Proceeds of Crime, Laws of Trinidad and Tobago,

when the UNC came into office we made sure that the Law Books of Trinidad and Tobago went into every office of the Members of Parliament, and they were improved a bit when the Member for Pointe-a-Pierre made them available on CDs, but you have not sent out renewals on those.

The Third Schedule, Suspicious Activity Report. The laws of the country always complete entire report. It was made very easy because part of the lawlessness is that our children are not going to school and there is a high level of dropouts.

Check appropriate box: Initial report, Corrected report; Supplemental report. Part 1, reporting financial institutions or relevant business: Activity Information: Name of financial institution. You tell me in so many years not a single case of money laundering? It is only because the Government is an accomplice to this. This is how the Government stays in office.

Address of financial institution of person engaged in relevant business activity. There are laws in the country for suspicious deposits or proceeds; there are systems to check if a citizen is involved in something illegal, there are many ways to enquire. You can look at their lifestyle. Are they purchasing properties? This is why we register our properties. Are they purchasing motor cars? That is why we register motor cars. Why the PNM does not have that intelligence? What does it need to function as a Government? What does it need to treat with the citizens of Trinidad and Tobago? What more can we do? Look at the packages we are giving them. They all drive Q7's, BMWs and what have you at large expenses to our taxpayers.

**Mr. Imbert:** You too.

**Mr. C. Sharma:** Forget what I drive. [*Laughter*] It is not important what I drive. The State does not maintain the vehicle of the Member of Parliament in the Opposition, but it maintains the vehicle of those in Government and we give you a driver as well.

**Hon. Members:** No, no, no.

**Mr. C. Sharma:** I know I would have caught them again.

**Mr. Imbert:** Madam Deputy Speaker, (36)4, imputing improper motives. We do not get any maintenance. Take it back!

**Mr. C. Sharma:** I am so glad that these Ministers who have very low levels of understanding—I almost said low levels of intelligence, but I looked at you and said no.

**Madam Deputy Speaker:** You got the correction from the hon. Member, I assume that you accept that. He has said that the Ministers do not receive any money from the state for the maintenance of their vehicles.

**Mr. C. Sharma:** Madam Deputy Speaker, he is premature, he is always short; the statement was not completed. Let me now complete the statement. You remember I said I knew they would fall in that trap because they get these expensive cars—my friend the Member for D’Abadie/O’Meara drives a very expensive Mercedes Benz.

**Mrs. Nunez-Tesheira:** Which I had before.

**Mr. C. Sharma:** Hold on, hold on! I know you had many, but the Ministers park their expensive cars and go in the ministry’s vehicles which are maintained by the taxpayers.

**Mr. Imbert:** Madam Deputy Speaker, Standing Order No. 36(5). The Member said our cars are maintained at the State’s expense, I would like that withdrawn; he is imputing improper motives.

**Mr. Ramnath:** There is no need to withdraw that.

**Madam Deputy Speaker:** Hon. Member for Fyzabad, I know you are saying two things; as it relates to the second matter where you referred to the vehicles’ relation to ministries, that is fine, but in relation to the statement you made about the State being responsible for maintenance of all Ministers’ cars, you have been there so I think you know that is not correct.

**Mr. C. Sharma:** Madam Deputy Speaker, when a Member of this House obtains a loan to purchase a motor car, it is maintained by the State. The loan that Members on both sides obtain to purchase our cars is maintained by the State, it is a tax-free loan. [*Interruption*]

**Madam Deputy Speaker:** Hon. Member, you know very well that is not the case. [*Interruption*] Hon. Members, please!

Hon. Member for Fyzabad, as I said, you would realize that you have the entire attention of the House. So, please do not lose that attention. Simply withdraw that statement and proceed.

**Mr. C. Sharma:** Withdrawn.

Madam Deputy Speaker, I was making the point of the double standards. There are so many double standards practised by Government Ministers that beg the question when you attempt to bring legislation to engage the citizens for a

better Trinidad and Tobago, but you demonstrate by your own actions what you do when you cause millions of dollars to be mismanaged.

Madam Deputy Speaker, there is a commission sitting somewhere in Port of Spain and I saw colleagues from this House, the Member for Diego Martin North/East, going to give evidence and he said that there was mismanagement there. So here is a Minister taking an oath of office to execute his duty without fear or favour, sits in this House and then goes to the commission of enquiry to say it is somebody else's mismanagement, it is not his fault.

When one looks at that kind of conduct, it really says that when it is convenient for me to talk I will, when I am benefitting from it. This is the very Minister whom the Member for Caroni East was able to demonstrate in this House has a large bank account of US \$6 million sitting somewhere. One has argued, however the money was obtained, but it was not declared.

In fact, when I listen to the Member for Lopinot/Bon Air West, he said Members on this side do not have the integrity to talk on this matter and this is a Member who the Integrity Commission has published as one who has not filed his returns. So you see the double standards and so many of my colleagues opposite practise it and want to pretend to be saints. The country is in crisis because of these double standards.

Madam Deputy Speaker, I was making the point in reply to the Member for Barataria/San Juan. When I raised the question that not a single person has been charged under money laundering, he said there are no laws for it. There could not be a more foolish answer but I am also thinking that perhaps he does not know, because not every Minister will know everything, but when you listen many of the Ministers know very little.

Report on financial institutions or relevant business; activity information; name of the financial institution, and this is not by the way, this is not you may do it, this is you must do it because this is Chap. 11:27, Proceeds of Crime. Address of branch, they want to make sure which branch you went to, or such size of financial institution or person or company engaged in relevant business activity. They are very detailed. Institution, or relevant business activity, date closed, and they have the date, the month, the year; account number affected. Has any of the institutions or relevant business activity, accounts related to this matter been closed? This was well thought out, this was UNC legislation.

Unlike the Member for Barataria/San Juan, we brought the best minds together and a lot of them are from Trinidad and Tobago. Under the PNM the

dealers learn the tricks. They open an account, withdraw the money, and close the account so there will be no evidence of it.

We went on to ask: Have any of the institutions or relevant business activity accounts related to this matter been closed: Yes, No. If yes, identify.

Part two, suspect information: last name, first name, middle name, address, date of birth, telephone number residence, telephone number work, occupation. So if you are a taxi driver, it is anticipated you will make “x” number of dollars per day plying your taxi or you may be doing something on the side plus that amount, so any institution will be able to measure whether this person is earning more than that. In fact, many have suggested that when you look at the lifestyle of Ministers current and past, it certainly did not and does not reflect the income they obtain.

### **5.30 p.m.**

This has been in the PNM for many years. Now, I look at some of the faces opposite and they look like, “Oh God, dey jus come from church. Dey doh know what MP for Fyzabad is saying.” You have to understand what the national community is saying. You have to identify what the intelligence is saying. It is saying that you are living way above your means and certainly, in many instances it does not reflect your income, currently and it does not reflect the income you may have accumulated before becoming a minister in government.

Forms of identification for suspect. In most countries—

**Madam Deputy Speaker:** Hon. Members, you have heard that the Member for Couva South said that you are listening to a brilliant contribution. You are disturbing the Member for Fyzabad. Please, can we hear the brilliant contribution.

**Mr. C. Sharma:** Thank you, Madam Deputy Speaker. I am not here to make a brilliant contribution. I am here only to speak the truth [*Interruption*] to expose the double standards of this Government. I am here to expose how this Government has come to office using criminal elements and proceeds of crime cannot—I am here based on the evidence available to the average citizen of Trinidad and Tobago, that has been available in both the print and electronic media and is in the mind and eyes of the citizens across the country.

I come back to the form. Part II, form of identification of suspect, driver’s licence, passport, Trinidad and Tobago ID card, other, numbers of it and the issuing authority. That is PNM administration. A number of citizens who engage in these activities under the watch of the PNM were able to get false identification

cards. Under this Minister of Works and Transport, past and present, there are a number or persons who were able to obtain false driving permits which they use to open accounts. So much happens under the watch of the Government.

Relationship to financial institution or relevant business activity, accountant, agent, appraiser, attorney, borrower, broker, customer, director, employee, officer, shareholder, other, specify. The form was in detail. The legislation has been in operation. The Government has not seen it fit to make use of it.

Suspicious activity information Part III. Date of suspicious activity. You want to tell me that in the last five, six or seven years this Government has not uncovered one single suspicious activity. So they are suspect themselves. Dollar amount provided in known or suspicious activity. When you go to make a deposit over a certain amount—I cannot remember how much it is—I think it is \$20,000. How much?

**Mr. Imbert:** \$60,000.

**Mr. C. Sharma:** \$60,000. Thank you. Unlike my good friend, the Member for Diego Martin North/East, who has a lot of \$60,000 to deposit, I cannot deposit \$6,000 so I do not have to full out this. You are telling me that the citizens of Trinidad and Tobago under your watch, there has been no suspicious activity and deposit? Is this what the PNM is saying? Is this how you are going to govern this country? You are saying that there is so much! The Member for Barataria/San Juan was talking about billions of dollars, more than the GDP of other countries. He said that it was so much that we can have 6,000 years of Summit of the Americas. What a foolish statement to make! I hope the TV wipes off that comment. What a foolish statement to make!

You are saying that all this money is flowing in this country. You want us to give support to this half-baked legislation and you have not charged one person. You have not come to this House and said, “Last year there were 75 cases and we are investigating them; year before there were 200; this year we have seen 30 or 40.” The global standards, the global intelligence, the global learned are saying that when your country has so many murders, it is telling you a story. This PNM has not listened to that story. Are these murders happening? What is the percentage of persons killed by guns? [*Interruption*] I will come to that later because I have 75 minutes. Please guide me as you go along.

Part IV, witness information; last name; first name. A question might be begging in your mind. You see why I win election every time in Fyzabad and PNM could send anybody. In an important piece of legislation, the Member for

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Barataria/San Juan, in an attempt to get TV time, said the Member for Caroni East applied or filed some PNM nomination in 1991. You know how foolish that was. We both were nominees for Fyzabad in 1991. *[Interruption]* That is beside the point. My good friend said that that is a fact. That is the Minister who said, “Ah dead man dead, but he went to give evidence the next week.” Under the PNM all things are possible.

I proceed on the proceeds of crime with address, ID card, permit, passport number, date of birth, title, phone number, interview. Trinidad and Tobago must thank the UNC administration. God is a great god. He allows this evil PNM Government to come ever so often and then he allows a just government to come. It will come again. It will come again.

Prepared information, Part IV, last name—*[Interruption]* Who prepared it? First name, middle name. You know that this is printed at the cost of taxpayers. “All yuh eh use this form one time?” “Aren’t you all ashamed? Not one time?” What are you all doing? What governance are you governing? There is nothing in this country that is working. What do you all do? When you get up on mornings, do you pray, “God give me the strength to do what is right for Trinidad and Tobago?” You are doing nothing right. Title, phone number.

Part VI, contact for assistance if different from person preparing information in Part IV. Again, last name, first name, middle name, title, phone number, institution. Suspicious activity information, explanation, description. Instead of the Members of Government going at taxpayers’ expense and preparing themselves for photographs that cost \$18,000 per newspaper and publish their photographs with a lot of foolishness that adds no value to Trinidad and Tobago, they should publish this. Without photographs, this would be \$11,000.

Explanation, description of known or suspected violation of law or suspicious activity. This section of the report is critical. The PNM did not know this? The Member for Pointe-a-Pierre who acts as the Attorney General— Have you acted as Attorney General?

**Ms. Kangaloo:** On behalf of the Attorney General? I did not know this.

**Mr. C. Sharma:** I am sorry. Piloted the Bill, did not know this; did not tell this House this? Totally unprepared! The Government did this matter whether you did—*[Interruption]* Under the UNC administration when a Bill had to be presented, we sat and ensured that we brought together the best minds and the best thoughts. This is why under the Panday administration the crime was a lot less—I am not saying it was zero—than what obtains under the PNM



administration. The murder rate was a lot less. The detection for crime was a lot higher than what is under the PNM.

Let me come back to this form. The Member for Tobago East said, "The only difference now is that there are more criminals in Government." I agree with him. *[Laughter]* This section of the report is critical. The care with which it is written may make the difference in whether or not the described conduct and its possible criminal nature are clearly understood. Provide below a complete account of the possible violation of law including what is unusual, irregular or suspicious about the transaction, using the following checklist as you prepare your account. If necessary, continue on a duplicate or extra paper.

The country must be wondering what they have found themselves with today. Is this a government? This looks like a mafia in government. They seem not to do anything that adds value that improves the quality of life of our citizens. If you are talking about the proceeds of crime, the Minister in his presentation went back to '88. It means that the Government is aware of this. It also means that they did everything not to charge a single person under the money laundering Act. They went beyond the call of duty so to do. *[Interruption]* But certainly, you have not charged a single person. The fact that you have not charged a single person means that you were not doing your duty. You were protecting your turf because you benefitted from it. How do you benefit from it? Every election you continue doing the same thing over and over.

Describe supporting documents and retain for six years. Explain who benefitted financially or otherwise from the transaction, how much and how. The Government cannot subscribe to two because they benefit. Retain any confession, admission, or explanation of the transaction provided by the suspect and indicate to whom and where it was given. We all know how the Government has a habit of destroying evidence. "One time rat take it. One time rain fall and leak."

Retain any confession, admission or explanation of the transaction provided by any other person and indicate to whom and when it was given. I am becoming very concerned. The Member for Pointe-a-Pierre, an attorney-at-law, the Minister, I forget what she is, but I think she was the Minister of Legal Affairs, is not familiar with this. The Member is not, the hon. Member. The Member for Pointe-a-Pierre reminds me of another government minister who took a government credit card and went shopping. That was proceeds of crime when you do that kind of thing. The things they bought were a wig, cosmetics and all kinds of things. I wonder what they do. Retain any evidence of cover-up or evidence of an attempt to deceive institution. You want to tell me under this PNM watch not a single case.

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Indicate whether the possible violation is an isolated incident or it relates to other transactions. All the evidence obtains in the country. All the support obtains in the country. We must thank the Panday administration for this.

Indicate whether there is any related litigation. If so, specify. You want to tell me not a single piece of litigation under this PNM. [*Interruption*] Thank you very much. Recommend any further investigation that might assist law enforcement authority. You want to say that under this PNM administration there has not been a single recommendation for investigation. How can any Member of the PNM be proud to say, "I am a member of the PNM and under my watch not a single matter," and then come here blowing a set of false tunes saying, "We begging for this legislation to be passed?"

This Opposition is a very strong opposition, very loyal and will do its duty without fear or favour. We do not have to win any popular support by supporting legislation that does not add value. Tell us how you have treated with what obtains already.

**5.45 p.m.**

**Madam Deputy Speaker:** Hon. Members, the speaking time of the hon. Member has expired.

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

*Question put and agreed to.*

**Mr. C. Sharma:** Thank you, very much. One reason I like when you sit in this Chair is that oftentimes I get the additional 30 minutes. It goes on:

- Indicate whether currency and/or monetary instruments were involved and if so, provide the amount and/or description.

The Member for Diego Martin North/East said that the suspicious deposit of \$60,000 demands a certain kind of processing. Do you want to say that under this PNM watch, there has been no \$60,000 plus, that requires this? What is the PNM doing? They are cultivating the criminal elements in this country. They do that because they benefit from it. When you look at what obtained in the Panday administration and the Manning administration, it is chalk and cheese. I would qualify that in two or three minutes.

- Indicate any account number that may be involved or affected.

I have put to rest, very comprehensively, the failure of the PNM to treat with the laws of Trinidad and Tobago. They are treating the citizens of Trinidad and Tobago with contempt and pretend that legislation is not available.

I want to indicate that under the Panday administration, there was a concern, so the governments of the Caribbean came together in 1998. This was three years after the UNC came into government. The UNC administration worked on a comprehensive plan of action to treat with the drug trade and helped to regain control of borders, streets and institutions, to make sure we looked at all evidence that suggested criminal activity. We established a strong legal framework that allowed investigations and prosecutions. This obtained under the Panday administration. Nothing of the same obtains under the Manning administration.

The Plan of Action was based on a regional approach, because we are in the Caribbean together. The Member for Barataria/San Juan, the Minister of Tourism, said that there is nobody in Trinidad who could contribute. What a foolish statement! We endorsed the Barbados Plan of Action for Regional Co-operation in the context of a commitment to international co-operation. When we signed, I think it was Prime Minister Panday then, or it might have been former Minister Joseph Theodore, it was the Shiprider Agreement. It was signed by the Prime Minister, Panday. How do you pronounce Madeline? Madeline Albright, the Secretary of State of the United States came to Trinidad to congratulate the Government of Trinidad and Tobago and indicated their assistance to us, in terms of works. One would remember that the oil price was US \$9 per barrel. We got a number of patrol boats and co-operation. [*Interruption*]

Member for Chaguanas East, I want to give you a brotherly advice, you are becoming an irritant in this Parliament. You have nothing of value to say. If you think you can earn your keep by making foolish statements, it does not help anybody. You need to improve. At the end of the day, you would leave the Parliament with a track record of having achieved nothing. It is a brotherly advice.

The plan of action, we spoke about it. For example, co-operation with the United States is how we were able to get people to leave this country for due process in the United States and vice versa.

Technical and other forms of assistance such as training. The DEA of the United States sent people to train our local people. That was part of the agreement. Overall, Trinidad and Tobago's ongoing plan of action brings together all the military and law enforcement agencies in the strategic approach making a significant impact on reducing drug-related crime and proceeds of crime. Here is your UNC government at work.

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It is clear that the PNM is only interested in holding office to benefit from the perks of office, to give their friends and family contracts. When you look at the expenditure of this country and the millions of dollars that are spent, we are getting no value for money. It really begs the question: Is the Government really interested in good governance? The answer is no.

In presenting the Bill, the Government seems to have suggested that proceeds of crime assets such as cash, cars and houses gained illegal activity. You want to tell us, to date not a single illegal activity, in terms of cash, car, or houses have been identified by this PNM administration? The answer is no. It begs the question: Why? Because you are benefitting from it, you are protecting yourselves and persons who are engaging in it. How is it that you have not been able to identify one single illegal activity? You are sleeping on the job we are paying you to perform and you are not performing at all.

Under the UNC, we worked to ensure that crime did not pay. You would remember, it was under the UNC we identified persons who were involved. They were brought to justice. More than that, persons were hanged during that period, because of their involvement, through due process of law.

One of the critical areas of treating with proceeds of crime is to remove the financial incentive. How do you do that? I went through, at pains, four pages of the law that obtains in the country. The Government has done none of it. They are encouraging the process. The laws of the country allow you to see the transactions as they obtain in the transfer of properties, houses for instance; and the purchase and transfer of motor cars. The international practice says that these are two of the easiest areas from which to identify. Through the PNM, they have not been able to identify a single one. I just presented, based on the laws that were passed in this House in 2000, under the UNC administration, the proceeds of crime. There are ways to recover the proceeds of crime. Once we start to recover it, we would be able to reduce it in the first instance and we would also be able to attend to it. Under the PNM we have done no such thing.

One is through criminal confiscation after a person is convicted of a crime or offence. If you have not convicted anyone, then you cannot take action. You purposely have not charged anyone. You purposely have not investigated anyone. Further, you have not taken anyone to the court.

Some of it, you can deal with because from the time you start to go to the bank and get the declaration of deposits beyond \$60,000, which is suspicious and start an investigation you are treating with it already. You have done no such

thing. It is very, very clear, from what we have witnessed so far from the contributions of the Members opposite, that they have absolutely no interest and they are only satisfying international requirements and conventions bringing it to the House.

They have brought it to the House in this manner, hoping, they will succeed on this occasion, the Opposition will not support it, because they do not want it. They do not want it because it is not in their interest. They are not about governance. If they wanted the Opposition's interest, they would have said to us today what they have done in the last six or seven years. They would have said, under Chap. 11:27 suspicious activity, information, et cetera, what they have done under the proceeds of crime—not a single piece.

Proceeds of crime recovery separated from law enforcement investigation function. This was done because in many countries they found that sometimes police officers were involved because they were bought over. That is allowed in this country as well. A number of organization were set up so to do. There are allegations of trades off between criminal charges and as such forfeiture does not arise. You could have gone straight into the illegal activities of persons and examine them. The records are there. In fact, it did not require too much, because you could have seen, if I can use a name, John Public had 10 cars registered in his possession or 17 properties registered. How did he arrive at them? He had \$3 million or \$4 million in bank "A" and \$3 million or \$4 million in bank "B". How did he arrive at that?

The PNM benefits from it. The costs are met by such persons. Over the years, if you look at the PNM at work, there are certain things which seem almost like PNM bedfellows: crime, criminal activities, it goes on and on and murders.

There was a lady who was involved in a gas station racket. What was her name? She was murdered at some point. Gene something—Gene Miles. Do you see the history? O'Halloran, do you see the history? Francis Prevatt; do you see the history?

A number of Ministers, past and present, have faced the court and others were able to negotiate their way out of it. You see a pattern of behaviour. This is what the citizens are seeing and they are very, very concerned.

The DPP has powers to cause investigations to take place as well. The Integrity Commission has also. When you look at the work of the Integrity Commission, it seem as if the Integrity Commission, under the PNM rule, is there only to treat with Opposition Members; nobody else. In fact, in the other place I read in the newspaper and saw on the television where a Senator said that the Integrity Commission has recommendations to look at two senior Government Ministers and they have ignored them to date. When it comes to Opposition Members, they

go after them lock, stock and barrel. When will we get some fairness in this country? Would your children get it? Would my children get it? Would our grandchildren get it? What would be our role in this Parliament? When they read the *Hansard* 20 years later, what would they see; that they have spent \$133 million to rent two ships and when the Opposition Member travelled to make sure some income was earned, they quarrelled with him. They gave all their friends and family free rides. Would they read that \$19 million of our taxpayers' money was spent on a 45-minute culture presentation that discriminated? This is the month of Indian Arrival, 164 years and there was a 1.6 second of Indian art form at that culture activity. What a shame! Is this the Government of Trinidad and Tobago? The foolish Member for Chaguanas East is proud of that. What a shame. This is what they have brought the country to.

Various levels of accountability are available to us. How it is that none is applied? We are seeing millions of dollars from ministry after ministry going after bits of goods and services. Today, many schools are without chalk. They are raising funds to buy chalk. Many schools are without water.

**6.00 p.m.**

Madam Deputy Speaker, I gave a contribution to a school in your constituency that had to raise money to pay the electricity bill. What a shame! God, look what this PNM has brought this country to! When they are responding in this Parliament, they make snide remarks, out of shame, to cover up. They laugh very nervously among themselves for it to appear as if support is being obtained. This is Trinidad and Tobago, and we took an oath of office to treat without fear or favour. Look what you are doing to this country! Can you say that Trinidad and Tobago is a better place under the PNM?

**Hon. Members:** Yes.

**Mr. C. Sharma:** The answer is no. Can you say that there are better health care facilities in Trinidad and Tobago?

**Mrs. Nunez-Tesheira:** Yes.

**Mr. C. Sharma:** The answer is no. You should not say that. You had a close relative that you could not take to the public institution, and you had to take him to a private institution. You should be ashamed to say that.

**Mrs. Nunez-Tesheira:** On a point of order. If the close relative is either of my parents who are both deceased, both of them went to the Mount Hope Hospital.

**Madam Deputy Speaker:** Which Standing Order is it?

**Mrs. Nunez-Tesheira:** Standing Order 36(5). Both of my parents who are both deceased went to—*[Interruption]* No, you said a public institution—

**Madam Deputy Speaker:** Hon. Members—

**Mr. C. Sharma:** I withdraw because I made a mistake. I thought Russell Tesheira was a relative of the Member, who obtained medical attention at a private institution in South. Forgive, me, but was Russell Tesheira related to you? *[Interruption]* Let us continue. Madam Deputy Speaker, you see, they would get up to defend foolishness. I made the point that when Government Ministers' close relatives have to seek medical attention, they go to private institutions, and the Member jumped up and talked about her deceased parents, and refuses to recognize a close relative by the name of Russell Tesheira, who was a friend of mine. *[Interruption]*

How to recover proceeds of crime? Under the UNC administration, laws were brought to this Parliament and they were passed to treat with the proceeds of crime. *[Interruption]* You can talk about anything you want. You have 75 minutes. We are both going to talk. Proceeds of crime mean, removing \$19 million and taking a picture worth \$1 million. *[Interruption]* We will also talk about that, but we will talk about that on another day.

Madam Deputy Speaker, we are here as legislators and we make the laws; both the Opposition and the Government. The Government alone does not make laws. The laws of the country provide for us to treat with the proceeds of crime. *[Laughter]* Madam Deputy Speaker, this might apply to the Member for D'Abadie/O'Meara—a person with apparent wealth beyond their means and who has shown on the balance of probabilities to have been engaged in criminal activities—

**Mrs. Nunez-Tesheira:** Madam Deputy Speaker, Standing Order 36(5). The Member is imputing improper motives.

**Madam Deputy Speaker:** Hon. Member, in this case, you said specifically the Member for D'Abadie/O'Meara.

**Hon. Members:** Apologize!

**Madam Deputy Speaker:** Hon. Member, you know what you said and you should withdraw that statement.

**Mr. C. Sharma:** Madam Deputy Speaker, I am saying what the law says. I said the Member for D'Abadie/O'Meara “may”. Do I have to withdraw “may”? *[Interruption]*

**Madam Deputy Speaker:** Hon. Member, you are referring to a specific clause and you are imputing improper motives.

**Mr. C. Sharma:** I withdraw. The law provides—you see, they can hide behind anything and they can object many times. They have the right to object, and I also have a right to talk about the laws of the country and to identify where Members of the Government are involved in a number of activities that are suspicious. That is no secret. I am saying what the laws provide. It could apply to any Member opposite, including the Member for D'Abadie/O'Meara. I am not saying that you cannot protest that Standing Order all the time. I am saying what obtains in the country. Later down the road I am going to have another opportunity to come here, and I am going to demonstrate that a person with apparent wealth beyond his or her means and who has shown on the balance of probabilities to have been engaged in criminal activities can be called upon to explain his or her wealth. Do you want to say that under the PNM they have found no such persons? Madam Deputy Speaker, are you shocked? Are you surprised? The whole country is. So, all this protest can fool no one. They would see it on TV and they will come to their own conclusion. Do you know what their conclusion will be? This Government is a total waste and it is unsuitable to govern Trinidad and Tobago. [*Desk thumping*] Are you saying that under your watch you have found no such persons?

The Member for Barataria/San Juan said that there will be billions of dollars under the proceeds of crime and we could hold six more Summit of the Americas. If a person cannot show that his or her assets are from a lawful source, then those assets are liable to be treated with. Madam Deputy Speaker, they have found no such person. Is this Government for real? Is there not one such person?

The Member for Barataria/San Juan said that this is a global development, and he might be correct. If this is a global development, what makes it global? Over a number of years, we have been able to accumulate knowledge and intelligence and to bring experiences together. The experiences have shown in a very crystal clear way that one very easy way to look at the proceeds of crime—persons who have benefited and who have been involved—is to look at their lifestyles. This is a small country. If it is a Member of the Opposition, they will send 15 or 20 police officers.

So, the first thing you have to look at is the person's assets. Does the person own many expensive cars? This is international practice, and the PNM has found no such person in Trinidad and Tobago. They said if the person accumulates many homes, but they have found no such persons. They said if the person has large deposits, even though the law provides that financial institutions make that information available. This



is based on the laws of Trinidad and Tobago, and they have found no such persons. So, it really begs the question, why is the Government involved?

Madam Deputy Speaker, I think it was in 1997, a Member of the then UNC government was addressing the United Nations on behalf of the UNC administration and he talked about crime and security. He said that our government has a duty to ensure the security of both the State and its citizens, but this Government does no such thing. This Government has no interest in treating with the proceeds of crime.

One of the serious threats and the worst crimes within the national borders in this country and elsewhere is the battle against criminal elements. When one looks at the performance of this Government, they seem not to want to treat with this matter. When one looks at the high rise in the level of violent crimes, one is convinced that it is directly related to the failure of the Government to govern Trinidad and Tobago. The link between poverty; the link between the discrimination that obtains in this country and the lack of peace and security that we have seen are failures of the Government, and for the Government to come here today with the Proceeds of Crime (Amdt.) Bill and not treat with other issues that have been brought to its attention on so many occasions continue to beg the question. The Government is not interested in good governance of Trinidad and Tobago.

Madam Deputy Speaker, with respect to drugs and guns in Trinidad and Tobago, we have seen an increase since the PNM came into Government. I want to give you some of those figures—the number of murders committed in Trinidad and Tobago using a firearm during the period 2001—2006. In 2001, there were 151 murders. This was when the Government was taken away from the UNC, and even that was a criminal offence. It was the first time a party with the most votes lost an election. There were 151 murders in 2001; 172 in 2002 and 102 by guns; in 2003, there were 229 murders, 158 by guns; in 2004, there were 259 murders, 182 by guns; and in 2005, there were 386 murders and 273 by guns. Again, it is very clear that when the PNM Government is in power, what do you associate? You associate murders with guns; proceeds of crime. It also shows the Government's involvement.

Madam Deputy Speaker, when you look at the number of persons injured using firearms in 2000, there were 383 persons and 53 were by firearms; in 2001, 470 and 43 by firearms; in 2002—the Government boasted that they are in Government—649 and 49 by guns; in 2003, 790, but the guns were not known for that year; in 2004, 615 and 40 by guns; and in 2005, 724 and 40 by guns. Again, it shows that when the PNM is in Government, guns are available to anybody who wants one.

One of the sources of guns is guns that are owned by the Government of Trinidad and Tobago, including guns owned by the police service. When a gun is left in a police station for safe keeping or when the owner of a gun dies, the police will take that gun from that person's home within minutes. There is evidence that those guns have been used again, and this shows the PNM's connection. One will be foolish not to recognize that PNM means murder. PNM governance means gunshots; PNM governance means that the drug running; PNM governance means lawlessness; PNM governance means discrimination; and PNM governance means the wastage of money, and you have seen this over and over. Madam Deputy Speaker, there are several sources of firearms. They might be diverted from legal owners in the country or they may be purchased overseas legally or illegally and smuggled into the country.

Madam Deputy Speaker, it is clear from the contributions of the legal Opposition of Trinidad and Tobago that the Government has not captured our attention. On behalf of the majority of the people in Trinidad and Tobago—one must remember that we got close to 1 million votes, 986,000, and the PNM Government is sitting here with the minority. They got the least votes. When one looks at the number of persons who voted against the PNM it was much more. Certainly, we represent those persons and we cannot support this Bill. Thank you very much. [*Desk thumping*]

**6.15 p.m.**

**The Parliamentary Secretary in the Ministry of Community Development, Culture and Gender Affairs (Mr. Junia Regrello):** Madam Deputy Speaker, I rise following the contribution by the Member for Fyzabad. Unlike his contribution, mine would be perspicuous. Debating right after tea is always challenging, but we must thank the Member for Fyzabad, in parts, for bringing some comic relief to this honourable House, as he went from the sublime to the ridiculous.

He is well known for making irresponsible and unsubstantiable statements in this House. One lesson I have learnt from his contribution is how to talk for one hour and 15 minutes and say absolutely nothing. [*Desk thumping*]

As a Parliamentary Secretary you would know your boundaries. In other words, you know what you could do and what you cannot do. I have been reliably informed that the Member for Fyzabad, at another time, when he was a parliamentary secretary, took a vehicle from the Ministry without the permission of the authority, crashed the vehicle and abandoned the vehicle.

**Hon. Member:** Is that a government vehicle?

**Mr. J. Regrello:** A government vehicle. He went on to abandon the vehicle and coming in this House this evening and talking about—

**Mr. Sharma:** Madam Deputy Speaker, Standing Order 36(5).

**Madam Deputy Speaker:** Hon. Member for Fyzabad, are you saying that that did not happen?

**Mr. Sharma:** Exactly, Madam Deputy Speaker. The whole country knows that.

**Madam Deputy Speaker:** Hon. Member, if it is that the Member for Fyzabad is denying—notice he is denying that what you said is not true. So, that means that he never crashed any vehicle and that is not so. In that case you would have to withdraw that statement

**Mr. J. Regrello:** Madam Deputy Speaker, I said I was reliably informed.

**Madam Deputy Speaker:** He has then said as a statement of fact, that your information is incorrect. In other words, he is saying to you it never happened. [*Crosstalk*]

**Mr. J. Regrello:** Madam Deputy Speaker, I would source the evidence.

**Madam Deputy Speaker:** If he said it never happened, it never happened, and you need to withdraw it.

**Mr. J. Regrello:** I am guided.

**Hon. Members:** You are supposed to withdraw it.

**Mr. J. Regrello:** I withdraw. The Bill that is being debated here today seeks to address an issue, which is of concern, not only to the citizens of Trinidad and Tobago, but also people throughout the world.

The world as a whole has become increasingly complex and new and sophisticated crimes are emerging to counter existing methods of control and to exploit loopholes in the law. We therefore have to avoid the mistakes of others who are slow to respond to the changing environment and put our house in order.

The amendment to the legislation by itself cannot improve the existing situation with respect to the use of proceeds of crime. There must be equally strong support and action by the various regulatory organizations, the business sector and the community, all of which perform critical functions for the security and development of our nation. On that note, I want to congratulate the Minister of National Security for his recent initiatives and particularly, for piloting this Bill. [*Desk thumping*]

I have seen the Opposition wade into the Minister of National Security, week after week from all angles, left side, right side, centre, front side and back side, relentlessly in an attempt to malign him, accusing him of maladministration, and malfeasance.

[MR. SPEAKER *in the Chair*]

Mr. Speaker, the Minister of National Security is a man of impeccable character—[*Desk thumping*—]conscientious in his line of duty. As a matter of fact, he is not responsible for the state of crime in the country today, and I would get to that a little later on. Currently, there are individuals resisting being sent to the United States for trial for wrongdoing during the UNC's administration. The irony of that is that they could settle for plea bargaining and if that is so then heads will roll, birds will fly.

The 1997 UNC Cabinet created a Counter Drug Crime Task Force to deal with the monitoring of financial institutions for business in Trinidad and Tobago. To date, it has not worked. It did not work because there was no legal framework to allow it to happen. What we are doing today is amending the laws to give the law enforcement officer the capacity to deal with the analysis and dissemination of suspicious transactions and other information regarding potential money laundering and other related crime.

Our country is situated along the transshipment route for the drug trade between South America, North America and beyond. The Member for Caroni East spoke about the small man. There are people who are well grounded in the community who can tell you about the shops that do no kind of business but continue to operate year in, year out with hefty daily deposits, the purchase of prime properties, real estate investments, regular foreign trips, high priced vehicles, own more than one home, one, two or three Woodbrook Place.

All of the above are orchestrated by unscrupulous characters who have been allowed to get away due to a lack of strong legislation. We are not protecting anyone, we are recommending strong legislation. The amendment to this Bill will not only give the law enforcement officers the necessary tools to do their duty, but more importantly, in a timely and efficient manner.

Mr. Speaker, the amendment to this Bill empowers the Central Bank to vigorously pursue its statutory requirements with respect to the flow and distribution of money and the requisite systems of controls. The full cooperation of commercial banks and other financial institutions will also be critical. They must also be vigilant and fearless about reporting suspicious evidential information of breaches of the Act.

The cooperation and support of business establishments could enhance the intent of the legislation. These establishments are popular conduits for the passage of proceeds of crime. It may be a fact that some businessmen are innocent or unsuspecting contributors to the crime, but this situation could be prevented with awareness of the legislation and its consequences.

Mr. Speaker, the role of the community and, by extension, the society, is paramount in improving the effectiveness of the legislation. With proper socialization and social support in the community there will be a decline in the use of the proceeds of crime. In support of the legislation, a major tool has to be community sensitization and awareness. Our citizens must be made aware that money laundering and similar offences are not part of our culture and should not be encouraged.

One must bear in mind some of the systems of money laundering, particularly as it relates to the communities. What is very common in the Caribbean is that people are allowed to go into the communities and sponsor community concerts, and the benefits are that they get community support and community sympathy. We are saying that the awareness of this legislation should be used as a deterrent.

If the proceeds of crime are used in community development, this will result in community pride and the increased spirit of community. The members of the community will be willing to be part of the development projects and will become more involved in awareness and educational programming, some of which will change the mindset of potential lawbreakers.

Speaking about communities, Mr. Speaker, I want to reflect a bit on a community I am very fond of and that is Laventille. During the early 1980s, I frequented Laventille because of my involvement in the pan industry. In those days I would take my young children to Laventille, where we would enter Laventille through Pashley Street on the Eastern Main Road and go all the way up, go up the hill and come out on the other side. I would sit there under the mango tree, while the pan tuners were making the pans, and my young kids would go to the parlour and purchase snacks. That was what Laventille was in the 1980s. I recall around 1988, having to take some Timpani drums from Petrotrin to loan to Desperados Steel Band. I would go up there in the evening and travel back to San Fernando, when Laventille was Laventille.

I have been informed that in the 1990s with the changing of the government, a particular politician from the other side, who is not with us, went into Laventille to divide and rule, and Laventille is not the same. As a matter of fact, "all hell turn loose" in Laventille after. Laventille has a population of 140,000 people.

*Proceeds of Crime (Amdt.) Bill*  
[MR. REGRELLO]

*Friday, May 22, 2009*

Laventille produced icons like Russel Latapy, Bertie Marshall, Roland Haragin, Herman Guppy, Dr. Hollis Liverpool, hon. Marlene Mc Donald, hon. Donna Cox, my colleague from Laventille West, hon. Nileung Hypolite. [*Desk thumping*]

Laventille has produced good citizens and good people. [*Desk thumping*] I am proud of Laventille. I am speaking here today in defence of Laventille; 2,000 people cannot damage 140,000 people; they are in the minority. Some young men who were encouraged to go astray by politicians, not from this side, from the other side, we are here to rectify that. We can change those things; we can change the mindset. They are young men who have been misguided, misdirected and we on side, through this policy and this Bill, will ensure that this does not happen, and we will bring Laventille back to what it is supposed to be and what it used to be. [*Desk thumping*]

Since no country is immune to the transnational problem which is being addressed, as a nation, which prides itself to be very progressive, we must signal to the rest of the world that we are continuously demonstrating our commitment to maintain strong legislation to combat the problem, in keeping with the United Nations Convention, September 26, 2001, to which we are a signatory. The Convention calls upon states to institute a regulatory and supervisory regime for banks, non-banking financial institutions and other bodies susceptible to money laundering to deter and detect the problem.

The use of the proceeds of crime to perpetuate a cycle of unlawful activities has been with us for a very long time and if it remains unchecked the results will be catastrophic. As a Government, we are therefore obliged to protect our citizens and indeed our economy by bringing to Parliament this Bill entitled amendment to the Proceeds of Crime Act.

Thank you.

**The Minister of Works and Transport (Hon. Colm Imbert):** In the absence of the Minister of National Security, I am the Minister in charge of the Bill. We will not complete the winding up tonight. I would simply say that we do hope that the Opposition would find it appropriate to support this Bill in due course when we take the vote.

**Mr. B. Panday:** We have stated on our side how we feel about certain parts of the Act. You are the one with all the resources of drafting, why do you not draft amendments and we could talk about them.

**Hon. C. Imbert:** I will be happy to do that and I would see if we could accommodate you. I was given the impression by the Opposition Chief Whip that the Opposition was in the process of drafting amendments, but since I clearly

misunderstood what he told me, we will consult with the Opposition and see whether we can have a meeting of the minds. We do hope that when we return that we will be able to have a meeting of the minds, otherwise we would just use our 26 votes and pass the Bill. We prefer not to do that.

**6.30 p.m.**

We would prefer to have some collaboration with the Opposition because this is very important legislation. I am very serious. We would prefer not to utilize our three-fifths majority and we would rather that there is unanimous support for this legislation, because as the Members have said on our side, this legislation is very important. Trinidad and Tobago does run the risk of being black-listed if we do not pass this legislation and I do not think any Member of Parliament would want to be responsible for that. Of course I could be wrong.

**Hon. Member:** It would not be the first time.

**Hon. C. Imbert:** The Members opposite could want that. Who knows what you want? But we will try to have a meeting of the minds with the Opposition when next we deal with this matter. I would also say that in hindsight, what we should have done was to take both the Proceeds of Crime (Amdt.) Bill and the Financial Intelligence Unit Bill together. We should have taken them together. *[Interruption]*

That was an oversight, but the Minister of Finance will introduce the Financial Intelligence Unit Bill in a short while, we would not be debating it and we hope that the next time we come back to this Parliament we will have the support of the Opposition because we intend to complete that Bill as well and take the vote on both of them and pass both of them on the next occasion that we come to this House to deal with Government Business.

I therefore move that we suspend debate on the Proceeds of Crime (Amdt.) Bill and we shall resume when next the House meets to discuss Government Business.

*Question put and agreed to.*

**FINANCIAL INTELLIGENCE UNIT  
OF TRINIDAD AND TOBAGO BILL**

*Order for second reading read.*

**The Minister of Finance (Hon. Karen Nunez-Tesheira):** Mr. Speaker, I rise to present the Financial Intelligence Unit Bill, 2009 to this honourable House for its second reading. The Bill will establish a department of government designed to play a pivotal role within a regulatory system which will ultimately be governed by three principal items of legislation.

*Financial Intelligence Unit Bill*  
[HON. K. NUNEZ-TESSHEIRA]

*Friday, May 22, 2009*

The first item of legislation: the Proceeds of Crime (Amdt.) Bill, 2009, is currently being debated before this honourable House. The salient features of this Bill would be to establish a procedure for the confiscation of proceeds of certain offences and for the criminalization of money laundering.

The second item of legislation would be the draft Financial Obligation Regulation 2009 which would effectively put into place a compliance regime to be adhered to by institutions, businesses and persons to which Government Anti-money Laundering Combating the Financing of Terrorism, otherwise known as AMLCFT, would be applicable.

The third item of legislation: the Financial Intelligence Unit Bill, 2009 which is now being presented before this honourable House is designed to ensure the enforceability of provisions of the relevant clauses of the Proceeds of Crime (Amdt.) Bill, 2009 and related financial obligation regulations.

The Financial Intelligence Unit which this Bill proposes to set up is a critical component of Government's strategy to combat the laundering of money and financing of terrorism. Additionally, the Bill is intended to establish a Financial Intelligence Unit on a statutory basis and in so doing comply with Trinidad and Tobago's obligations as required by the Financial Action Task Force otherwise known as FATF.

A Financial Intelligence Unit (FIU) is a central national agency responsible for receiving and, as permitted, requesting, analyzing and disseminating to the competent authorities disclosure of financial information:

- (a) concerning suspected proceeds of crime and potential financing of terrorism; or
- (b) required by national legislation or regulation in order to combat money laundering and terrorism financing.

An FIU was created administratively in 1997 on the basis of Cabinet authority. Currently, this unit which falls under the umbrella of the Counter-Drug Crime Task Force of the Ministry of National Security undertakes the receipt, analysis and sharing of information in relation to suspicious transaction reports. The task force also undertakes the monitoring of financial institutions as defined under the current Proceeds of Crime Act, 2000. The task force lacks legal authority in the following respects:

1. There is no legal framework within which the task force serves as a national centre for the receiving and, as permitted, requesting, analysis



and dissemination of suspicious transaction reports and other information regarding potential money laundering or terrorist financing activity;

2. There is no legal framework within which the task force can assess directly or indirectly on a timely basis financial and law enforcement information that it requires to properly undertake its functions; and
3. There is no legal framework within which the task force can serve as Trinidad and Tobago's supervisory authority for monitoring and enforcing the anti-money laundering and counter terrorist financing regime provided for under the Proceeds of Crime Act, 2000 and its contemplated amendments which are before this honourable House, as well as the proposed draft Financial Obligation Regulations, 2000.

In considering the establishment of a Financial Intelligence Unit with statutory authority, Government took into account internationally recognized models of Financial Intelligence Units defined by the Egmont group. The Egmont group comprises a network of globally recognized intelligence units that are guided by common protocols and principles in relation to intelligence and information sharing to:

- (a) combat money laundering and the financing of terrorism—Government examined the administrative model in which the institution focuses on the compliance with the country's anti-money laundering legislative regime.
- (b) the investigative model which vests powers of investigation in the FIU.
- (c) The judicial model which clothes the FIU with judicial powers; and
- (d) the hybrid model that combines features of two or more models currently practised by the investigative arm of the task force.

The advantages and disadvantages of implementing each of these models in this jurisdiction were considered. Government has decided to establish a FIU following the principles of an administrative unit. The rationale for this selection is needed to establish a buffer between the financial sector and, more generally, entities and professions and the law enforcement authorities responsible for finance, crime and investigation.

Often, financial institutions facing a problematic transaction or relationship do not have the hard evidence of the fact that such a transaction involves criminal activity or that the customer is a member of a criminal organization. Such institutions would therefore be reluctant to disclose their suspicions to a law enforcement agency out of concern that their suspicion could be based on a wrong

interpretation of the facts. The role of the FIU then is to substantiate the suspicion and refer the case to the authorities in charge of criminal investigations and prosecutions only if the suspicion is substantiated.

The Government also considered the current FIU which has been in operation in Trinidad and Tobago for 12 years and which, despite its assiduous efforts, continues to be constrained by severe limitation primary among which is the absence of empowering legislation. Having regard to all relevant factors, therefore, which include integrity, transparency, public confidence and accountability, government has decided to separate the administrative functions from the investigative and judicial functions thereby leaving the investigations to the law enforcement authorities and judicial decision-making to the courts of law. This approach is consistent with Trinidad and Tobago's Constitution and legal tradition.

The proposed Financial Intelligence Unit will be empowered to instruct a financial institution or listed business in writing to:

1. Suspend the processing of a transaction for a period not exceeding three working days.
2. Provide feedback to financial institutions and listed businesses pursuant to the filing of a suspicious transaction report.
3. Request further information upon the filing of a suspicious transaction report if such information may disclose that a specified offence has been committed.
4. Grant approval to financial institutions and listed businesses to complete a transaction.
5. Approve compliance programmes developed by financial institutions and listed businesses.
6. Facilitate the sharing of information among local financial institutions and listed businesses.
7. Submit reports to the relevant law enforcement authority to determine whether a money laundering offence was committed or whether the proceeds of crime are located in Trinidad and Tobago or elsewhere.
8. Co-operate and liaise with the Central Bank or any other agency of government, relevant authorities pursuant to any treaty agreement or any person who is able to assist in the provision of information relative to the analysis of intelligence or any other information.

9. Approve the appointment of compliance officers pursuant to the Act.
10. Implement systems to monitor the effectiveness of money laundering policies.
11. Publish a list of jurisdictions deemed non-complaint by the Financial Action Task Force or any of its regional style bodies.
12. Publish information on trends and money laundering typologies statistics and other information to enhance public awareness and understanding of money laundering.

Mr. Speaker, we must view the functions of the Financial Intelligence Unit as it relates to the compliance imperatives that are now required of financial institutions in the banking and non-banking sectors and all listed businesses as defined in the Proceeds of Crime (Amdt.) Bill 2009, which we are currently debating.

The concept of listed business originated from as far back as the year 1999 on the occasion of the ministerial conference or the Group Eight or what we call the G8 countries when the Ministers in attendance agreed to consider putting certain responsibilities as appropriate on those professionals such as lawyers, accountants, company formation agents, auditors and other financial intermediaries who can either block or facilitate the entry of organized crime money into the financial system. This decision led to appropriate inclusions in the assessment criteria of AMLCFT frameworks and the notion of gateway entities was thereby introduced.

In having regard to this global policy decision the Financial Intelligence Unit would therefore be empowered to monitor and regulate a considerably expanded cohort of entities within Trinidad and Tobago's financial sector.

Under section 55(7) of the Proceeds of Crime Act, the designated authority now being referred to as the FIU is empowered to enter the premises of a financial institution or listed business with the authority of a court order and make any notes and take any copies of documents. The confidentiality of these documents is protected by section 55(9) which creates an offence for breach of confidentiality by the designated authority.

**6.45 p.m.**

This breach attracts a fine of \$50,000 and imprisonment for three years. Other functions in relation to compliance would be contained in Regulations that are yet to be introduced in this House under the amended Section 56 of the Proceeds of Crime Act.

*Financial Intelligence Unit Bill*  
[HON. K. NUNEZ-TESEIRA]

*Friday, May 22, 2009*

Mr. Speaker, the framework for the Financial Intelligence Unit Bill, 2009 originates from the Financial Action Task Force Recommendation 26 which read as follows in part:

"Countries should establish an FIU that would serve as a national focal centre for receiving, and if permitted, requesting, analyzing and dissemination of Suspicious Transaction Reports and other information regarding potential money laundering and terrorist financing.

The FIU should have access, directly or indirectly, on a timely basis to the financial, administrative, and law enforcement information that it requires to properly undertake its functions, including the analysis of the Suspicious Transaction Reports."

Mr. Speaker, it is in the context of this Recommendation, that the functions, powers and relationships between the Financial Intelligence Unit and other institutions have been derived. Moreover, because money laundering invariably involves cross-border types of activity, the Financial Intelligence Unit must be given the authority to undertake certain international functions on behalf of Trinidad and Tobago. What we have done, is to create a structure and empower its functionaries to implement the requirements of the Recommendation.

Mr. Speaker, clause 3 of the Bill before this honourable House seeks to establish a department of the Ministry of Finance, clothed with legal authority to function as a Financial Intelligence Unit. The reason for the approach to Parliament in this instance rests with the gravity of powers to be entrusted to the FIU, if it is to function effectively. Government recognizes the potentially corrosive effect of money laundering on an economy and on society at large, in terms of the wide ranging social effects of serious criminal activity in its many manifestations. Government is therefore taking decisive steps to protect Trinidad and Tobago's financial framework from its vagaries. Serious situations demand serious measures.

Mr. Speaker, we must underscore the fact that Trinidad and Tobago is accountable to the Caribbean Financial Action Task Force, the regional-style affiliate of the Financial Action Task Force. Enactment of the legislation is therefore imperative. So too are the establishment of institutions and processes that are already being put in place to ensure timely enforcement of the proposed legislative provision.

One of the essential criteria under CFATF country assessment is the ability of assessed countries to demonstrate their anti-money laundering performance on the basis of empirical evidence such as statistical reports. An effective legislative and

institutional framework would guarantee Trinidad and Tobago's capacity to satisfy this global demand.

Mr. Speaker, it is incumbent that the Financial Intelligence Unit be furnished with the highest quality leadership and staff. We would need to ensure that the leadership and staff satisfy the highest levels of integrity, competence, qualifications, skills and experience. Furthermore, steps should be taken to ensure that the department's human resource components could be drawn from the widest pool of eligible personnel, from both within and outside of the public service.

Mr. Speaker, it is on this premise that clause 3(1) has been introduced. This provision attempts to secure the right fit and the right mix among the members of staff, which will consist of public officers where the requirements are available, and officers who may be employed on a contractual basis, where such skills can be sourced from outside of the public service.

Mr. Speaker, a critical factor in securing the right mix and right fit for the staff of the FIU is the terms and conditions to be attached to certain positions, in particular, the Director and Deputy Director. It is critical that Government be given a degree of flexibility, not only in the choice of personnel, but in the package of terms and conditions to be offered in order to secure the best.

Clause 3(2) as proposed would provide the employer with a level of flexibility to perform at the standard expected of the department.

The Director is identified as the head of the FIU in accordance with clause 4, and has been given overall responsibility for the administration of the department.

Clause 5 would provide for the identification of the staff of the FIU and clause 6 would provide for the oath of office.

Clause 7 provides a comprehensive articulation of the functions of the FIU taking heed of an essential criterion imposed by the CFATF.

Mr. Speaker, earlier in this presentation, I quoted Recommendation 26 of the FATF Recommendations, and clauses 8, 9, 10, 11 and 12 are specifically tailored to give effect to the substance of the recommendation.

Clause 8(1) would establish the FIU as a primary institution with responsibility for collection, analysis, dissemination and exchange of financial intelligence and information in Trinidad and Tobago, among law enforcement authorities, financial institutions and listed businesses, both locally and internationally.

Clause 8(2) would authorize the FIU to receive suspicious transactions and suspicious activity reports in accordance with the Act. This obligation to send

these reports to the FIU has already been imposed by section 55(3) of Proceeds of Crime Act, but, Mr. Speaker, in order to avoid any doubt the FIU is being authorized to receive them.

The success of the Financial Intelligence Unit depends largely on its ability to collect financial intelligence or information, and the sharing of information with other Financial Intelligence Units, internationally, and with the local law enforcement authorities. The functions recorded at paragraphs (a) to (i) of subclause (3) must be viewed in this light. Paragraphs (a) to (c) relate to the collection of intelligence and information from our local institutions, as well as the analysis and evaluation of the intelligence and information for purposes which would facilitate investigations, developing investigative leads and the compilation of reports. Paragraphs (e) to (h) would focus primarily on the sharing of this intelligence and information among those who need the information to advance the goals of this legislation.

Clause 8 is a direct reflection of Recommendation 32 which requires countries to ensure that their competent authorities can review the effectiveness of their system, by maintaining comprehensive statistics on the matters which we have listed at paragraphs (a) to (d) of this clause. The Financial Intelligence Unit is therefore being vested with responsibilities for assessing the results of the anti-money laundering efforts of Trinidad and Tobago, by maintaining and evaluating these statistics. This information will be made available in a report to the Minister under clause 17 and to the public under clause 16(b).

Clause 9 also speaks to one of the recommendations requiring the Financial Intelligence Unit to provide a response to the financial institutions or listed businesses, which could serve different purposes. These may include a request for additional information, or guidance in treating with certain transactions or circumstances.

There may be occasions when the Director, Deputy Director or an analyst having analyzed a suspicious activity report, believes that the whole picture has not been painted by the information provided in the suspicious transaction or activity report, and that additional information would reveal the need for investigation by law enforcement authorities.

In accordance with clause 10 therefore, the FIU is empowered in these circumstances to request further information. In order to demonstrate the seriousness of a refusal to respond to the request for this information within the time specified by the Financial Intelligence Unit, an offence is created for a breach of this clause and a corresponding penalty is imposed.

Clause 11 creates an offence for the withholding of information within the time specified in the legislation.

Mr. Speaker, I would now explain the rationale for clauses 12 and 13. Members of this honourable House will note that the powers vested under these two clauses, are unlike those vested in any other institution in this country. What we may ask is the rationale behind these clauses. These are preventive measures or measures to be taken by a financial institution or listed business, mainly to prevent money from leaving the country where there are grounds for believing that the transaction is suspicious.

Clause 12(a) seeks to alert the FIU to a possible money laundering offence, and would provide the FIU with the power to set conditions for the completion of a transaction which appears at the outset to be suspicious.

In the case of a situation under clause 12(b), there is double suspicion. A suspicious transaction has been reported and the customer returns to undertake a second suspicious transaction. If the financial institution or listed business is of the view that a pattern of suspicious activity may be emerging, the financial institution or listed business may seek the approval of the FIU to complete the transaction, which may then exercise the option to instruct the institution or business to reject the transaction.

The other important power vested in the FIU at clause 13 is the power to instruct the financial institution or listed business to suspend the processing of a transaction for a maximum period of three days, while it completes its analysis or evaluation. Further regulations are required to be made by the Minister for the guidance of the FIU, in giving their instructions. The provision, however, does not leave an aggrieved person without a remedy. An application may be made to a judge in Chambers, to discharge the instructions of the FIU.

Clauses 14 and 15 would establish the institutional linkages or relationships between the FIU and other law enforcement authorities and Government agencies. Clause 14 would provide for the continuation of the process which began with investigation and analysis of information and intelligence. In as much as the FIU is not vested with powers of investigation, all reports resulting from its analysis must be submitted to the relevant arm of the investigation authorities.

Clause 15 provides for more open communications between the FIU and relevant agencies of Government. It is expected that by including these provisions in legislation, more efficient detection of criminal activity would be promoted. Eradication or suppression of the crime of money laundering requires the combined effort and cooperation of social, economic and political institutions. This problem is not the responsibility of the FIU only or of the Government.

Hence, the FIU must liaise with a wide range of persons who in the opinion of the Director can give assistance with the provision of information.

Clauses 16 and 17 impose an additional responsibility on the FIU, for different types of reporting.

Mr. Speaker, globalization as reflected in the increase in the growth of world trade, trade liberalization and, in particular, the creation of a Caricom Single Market and Economy has resulted in an exponential increase in the number of financial transactions being conducted, including those that constitute money laundering. Additionally, travel within the region and worldwide, especially air travel, continues to increase dramatically, and this factor along with the increased freedom of Caricom nationals to work, live and establish businesses in other member States, has placed an added onus on the Government of Trinidad and Tobago to monitor cross-border activity, in general.

It is against this backdrop that Trinidad and Tobago is moving towards developed nation status by 2020. Government's 2020 vision anticipates that Trinidad and Tobago will assume the status of the region's leading economic power, the preferred locus for foreign investment and an International Financial Centre to serve as a capital market for regional governments and corporate firms.

**7.00 p.m.**

Protection of our country's financial market from abuse through laundered funds is of paramount importance to Government and, to a similar extent, the detection, investigation and prosecution of individuals and groups who perpetrate this type of activity.

In Trinidad and Tobago, the trafficking of drugs, firearms and persons, and trade in counterfeit and contraband goods are perpetrated by profit making and harmful criminal enterprises controlled by crime groups. These activities invariably contribute to illicitly derived gains in the form of money and assets that find their way into legitimate activities.

Organized crime groups, commonly referred to as criminal gangs, operate in much the same way as legitimate businesses, in order to maintain an effective market presence, protect their interest and generate revenue. These groups are prepared to resort to extreme measures such as violence, intimidation and corruption, through bribery and extortion, in furtherance of their enterprise. Furthermore, rivalry abounds between groups, resulting in escalated violence as a means of retaliation or reprisals. This tends to occur among rival groups which are involved in a lower end criminal activity such as retailing drugs and firearms.



High level individuals in criminal groups, on the other hand, would invariably distance themselves from middle and lower tiers of illicit activities, through complex arrangements and communication designed to elude law enforcement.

Top level tier individuals direct revenue generating activities, but tend to have less influence over criminality borne out of gang rivalry. The raft of measures to be tabled in Parliament in 2009 involve a shift in emphasis, by making the pursuit of criminal property a principle imperative of Government's crime reduction policies.

These measures, when implemented, would place an emphasis on restorative justice, recovering the proceeds of crime and underpin a core message from the Government that crime does not pay.

Mr. Speaker, having regard to the foregoing submission, I commend the Financial Intelligence Unit Bill, 2009, to this honourable House.

I beg to move.

#### ADJOURNMENT

**The Minister of Works and Transport (Hon. Colm Imbert):** Mr. Speaker, I beg to move that this House do now adjourn to Wednesday 27, May at 1.30 p.m., which will be Private Members' Day.

The reason we are going to Wednesday is in full recognition of the fact that Saturday, May 30, is Indian Arrival Day and, we, being a very considerate government, do not want to keep the Members here on Friday until the wee hours of the morning. Therefore, with full respect to the East Indian community, we are adjourning to Wednesday.

**Mr. Speaker:** Before I put the Motion for the adjournment, there are two matters to be raised.

#### **Estate Management And Business Development Company (Allegations of Wrongdoing)**

**Dr. Tim Gopeesingh (Caroni East):** Mr. Speaker and Members of this House, the Motion on the adjournment is the need for the Government to take action to have investigated allegations of wrongdoing made by an engineering company against an official of the Estate Management and Business Development Company Limited.

*EMBD (Allegations of Wrongdoing)*  
[DR. GOPEESINGH]

*Friday, May 22, 2009*

Mr. Speaker, information came to us as the alternate government—*[Interruption]*—people who feel aggrieved about certain misdemeanours and malfeasance in public office—*[Interruption]*—but, you got the gist of what I was saying. There was an engineering company from South, Sunco Engineering, which had appealed to the hon. Prime Minister, having written to the Chairman of EMBD on numerous occasions, to settle outstanding arrears to that company for work which had been done.

A letter was written on January 16, 2008, to the hon. Prime Minister by this engineering company. It was addressed to the Prime Minister at White Hall and said:

“Dear Sir

Estate Management and Business Development Company, Orange Grove, Infrastructure Works, Nonpayment by Client.

We refer to the above captioned subject and wish to advise that the above mentioned project has been suspended since May 2007, because of nonpayment by the client EMBD.

Efforts to have this matter settled have proven futile. In fact, since May 2007, no site meetings have been held in spite of the fact of numerous requests.

We further wish to advise that payments...in the circumstances, we hereby seek your assistance in this matter in order to recommence work and complete this project.

See attached all relevant correspondence pertaining to this matter.

Thank you in advance.

Sunco Engineering.”

Mr. Speaker, I have with me documentation that goes a long way back from this company to EMBD. “Engineering Services”, this is one pile; this is another pile, including letters from attorneys to EMBD. That is the depth of the frustration that this engineering company has suffered in receiving their money.

Having not had a response on January 16, 2008, they again wrote the Prime Minister on July 21, 2008, and that letter indicated:

“Sir,

Re: (1) Exchange 1B Infrastructure works, nonpayment by client; (2) Orange Grove Infrastructure Works, nonpayment by client.”

So it is two:

“Once again we hereby seek your assistance on the above for moneys due and owing to Sunco Engineering Services Company Limited for works executed on the project in accordance with the conditions of the contract in excess of \$5.0 million combined.

- (1) Exchange 1B has been suspended on many occasions because of nonpayment by the client.
- (2) Orange Grove Project was suspended in May 2007 until May 2008, which is one year, because of nonpayment by the client.

Efforts to have these outstanding payments settled, have proven futile.”

This is the second letter that the engineering company has written to the hon. Prime Minister, but what is of significance:

“We would like to report to you that a senior official from the EMBD made a financial demand in order to secure our payments.”—So, in effect, it was a bribe he asked for—“Accordingly, we have no alternative but to forward this matter to the Director of Public Prosecutions for investigation.

Sunco Engineering.”

This letter was copied to Sen. The Hon. Arnold Piggott, Minister of Agriculture, Land and Marine Resources; the Permanent Secretary, Mr. Yearwood; the Minister of Finance, Mrs. Karen Nunez-Tesheira; the Director of Public Prosecutions, Mr. Jeffrey Henderson, and the Attorney General, Sen. The Hon. Bridgid Annisette-George.

Mr. Speaker, having read these and this information sent to us, I wrote a letter to the Chairman of the Integrity Commission, fourth floor, indicating to him on April 02, 2009:

“To whom it may concern

It has come to my attention that by letter dated 31 July, 2008, the Managing Director of the engineering firm, Sunco Engineering Services Company Limited, which is based in South Trinidad, wrote to the hon. Prime Minister, Patrick Manning, complaining about a bribe that was demanded by a senior official of the EMBD in exchange for payment of moneys owed to the company.

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The letter to the Prime Minister which is attached specifically says...—This is a letter that I wrote to the Integrity Commission.—“Once again we hereby seek your assistance...”—I have already read that letter—“and efforts to have these outstanding payments settled have proven futile.”—and I quoted the part—“We would like to report to you that a senior official from the EMBD made a financial demand in order to secure our payments. Accordingly, we have no alternative, but to forward this matter to the Director of Public Prosecutions for investigation.”

I have already stated who this letter was copied to.

I continued in my letter to the Integrity Commission in the file of documentary evidence, which I have attached, and it is much more than this that I sent to the Integrity Commission. If you are arguing the point for the Integrity Commission wanting probative evidence, this is probative evidence.

*[Member lifts bundle of documents]*

None of the matters that went to the Integrity Commission, that I have written, is without probative evidence, including Trinre and the US \$6 million.

“In the file of documents which I have attached, you will note that this letter to the Prime Minister was preceded by several letters between the company, Sunco Limited, and several senior officials of the EMBD, including former Executive Chairman, Utaro Rau and current Chairman of the EMBD, Mr. Noel Garcia.”

The correspondence would show several developments, and what is most important, the contractor made a direct complaint about corrupt behaviour by a public official at the EMBD to the Prime Minister on July 31, 2008.

By March 05, 2009, the Prime Minister wrote to the contractor saying that he had referred the complaint about nonpayment to the Minister in the Ministry of Finance, Sen. Mariano Browne. At no time did the Prime Minister take it upon himself to investigate this matter about an alleged bribery by a senior official of EMBD. As a result, my letter indicated that the Prime Minister did nothing.

A complaint of bribery is sent to a Prime Minister, a Prime Minister who says that he would take up any matter that involves corruption and would deal with it. He did not deal with it whatsoever. This letter states:

“Under the law the Prime Minister is duty bound to commission an investigation into this allegation and, indeed, in the past he has referred similar matters to the Integrity Commission.”

You would remember he transferred the Dansam Dhansook corruption bribery allegation against former Minister of Works and Transport, Franklin Khan, and Energy Minister, Eric Williams, respectively.

“In these circumstances”—this is a letter that I wrote—“I wish to request formally and officially that your office launches an investigation into Prime Minister, Patrick Manning, and Minister of Finance, Karen Nunez-Tesheira, the hon. Attorney General, Bridgid Anisette-George, and Arnold Piggott, Minister of Agriculture, Land and Marine Resources, to specifically determine whether by their failure to act upon a complaint, they have breached section IV of the Integrity in Public Life Act of 2000, which outlines this duty of all public officials.

It is my respectful view that the sections that specifically apply to this case are sections IV, 23 to 34, which state under the heading ‘Code of Conduct...’—this part applies to a person in public life and to all persons exercising public functions, and that includes the Prime Minister—[*Crosstalk*]—

‘Be fair and impartial in exercising his public duty. Afford no undue preferential treatment to any group or individual...’—Did he exercise undue preferential treatment to the EMBD senior official?—“I also wish to request that you commission a similar investigation into the senior officials of the EMBD, including those employed for the period 2006 to present, to determine if by allegedly demanding a bribe from clients and by subsequently not revealing this or referring this allegation for criminal investigation, they too breached section IV of the Integrity in Public Life Act.”

Mr. Speaker, sections 24 to 27 of this Act state:

“A person to whom this part applies shall not use his office for the improper advancement of his own or his family’s personal or financial interest in the interest of any person, or...directly or indirectly use his office for private gain.”

So the EMBD senior official who demanded a bribe, who was being accused by this company, was using his office for private gain.

In another part it states:

“A person to whom this part applies shall not accept a fee, gift or personal benefit, except compensation authorised by law that is connected directly or indirectly with the performance of his or her duties of office.’

I wish to point out again, that I have included all the relevant documentation in this matter for your information and assistance.”

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[DR. GOPEESINGH]

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Mr. Speaker, I got a response from the Integrity Commission, signed by Martin Farrell, on April 06, 2009:

“Dr. Tim Gopeesingh  
Member of Parliament  
Constituency Office...

Dear Sir,

I acknowledge receipt of your letter dated April 02, 2000”—which is the letter I read—“the contents of which will be brought to the attention of the Integrity Commission once appointed.”

So far we have no Integrity Commission. This letter is dated April 06, 2009. It is signed:

“Yours faithfully  
Martin Farrell  
Registrar Integrity Commission”

**7.15 p.m.**

I also received from the Commissioner of Police:

“April 14, 2009

Dr. Tim Gopeesingh  
Member for Caroni East.

Dear Sir,

Re: Request for an investigation into possible breach of the Prevention of Corruption Act by the Prime Minister, Mr. Patrick Manning, Minister of Finance Karen Nunez-Tesheira, Attorney General Mrs. Bridgid Annisette-George, Minister of Agriculture, Land and Marine Resources, Mr. Arnold Piggott and the public officials of EMBD.

I acknowledge receipt of your letter dated April 19, 2009 along with the attachments.”

**Mrs. Persad-Bissessar:** “He ain’t say nothing.”

**Dr. T. Gopeesingh:** He said he received it, but I will be following it up again.

Mr. Speaker, I also received a response from the Acting Director of Public Prosecutions (DPP):

“April 21, 2009

Dear Dr. Gopeesingh, MP

Re: Request for an investigation into possible breach of the Prevention of Corruption Act by the Prime Minister, Mr. Patrick Manning, Minister of Finance, Karen Nunez-Tesheira, Attorney General, Mrs. Bridgid Annisette-George, Minister of Agriculture, Land and Marine Resources, Mr. Arnold Piggott and the public officials of EMBD.

Receipt of your letter dated the 9<sup>th</sup> instant on the matter at caption is hereby acknowledged.

In order to give proper consideration to your request for an investigation of the persons named in your letter, it has become necessary for me to review the documentation provided and the relevant law.

When this review is completed, I shall refer to you.

Yours sincerely,

Carla Brown-Antoine

Ag. Director of Public Prosecutions.”

Mr. Speaker, this is not the first time that this senior official was reported as demanding a bribe.

You would remember sometime in this House I raised the issue of that same senior official demanding a bribe from a quantity surveyor for work the surveyor had done and requesting a bribe for the money outstanding.

Mr. Speaker, we understand that this senior official of EMBD has fled this country and when we were talking about money laundering today, that is one of the instances we believe that money laundering has occurred.

This is an untenable situation where the Prime Minister received information of a bribery by a top public official of a state enterprise and he has done absolutely nothing about it. It is in that context the Director of Public Prosecutions, the Integrity Commission and the Police Commissioner should investigate the Prime Minister for alleged wrongdoing in this matter and those involved; those whom the letter was copied to.

Thank you.

**The Attorney General (Sen. The Hon. Bridgid Annisette-George):** Mr. Speaker, I rise to answer the Motion: The need for the Government to take action to have investigated allegations of wrongdoing made by an engineering company against an official of the Estate Management and Business Development Company Limited.

Mr. Speaker, having heard the hon. Member for Caroni East, who I believe is a medical doctor—well, I know we say in local parlance: “Doh take medicine for other people fever”, and as a medical doctor, I think you should know that. [*Desk thumping*]

Mr. Speaker, the position is that in the middle of 2006, this company Sunco Engineering Services Limited, was awarded a contract to do infrastructural works on two projects; 1B Exchange and also Orange Grove. The EMBD has set up certain systems to monitor and evaluate works being done by companies on the various sites and our investigations revealed that from the inception the performance of this company, Sunco Engineering, in the delivery of the work had been very delinquent in completing its work.

In fact, on several occasions the company had stopped work under the guise of non-payment. But you see, Mr. Speaker, EMBD had set up a process where work is monitored by a steering committee and also invoices for work have to be signed off by a consultant. The consultant signs off and a payment certificate is sent to the EMBD before payment is made.

What I had been also told is that by March 2007, the performance of Sunco had been so unacceptable that consideration was being given to terminate the contracts. In fact, by a letter dated August 27, 2007 which was signed by one Philippa Forde who is the chairman of the steering committee, she indicated that the steering committee recommended that these contracts be terminated and a draft termination notice was prepared by the Legal Unit of the Ministry of Agriculture, Land and Marine Resources which was forwarded to EMBD with the intention of this letter going to Sunco.

Mr. Speaker, I want to refer to some of the correspondence, because my friend showed all the correspondence he had which he said is evidence, but I want to also show that we have done our investigations and we have our letters.

This is a letter dated August 27, 2007 from Philippa Forde, Ministry of Agriculture, Land and Marine Resources who is the chairman of the steering committee and this is to the Estate Management and Business Development Company. It says:

I write in regard to the matter at caption.



The matter at caption is the recommendation for termination of Orange Grove Agricultural Development Project.

Having considered the views submitted by the consultant CEAL Limited, the steering committee hereby recommends the termination of the said contract.

I have herein attached a draft termination notice which was prepared by the Legal Unit of the Ministry of Agriculture, Land and Marine Resources.

There is also another letter of the same date, August 27, 2007, again from Miss Philippa Forde addressed to the EMBD Company and this one is "Recommendation for termination of Exchange No. 1B Agricultural Development Project".

I write in regard to the matter at caption. Having considered the views submitted by the consultant, Cordette Limited...

So there are two different consultants on the project, but the report is the same.

—the steering committee hereby recommends the termination of the said contract. I have herein attached a draft termination notice which was prepared by the Legal Unit of the Ministry of Agriculture, Land and Marine Resources.

And just as my friend says, I also have the draft termination notice which was prepared in August 2007 for Sunco Engineering Services Company Limited. And I would not go into all of it but it basically says:

You have failed to expedite the works in a manner to achieve the time for completion and without delay in accordance with subclause 8(1). You have failed to provide revised programmes of works and methodology as was requested by the consultant on numerous occasions at site meetings in correspondence dated June 22, 2007 in accordance with subclause 8(3). You have failed to mobilize the necessary resources, equipment and material for undertaking the works with due expedience.

Your rate of progress of the works to date is too slow to comply with the time for completion of September 02, 2007 in accordance with subclauses 8(2) and 8(6) of the conditions of contract.

And the letter continues.

Mr. Speaker, sometimes you pay a high price for going against your better judgment. Even though this course was suggested and recommended by the steering committee, talks were entertained with Sunco and it was agreed to give them a second chance to complete, and the deadline was extended. That proved to

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*Friday, May 22, 2009*

be a mistake because again, Sunco did not comply with the time frames, had stopped work, and has been writing letters now to say that they are owed money.

But remember, Mr. Speaker, as I had indicated earlier, there is a process by which works are independently evaluated, and the works being valued is sent by a payment certificate to EMBD to certify payment in amount. I think that is usual, I am not an engineer, but I think that is very usual. My friend, the hon. Minister of Works and Transport, says that is normal in all engineering contracts.

Mr. Speaker, as the hon. Member opposite indicated, Sunco had written to the Prime Minister and in that letter, particularly the one that I know of, July 2008, he had copied to several persons including the DPP and, therefore, Sunco on its own had taken certain steps.

In our investigations, we learnt that a letter was written to the hon. Prime Minister by EMBD in response to the letter of July 31, 2008 by Sunco to the hon. Prime Minister, and the Prime Minister asked EMBD to state its position.

This is the letter:

August 15, 2008

It comes from the Managing Director/CEO of EMBD

Dear hon. Prime Minister,

It has come to my attention by letter dated July 31, 2008 addressed to your good self, Sunco Engineering Services Limited has alleged that EMBD is owing an amount in excess of \$5 million combined in works executed on the above captioned projects which is 1B Exchange and Orange Grove.

Sunco was awarded these two projects in September, 2006...

But the important part of the letter is this.

...which should have been completed by March, 2007, but the contractor by his continued non-performance causing problems, failed to complete the project within the stipulated time despite EMBD's regular payments as certified by the consultant.

So payments were being made yes, according to the consultant's certificate, but Sunco is claiming more for work that has not been done and certified.

The letter goes on:

The contractor has always sought to camouflage his non-performance and inability to complete the projects by making spurious and ill-founded

accusations that a senior official of EMBD made a financial demand which is an orchestrated ploy to detract from the true issues of non-delivery driven by his non-performance.

Mr. Speaker, in addition to which, having regard to all these recent complaints, Mr. Coby Singh, who is the Managing Director of Sunco had been called in by the Chairman of EMBD, Mr. Noel Garcia, to ask further about his letter, to name the person, which he refused to do, and to bring in documentation to support his allegations. He has not done any of those things, but he continues to make the allegations, and refuses to name this official, so he himself is preventing any investigation of his complaint.

Further—and that is why you have to be careful that you do not drink medicine for other people's fever. What has been learnt is that Sunco had assigned payments under these contracts to the Exim Bank, but had been receiving moneys.

The money was supposed to go directly to Exim Bank but Sunco has been receiving the money. There is less than \$1 million by the revised certificates due to Sunco. By the valid assignments by Sunco to Exim, any moneys due to Sunco must be paid to Exim under the assignment. These have been confirmed by letter as recent as April 2009. The long and short of the story is that there has not been any failure to investigate any allegation. The allegation is spurious. All calls to support the allegation have not been responded to by Mr. Cobisee. Additionally, as my friend has said, reports have been made to the Integrity Commission, DPP and Commissioner of Police. All his allegations are in the proper hands.

Thank you.

**7.30 p.m.**

**Fifth Summit of the Americas  
(Government's Reckless Expenditure)**

**Mr. Vasant Bharath** (*St. Augustine*): Mr. Speaker, the Motion standing in my name reads: Government's reckless expenditure during the recently concluded Fifth Summit of the Americas, in light of significant hardships being faced by the population. You will recall that this Motion was drafted and submitted to your office on April 23, 2009, in light of the almost immediate resurgence of crime and job losses in the wake of the summit. That is today, one month since this Motion was submitted. It is an indication of the Government's continued lack of responses to the Opposition but, more importantly, to the public with regard to not just questions, but Motions on the Adjournment. That is for another time.

*Fifth Summit of the Americas*  
[MR. BHARATH]

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The irony however, is that on the following day, April 24, all three daily newspapers carried these headlines which the Opposition effectively, and the country have been talking about for the last couple years. “Bad times,” says the *Newsday*. The *Trinidad Guardian*, “Economy stalls stagnation; Inflation still high; No growth; More job losses; Region worse off than T&T”. “Guava days are here”, was another headline. These headlines emanated from comments made by the Governor of the Central Bank who was warning about the increased unemployment, as a result job layoffs and businesses closing down and so on, that the economy was coming to a grinding halt, despite the fact that there were multiple assurances both from the Prime Minister and several of his Ministers.

On the *Express* of Saturday April 25, Mariano on economic gloom: It is not the end of the world. Yes we can do it. What we need is a firm hand. The Minister of Trade and Industry said:

It is not the end of the world. There is no guava season. We are merely at a different point of the economic cycle. We need a firm hand and we have it.

Minister Enill, Don't panic! Economy still growing. There is no need to panic. The economy is not stalling and the increase in unemployment is only temporary, says the Minister of Energy and Energy Industries.

We did not hear on this matter from the substantive Minister of Finance. I guess we will in a short while. This is in context that since 2000, the wages and income of the ordinary man in Trinidad and Tobago have been losing purchasing power and value by comparison to pre-2000. This is particularly so for people on old age pension or the old age grant as this Government wishes to call it—the Senior Citizens Grant as this Government likes to call it. The fact is that the Governor of the Central Bank in January 2008, admitted that two-thirds of all pensioners or senior citizens in this country are relying completely and totally on this grant. Many of them are having to support their income and lifestyle by actually going back out to work. Now we heard recently that the Government through the NIB is intending to move the age at which senior citizens can access this grant from 60 to 65. *[Interruption]* That is what is being said. It is being put out in the public. When you get a turn you would speak. That is what we have heard. The cold hard fact in Trinidad and Tobago is that there are several hundred thousands of people living below the poverty line. The Government's much touted survey that was done in 2005, which stated that there were 200,000 people living below the poverty line has now long been outdated, because of the runaway inflation that we have had over the last four years.

This is a country where we have just spent \$250 million, \$1/4 billion on building a palace for the Prime Minister, with moat and all. This is a country that is spending over \$1 billion on a stadium to host an event that has taken place two years ago. There are still children—you ought to admit it—in Trinidad and Tobago who are sleeping on the streets. There are people who go to hospital and are released not because they are being treated but because there is no room for them and there is no medication, in Trinidad and Tobago, where, given the opportunity this Prime Minister at a whim would spend \$60 million or \$70 million on a private jet. He has already spent \$3.2 million on curtains for his home in a country where the Member for Caroni East disclosed today, that he spent \$38 million on bed sheets, curtains and other things for his home. Yes, \$38 million for bed sheets and so on; \$3,000 for a pillow case; \$3,000 for pillow cases. This is a country where we are spending this kind of money and yet still children are dying because their parents are unable to afford medical attention for them. This is why we on this side of the House have decided—that has prompted us to bring this Motion here today. This country is absolutely fed up of the mis-directed spending priorities of this Government. [*Desk thumping*] The country is fed up of the wanton mismanagement, corruption, unrepentant and unreserved support for it by this Government.

Ongoing evidence from the Uff Commission of Enquiry shows that hundreds of millions of dollars are passing through and continue to be vested in the hands of a gentleman called Mr. Calder Hart, despite the incontrovertible evidence that there have been mismanagement; corruption in government's policy; an absence of accountability and a number of dubious practices. This is a gentleman whose fax number is the same as the fax number of a company called CH International that was awarded a contract for \$358 million that was set up three weeks before the contract was awarded. Has Mr. Hart been disciplined? Has he been fired? Has he been suspended? Has he been arrested? None of the above. In fact, Mr. Hart has been further embraced by the Prime Minister who has expressed his unbridled support for him. There are multiple other cases that have been mentioned before with regard to the wanton waste totalling billions of dollars in taxpayers' money. There is the Brian Lara Stadium where no one has been charged. The Scarborough Hospital, no one has been charged.

**Mr. Imbert:** Standing Order 36(1), relevance.

**Mr. Speaker:** Yes. You started off correctly, but I think that you are veering off track a bit. Get back.

**Mr. V. Bharath:** I will come to that shortly because what I am trying to tie here is the wastage of this Government and the mis— [*Interruption*] Yes, yes, yes. You will come to it just now. Hold on. Have patience. Have patience.

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The Performing Arts Academy, the Waterfront Project; the Prime Minister's residence and it goes on and on. In the midst of all this, this is the point, the biggest economic crisis, possibly social crisis in Trinidad and Tobago, and definitely in the world, this Government saw it fit to spend hundreds of millions of dollars to host 34 countries in Trinidad and Tobago. On one hand the Prime Minister said two days after the summit that it cost this country \$350 million for this summit. Two days later, Mariano Browne, the junior Minister in the Ministry of Finance and Minister of Trade and Industry said that we have not been able to ascertain the true costs yet and we will know in two weeks' time. This week on a question asked and posed through the Freedom of Information Act, we now know that the cost according to the Prime Minister's office, is \$508 million. It has gone up from \$350 million to \$508 million. Let me put that into some kind of perspective. If we take the latest figure of \$508 million—which I will come back to in a minute, because we do not for a moment believe that at all! It means that it cost this country \$15 million to host each of these countries for two days.

What else could \$508 million have done for this country? Let me be a bit more specific. Assuming it is \$508 million, it would have built 2,000 early childhood learning centres at \$250,000 a piece under a UNC government. Under this PNM Government of course, it would build 100 because theirs is costing \$5.5 million each. Of course, you know that it is being built by Koreans not by locals. The sum of \$508 million would be enough to ensure that every hospital in Trinidad and Tobago has sufficient beds and medication so that pregnant women would not have to spend the night on benches, or on the floor of the hospital. In fact, under a UNC government, \$508 million would have built the Point Fortin Hospital; Sangre Grande Hospital and the Arima Hospital. It is enough money to ensure that toddlers like Marissa Khan, Hanna Bhagwandeem and Kiera Downer would have gotten the life-saving operation that they required.

**Mr. Speaker:** You are interrupting the Member. I cannot hear what he is saying and I want to hear what he is saying. So please, let us hear him.

**Mr. V. Bharath:** It would have bought 1,800 ambulances to ensure that every area in Trinidad and Tobago would have been served by an ambulance. There are many, many more. Five hundred and eight million is not the true figure and the Prime Minister has not told this country the truth. What he has done is that he has neglected to tell us about the other costs. For example, airport ramp expansion and access road within the airport alone cost \$300 million. The new perimeter fence cost \$5 million. Perimeter lights cost \$ 5 million. Rebuilding of the south terminal cost \$15 million. The car park that went with it cost \$5.5 million. Paving of the

Golden Grove Road from Bhagwansingh's to the airport cost another \$6 million. Dredging the harbour to allow the cruise ships to come in cost almost \$40 million.

We are not talking about \$350 million; we are not talking about \$508 million; we are talking about well over \$1 billion. That does not take into account the \$330 million to refurbish Hilton Hotel, that would not have had to be done if we did not have this. It does not take into account the \$20 million spent on the cultural show and the building of the berm. It does not take into account the thousands of tons of sand that was used to cover as a cap the Beetham Landfill to prevent the emanation of smoke and fumes that we in Trinidad and Tobago live with on a daily basis. To protect visitors for two hours they spent these millions of dollars. It is not \$305 million; it is not \$508 million. It is close to \$1.5 billion that this Government has already spent that we found out about. I guess we would find out more when the Minister stands up to speak.

This is a runaway Government. They continue to spend our money recklessly, as we have continued to say throughout this Parliament. The Prime Minister had the gall on April 29 to say, "Don't worry." PM on economic slowdown, "This too shall pass. This is merely a blip." What we are going through is merely a blip in the same way that inflation was a blip. Inflation should have dropped to 5 per cent at the end of 2007. Now we in Trinidad and Tobago have the highest rate of inflation in the Caribbean. In the same way that crime was a blip, our crime rate has grown by 23.5 per cent in the first quarter of this year. Jamaica's has gone down by 6 per cent. When the Minister of Tourism, the Member for Barataria/San Juan, was playing with words with the crime rate that the Member for Caroni East was talking about—he was just playing with words.

#### **7.45 p.m.**

Mr. Speaker, I know that I have one minute left, but I want to identify quickly some of the expenses that have shocked us: accreditation services, \$24 million; media facilities, \$41 million; telecommunication services, \$77 million; and conference services, \$7 million. In media alone, when you add those three, it is \$127 million. Medical coverage services, \$13 million. Nobody got sick. On top of that, there was the purchase of medical equipment for \$6.7 million. The sum of \$20 million was spent and nobody got sick. Payment of goods and services to Nipdec was \$18 million. It goes on. Over \$1.5 billion has been spent on this thing.

In winding up on this matter, almost every basic assessment tool has been flouted. Procurement rules have been bent left, right and centre, to facilitate exploitation and rape of the Treasury. We have spent over \$1.5 billion.

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I want to urge this Government, through the Minister, if she is responding this afternoon, to inform the Prime Minister that he should rethink the Commonwealth Heads of Government Conference that is coming up in November. This country simply cannot afford it. We have other priorities that we must attend to, before we attend to these other conferences. Charity begins at home and we must always fix home first. That is common sense. Obviously, a resource that is not too liberally sprinkled on that side of the House. I want to urge the Government, the Prime Minister and those in control of the purse of the country, that we must look after Trinidad and Tobago. We must look after the citizens of Trinidad and Tobago first. There is too much wrong that needs to be put right.

I thank you very much.

**The Minister of Finance (Hon. Karen Nunez-Tesheira):** Thank you, Mr. Speaker. I mean no disrespect to the other side, but you can clearly see from the contribution of the Member for St. Augustine, that one of the things they lack in abundance is something called vision. It is because of that narrowness and myopia that they are there and we are there. That is why. *[Interruption]* The Member for Couva North is clapping me. Member for St. Augustine, your Member for Couva North is actually applauding me. I will not be distracted.

In presenting the Motion, they started with the reckless expenditure of this Government. One of the things you cannot ascribe to this Government is reckless expenditure. The reason we can say that is that we do not only talk the talk, we walk the talk and we support it by data.

According to the Member for Lopinot/Bon Air West, facts are really stubborn things. What do I speak of? I speak of debt and the management of our debt. How many times have I come to this honourable House and mentioned these factors? Our external debt is 6 per cent of GDP. *[Interruption]* No, it is because you speak of the reckless spending of this Government. The impression that you want to give the national community is that this is not a prudent Government, and a Government that is committed to managing the people's affairs in a responsible manner. Take away the hyperbole, sensationalism and all the histrionics and let us deal with the facts, because those are the things to which the people of this country must pay attention. When we look at the external debt it is 6 per cent of GDP. To put it in perspective, our Heritage and Stabilisation Fund—by the way, it was founded by them in another dispensation, called another name, at the time when they left office—I do not have the figures before me, I certainly know that it did not cross over \$500 million. Today, that fund has over \$18 billion. Is that the action of a reckless government?



When we look at our public sector debt and you compare it, because we must benchmark—they talk about other countries, we do not have to stay within the Caribbean. We can go global for this country—as a percentage of our GDP, we come very well, not only against our regional partners, but against the global economy.

We talk about unemployment. I have the figures. The last quarter, quarter three, was 4.6 per cent. We know that 5 per cent is full employment. Having unemployment go below 5 per cent does create its own capacity constraints. Let us look at other countries, because we aspire to vision 2020. We aspire to developed nation status, so we benchmark and let us benchmark. What is the situation in the countries around the world? In the United States, the unemployment level has reached over 8 per cent and rising. The average unemployment rate for Europe is over 10 per cent; China, 9 per cent; Russia, 10 per cent; Canada, 8 per cent; and Germany, 8.1 per cent. They have the audacity and temerity to come to his House and talk about this Government's reckless spending. They do not understand prudent governance. That is the thing, facts are stubborn things.

The other thing is that they come to this House and talk about this Government's significant hardship of the poor. One of the things is that this Government is a caring government. *[Interruption]* Yes, there are five pillars. One of the pillars is nurturing a caring society. Our mantra is: We continue to deliver because we continue to care. We back it up with hard facts. I would give you an example. I have only 15 minutes, so I cannot go into all the details. I would give you a sort of flavour. Senior Citizens Grant, we moved it. It is not old age pension. It is the Senior Citizens Grant, \$1,950; NIS benefits, we have increased it from \$1,000 to \$2,000. We have so many non-monetary benefits: free ferry pass for persons over 65; CDAP, medication available for persons suffering from a range of illnesses—Member for Caroni Central, I know you know about that—such as arthritis, heart diseases and diabetes. It continues: free bus transport; food support and debit card. This Government continues to deliver because we continue to care. It goes on: individual support; adult education programmes; Civilian Conservation Corps; export centre programmes; the Geriatric Adult Partnership Programme; Helping You Prepare for Employment; Multi-Sector Skills Training Programme; National Energy Skills Centre Programme; On-the-Job Training Programme; Retraining Programme; Women in Harmony Programme; Youth Apprenticeship Programme; Youth Development Centre Programme; Unemployment Relief Programme; Community Action for Revival and Employment Programme; Community Development Fund Programme, and I can go on and on with programmes.

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There is the clothing grant of \$200 per month; the education grant, \$140 per month; household help grant, up to \$3,500; public assistance grant and education. President Barack Obama, so I understand, is still paying for his tertiary education in the United States of America. This Government gives free education from nursery to tertiary.

I want to see how many other countries—you want to say this Government—*[Interruption]* Education, you do not appreciate the value of education. Education teaches a person to fish. That is one of the hallmarks of a 2020 vision country. We do not only educate our people, our school children get—the Minister of Education is there to confirm—free transportation, free textbooks and free meals. That is what they want to talk about this Government not being a caring Government? I can go on. They have the audacity to talk about this Government being an uncaring Government, please.

The topic of this Motion was the Summit. *[Continuous interruption and crosstalk]* Well, I had to follow the lead of the Member for St. Augustine. The Speaker had to stand and remind him of the topic. I do not have to be reminded. Let us talk about international conferences. Let us see the other side, who has the audacity to talk about us hosting the Summit. Let us talk about their conferences. Do you know what they hosted? They hosted Miss Universe. Do you remember Miss Universe? *[Continuous interruption and crosstalk]* I will not be deterred.

**Mr. B. Panday:** You would have won.

**Hon. K. Nunez-Testeira:** I will not be detracted. That was a good try. I think you are sitting on the wrong side, Member for Couva North. Miss Universe, that was their claim to fame. Remember the famous words: thousands and thousands of tourists? Where are those thousands and thousands of tourists?

Do you remember we were supposed to have had a casino? Was it at Chacachacare? Where is that casino? *[Continuous interruption and crosstalk]* Do you remember? *[Interruption]*

**Mr. Speaker:** You know, if I had my wish, I would make every single Member who is misbehaving in this House come back as a *Hansard* reporter in the next life. Please! *[Interruption]* Exactly! The *Hansard* reporter is having great difficulty.

**Hon. K. Nunez-Testeira:** Do you remember those Summits; their version of a summit? No wonder they cannot relate to when this Government host what is truly an international conference, Mr. Speaker. We have another one coming. When they hosted it, they promised us a hotel. Do you remember that hotel? Member for Couva North, I remember when you spoke about that hotel. I

remember that hotel was supposed to have had a golf course. Do you know who was supposed to have come here? Donald Trump. I remember that Donald Trump was supposed to have come to Trinidad and Tobago, but that was their version of an international conference. When we host an international conference, it is not about beauty queens; it is about truly benefiting the people of Trinidad and Tobago.

To start with the first benefit; the intangible benefits. The very fact that Trinidad and Tobago, a country of 1.3 million people was approached and the confidence the international community had in Trinidad and Tobago to host a conference, speaks volumes. Can we put a price to that? You cannot put a price. It is priceless. That is first and foremost, because we know—

I have heard the Member for St. Augustine talk about the economy. One of the things that must be mentioned is the issue of the global financial crisis has much to do with a crisis of confidence. Clearly, the international community has confidence in Trinidad and Tobago and we did not let them down.

I heard the hon. Member for St. Augustine speak about the terminal extension. He does not understand that is one of the benefits of Trinidad and Tobago and not a benefit simply to the Summit. The International Financial Centre—if you want to become an international financial centre, we have done our homework, you have to look at what is called the lifestyle experience. These people whom you want to come to the International Financial Centre have their own personal jet. Do you know why? It is not because it is a luxury. They have 24 hours; the same 24 hours I have. They have to make their 24 hours, 48 hours and for them time is their currency. Therefore, having a jet for those people is not a luxury, it is a necessity. That terminal will become a major thrust to become an international financial centre. There are so many other contributions I can make, in terms of the benefits of an international financial centre.

The best is the vox populi. I always hear them say it; the voice of the people is the voice of God. I always hear them say that, so I came with the voice of the people. I want to start with the first voice. I did not make it up. They like to read from the newspapers. I have my newspapers too. I read on the newspapers:

“Obama: ‘Outstanding job by Prime Minister Manning.’”

That is what he had to say.

“United States President, Barack Obama said Prime Minister Patrick Manning has done an outstanding job. In doing so, Obama also expressed his country’s appreciation to the longstanding friendship with Trinidad and Tobago.”

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I have a quotation from Bill Clinton. Here is one from the man in the street. Remember I spoke about the vox populi. This is from the *Express*.

“Today’s big question: Do you think that Trinidad and Tobago did a good job in hosting the Fifth Summit of the Americas?”

Alicia Miller: ‘Yes, I mean we need to try something sometimes and we did, and we did a good job. Look at the clean up and everything, we should not put so much pressure on the Government.’”

**8.00 p.m.**

Andre Marshall, 41, engineer. He is from D’Abadie. He said:

“Yes, we did it, because of new ties that were opened up and new friendships between countries were forged.”

Look at the United States of America and Venezuela! [*Interruption*] That is true. I almost forgot that was a Kodak moment. It was a seminal moment; it was a watershed moment—[*Interruption*—Member for Couva North, please.

Mr. Speaker, President Chavez and President Barack Obama were shaking hands—what a moment in history—and it happened in Trinidad and Tobago. [*Desk thumping*]

Before I conclude my contribution, I think the greatest contribution and I mean this—as I said, I have not been judged in hyperbole, but putting aside all the arguments, I really do think that the greatest contribution and the impact that the Summit had was the sense of patriotism and the sense of national pride it engendered in the people of Trinidad and Tobago. [*Desk thumping*] Mr. Speaker, I really believe that. Trinidad really saw itself.

I went to the IMF Spring Meeting and I met many Trinidadians there, and they have asked me for a CD of the opening ceremony. They felt such a sense of pride. With that, I believe the price of the Summit is priceless, just like the Mona Lisa.

Mr. Speaker, thank you.

**Mr. Speaker:** Order, please. You know, I was very serious when I said earlier on that I wish some of you would come back in the next life as a Hansard reporter.

**Dr. Rafeeq:** On Wednesday which is Private Members’ Day, we will be dealing with Motion No. 1 on the Order Paper, which is the Motion by the Member for Siparia. Mr. Speaker, if you will permit me, I understand—I hope

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that I am not premature—that on Monday, May 25, 2009 you would be elevated to the exalted office of President. I want on behalf of all of us to congratulate you.  
[*Desk thumping*]

*Question put and agreed to.*

*House adjourned accordingly.*

*Adjourned at 8.03 p.m.*