

*Leave of Absence**Friday, July 03, 2009***HOUSE OF REPRESENTATIVES***Friday, July 03, 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 requesting leave of absence: the Hon. Karen Nunez-Tesheira, Member of Parliament for D'Abadie/O'Meara for the period July 02 to July 08, 2009; the hon. Paula Gopee-Scoon, Member of Parliament for Point Fortin, from today's sitting of the House; the hon. Christine Kangaloo, Member of Parliament for Pointe-a-Pierre, for the period July 03-11, 2009. The leave these Members seek is granted.

**PAPERS LAID**

1. The Freedom of Information Act, 1999 annual report to Parliament for 2007. [*The Minister of Information (Hon. Neil Parsanlal)*]
2. The Defence (Short Service Commissions) (Amd't.) Regulations, 2009. [*The Minister of Works and Transport (Hon. Colm Imbert)*]
3. The audited financial statements of the National Gas Company of Trinidad and Tobago Limited for the financial year ended December 31, 2007. [*Hon. C. Imbert*]
4. The audited financial statements of Government Human Resource Services Company Limited for the financial year ended September 30, 2008. [*Hon. C. Imbert*]

*Papers 3 and 4 to be referred to the Public Accounts (Enterprises) Committee.*

5. The Petroleum (Amd't) Regulations, 2009. [*Hon. C. Imbert*]
6. Draft White Paper on Local Government Reform, 2009. [*The Minister of Local Government (Sen. The Hon. Hazel Manning)*]
7. Report on the Draft White Paper on the Local Government Boundaries Review Exercise. [*Sen. The Hon. H. Manning*]

**CHILDREN BILL**  
**Special Select Committee Report**  
**(Presentation)**

**The Minister of Works and Transport (Hon. Colm Imbert):** Mr. Speaker, I wish to present the following report:

The Third Interim Report of the Special Select Committee appointed to consider and report on a Bill relating to the protection of children and for matters related thereto.

**COMMITTEE OF PRIVILEGES REPORT**  
**(PRESENTATION)**

**The Minister of Works and Transport (Hon. Colm Imbert):** Mr. Speaker, I wish to present the following report:

The First Report of the Committee of Privileges of the House of Representatives (2009 Session).

**ORAL ANSWERS TO QUESTIONS**

**The Minister of Works and Transport (Hon. Colm Imbert):** Mr. Speaker, the Government is in a position to answer questions 81 and 92 and we ask for a deferral of two weeks for the other questions on the Order Paper.

*The following questions stood on the Order Paper:*

**Registered Private Hospitals**  
**(Details of)**

- 25.** Could the hon. Minister of Health state:
- (a) how many private hospitals are registered under each of the six classes of private hospitals according to the laws of Trinidad and Tobago, Chap. 29:03, section 8;
  - (b) the date the licence was issued for each; and
  - (c) what was the last date an inspector or inspection team inspected the hospital as required according to sections 18 and 19 of Chap. 29:03 of the Laws of Trinidad and Tobago? [*Dr. T. Gopeesingh*]

**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*]

**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*]

**Ramdath Bissoo  
(Report on Death)**

- 94.** A. Could the hon. Minister of Works and Transport indicate whether the Ministry of Works and Transport conducted an investigation and/or received a report on the death of contract worker Ramdath Bissoo who was crushed to death on the jobsite after the Caroni Bailey Bridge snapped while being dismantled in August 2008?
- B. If the answer to (a) is in the affirmative, could the Minister indicate the findings of such a report? [*Dr. R. Moonilal*]

**Finbar Adonis  
(Report on Death)**

- 95.** A. Could the hon. Minister of Labour, Small and Micro Enterprise Development indicate whether the Occupational Health and Safety Agency has completed a final report on the death of contract worker Finbar Adonis in December 2007?
- B. If the answer to (a) is in the affirmative, could the Minister indicate the findings of such a report? [*Dr. R. Moonilal*]

*Questions, by leave, deferred.*

**Lifeguards in Mayaro/Guayaguayare/Manzanilla  
(Details of Plans for)**

- 81. Mr. Winston Peters** (*Mayaro*) asked the hon. Minister of Tourism:
- With respect to lifeguards in the Mayaro/Guayaguayare/Manzanilla area, could the Minister state:
- (a) the number of lifeguards assigned to these areas;

- (b) whether there are sufficient lifeguards assigned to the existing facilities; and
- (c) if the answer is negative, please state whether there are plans to increase the intake of lifeguards, the requisite number needed and when will the plan take effect?

**The Minister of Tourism (Hon. Joseph Ross):** Thank you very much, Mr. Speaker. There are 31 lifeguards assigned to the Mayaro area and 19 to 20 to the Manzanilla/Salibya area. In addition, the Minister of Tourism has embarked on a three-year training programme from 2008 to 2011 as follows:

March 2008 to February 2010, 23 lifeguards will be trained;

June 2009 to May 2010, 1,158 lifeguards will be trained.

These programmes have already started. Upon completion, some of these recruits will be assigned to the Mayaro, Manzanilla and Salibya beaches.

**Mr. Peters:** Would the Minister state how many would be assigned and to what areas, if he is in a position to do that?

**Hon. J. Ross:** I made it quite clear that we are training people and when the training is over, we will assign the lifeguards as best we can.

#### **Grant of Work Permits**

**92. Dr. Roodal Moonilal** (*Oropouche East*) asked the hon. Minister of National Security:

- (a) Could the Minister indicate the number of foreign (non-Caricom) workers entering Trinidad and Tobago and granted work permits by the Works Permit Committee for the years 2007 and 2008; and
- (b) Could the Minister indicate the number of Chinese immigrant labourers/workers employed in Trinidad and Tobago for the years 2007 and 2008?

**The Minister of State in the Ministry of National Security (Hon. Donna Cox):** Mr. Speaker, hon. Members are advised that for the years 2007 and 2008, 12,221 work permits were granted to non-Caricom workers—5,103 in 2007 and 7,109 in 2008.

With respect to the number of Chinese nationals granted work permits for 2007 and 2008, the figures are 2007, 1,071; 2008, 1,756.

Thank you.

**WRITTEN ANSWER TO QUESTION**  
**Chinese Workers**  
**(Terms of Employment)**

*The following question was asked by Dr. Roodal Moonilal (Oropouche East):*

- 93.** Could the hon. Minister of National Security state the nature of the contracts and terms of employment of Chinese workers entering Trinidad and Tobago for the years 2007 and 2008?

*Vide end of sitting for written answer.*

**MATTER OF PRIVILEGE**  
**(NEWSDAY NEWSPAPERS)**

**The Minister of Information (Hon. Neil Parsanlal):** In accordance with the provisions of Standing Order 27, I wish to raise the following matter of privilege.

On Sunday, June 28, 2009, an article appeared on page 3 of section A of the *Newsday* entitled, "UDeCott apologises to House Speaker", in which the author purports that UDeCott will concede in the matter of contempt raised in this House on Friday, March 13, 2009 and will make a public apology. The article goes on to report factors that appear to touch on the proceedings of the Committee of Privileges, including interactions that may have taken place between the committee and UDeCott.

Standing Order 81 succinctly states that:

"The proceedings of and evidence taken before any Select Committee and any document presented to, and decisions of, such a Committee shall not be published by any Member thereof or by any person before the Committee has presented its Report to the House."

Erskine May instructs, and it is held virtually in every legislature, that premature disclosure of the content of a report which a committee has under consideration or which has been agreed but not yet published may be treated as contempt.

Mr. Speaker, the proceedings of most select committees are confidential when evidence is not being heard and this applies to the Committee of Privileges probably more than any other committee. This confidentiality rule provides committee members with the environment necessary for open and constructive analysis of the matters before them. Leaking of such matters discussed is a reprehensible act which only serves to undermine and stymie the work of a committee.

As well, adherence to the rule that all discussions and material remain in the preserve of the committee until a final report serves to prevent the release of selective proceedings which may not be fully reflective of the considerations of the committee. Unauthorized disclosure removes the protection offered by the publication of a properly laid report and opens avenues for defamation. In some jurisdictions, the House is discouraged from discussing any matter referred to the privileges committee until a report is laid.

While I believe strongly in the notion of freedom of the press, I am seriously concerned that this could be the beginning of a distasteful practice which is a serious affront to the dignity of this honourable House and which, if allowed to continue, will bring it into ridicule.

Mr. Speaker, it is against this background that I submit that this action by the writer of this article, the publisher of this newspaper and other person or persons unknown is a high contempt of this House and I ask that you refer this matter to the Committee of Privileges for consideration and report to this House.

I thank you.

**Mr. Speaker:** I have heard the hon. Minister of Information and I rule that a prima facie case has been made out. This matter will be referred to the Committee of Privileges.

#### ORAL ANSWERS TO QUESTIONS

**Mr. Speaker:** Hon. Members, before I take my seat, I was to rise just after questions to indicate that I would like the questions to Ministers that have been on the Order Paper from February, March and perhaps April to be answered.

Thank you.

#### LOCAL GOVERNMENT (DOCUMENTS LAID)

**The Minister of Local Government (Sen. The Hon. Hazel Manning):** Thank you very much, Mr. Speaker. The Government has today laid before this honourable House the draft White Paper on Local Government Reform, the Local Government Bill, 2009 and the Local Government Boundary Review Report, 2009 and other related documents.

This action in and of itself is by no means unique, as the laying of Bills and White Papers is a regular feature of governance. What distinguishes our actions today from other similar actions has to do with the immense importance of the

*Local Government (Documents Laid)*  
[SEN. THE HON. H. MANNING]

*Friday, July 03, 2009*

documents laid before this House. Singularly, they are of tremendous significance, but collectively they represent a radical departure from our usual way of doing business in local government. They represent for this country a continued evolution of our local government process from the era of the county council, through the regional corporations, to what is before us today—a model that can aptly be described as locally bred but of international standards, a Trinidad model.

The Draft White Paper on Local Government Reform and the Local Government Bill, 2009 are the two main pillars upon which we launch the formal implementation of our Local Government Reform Programme. The Draft White Paper outlines our underlying philosophy and our policy prescriptions for transforming and modernizing the local government system, while the Bill prescribes the institutional mechanisms, the structures and other requirements, which we are obliged to implement and to give effect to a reformed local government system.

We earnestly believe that local government is about empowering people in communities to manage governmental affairs in accordance with accepted democratic principles. In this regard, we view the reform of our local government system as the pathway towards the fulfilment of a covenant between the Government and the people to partner together to improve the quality of life we all aspire to through the delivery of quality public services and amenities.

**1.45 p.m.**

Our Reform Programme has been guided by the following:

1. Vision 2020 mandate of good governance;
2. The Commonwealth principle on good practices for local democracy and good governance;
3. Local and regional area planning and development as the platform for promoting sustainable local communities and robust participatory local democracy.

Guided as we were by the good governance principles of accountability and transparency, participation and predictability, we encountered two main challenges. Firstly, what should be the roles and the responsibilities of local government bodies in effectively promoting the development of local sustainable communities within the framework where central government formulates national policies for the entire country and, secondly, what were the form and nature of political and management structures to be established to facilitate decentralized operations, local democracy and good governance.



The local government reform process began in earnest in 2004 with the establishment of a decentralization unit at the Ministry of Local Government and the publication of the draft policy paper on Local Government Reform 2004, the Green Paper. It would be remiss of me if I did not at this point pay special tribute to my predecessors in this Ministry, former Minister Jarrette Narine and the current Member for Tobago East, the hon. Rennie Dumas, for their contribution to this process. [*Desk thumping*]

The Green Paper articulated a strategy for the continued reform and modernization of the local governance system and was subjected to widespread public consultations, including a two-day national consultation and four regional consultations held between August and September 2004. More than 1,000 citizens representing about 35 groups, organizations and institutions, including community-based organizations, non-governmental organizations, village councils, women's groups, religious bodies, trade unions, political parties and the business sectors, attended those consultations.

The Green Paper was laid before the Senate on October 22, 2004 and in the House of Representatives on October 29 of the same year. The second phase of the process was initiated in 2006 with the publication of the Draft White Paper on Local Government Reform, which was laid in the House of Representatives on May 26, 2006 and in the Senate on June 2006.

This document incorporated the consensual positions arising from the consultations on the Green Paper as well as those recommendations made by the local government inter-ministerial transitional task force. A series of consultations were subsequently held during the period August 09 to September 20, 2006. This comprised one internal session with employees of the Ministry of Local Government; a two-day national consultation and five regional consultations. Approximately 1,500 persons attended these consultations representing a larger catchment of groups, organizations and institutions than what held for the 2004 consultation on the Green Paper. Additionally, a series of community consultations were held in the year 2007 in approximately 200 communities and/or villages throughout Trinidad attracting more than 3,000 participants. In total, approximately 4,500 persons attended these consultations.

The third phase of the process commenced in the year 2007 when the Ministry of Local Government engaged consultancy services. Trevor Hamilton and Associates of Jamaica through the mechanism of an institutional strengthening and technical support agreement with the United Nations Development Programme was hired. The main tasks of Trevor Hamilton and Associates were to

determine the capacity of local government bodies for enhanced functions and responsibilities; to outline the functions and responsibilities to be decentralized to local government bodies; to make recommendations pertaining to the roles and responsibilities of local government bodies; to design an appropriate organizational structure consistent with the executive council as well as the new structure for the Ministry of Local Government and to draft legislation to give effect to the local government reform policy, prescriptions and programmes.

The consultancy firm conducted several stakeholder workshops in the year 2007 and following a presentation and their findings and reports in January of 2008, an inter-ministerial policy team concluded that some of the proposals for the reform were not in accordance with the Government's policy and prescriptions as outlined in the Draft White Paper. Furthermore, there was an apparent lack of clarity with respect to the roles and the responsibilities of local government bodies.

It was against this background that Cabinet accepted the recommendations of the Cabinet subcommittee that the roles and responsibilities of local government needed to be clarified before proceeding to treat with the issues of boundaries, structure, organization and legislation. The publication of a Green Paper on the roles and responsibilities for public comment was therefore endorsed by Cabinet.

Extensive public consultations were held on the Green Paper on the roles and responsibilities of local government from June to October in the year 2008. In all, 14 municipalities were visited while one internal session for staff was also held. Approximately 10,000 persons attended these consultations and, more importantly, they represented some 250 CBOs and NGOs, village councils, faith-based organizations, political parties and other associations.

When we reviewed the consultation process on the reform from 2004 to present, approximately 14,000 persons representing a wide cross-section of the population of Trinidad would have participated in this process. As far as could be ascertained, never before in the history of consultations on matters of governance in this country have so many persons of diverse backgrounds participated. This is truly a first.

Based on the report from the consultations, Cabinet approved eight new and extended roles and responsibilities for local government bodies which included responsibilities as such:

1. Planning for local and regional areas.
2. Monitoring the execution of works by state enterprises, statutory corporations and public sector agencies as prescribed;

3. Landscaping and beautification of communities;
4. Providing community policing;
5. Managing waste in the new sense that this activity extends beyond garbage collection and disposal to include reusing and recycling waste;
6. Preparing for and managing disasters;
7. Issuing approvals for applications for full planning permission not requiring a CEC from the EMA for residential and small building developments and additions of any type, not exceeding 500 square metres; and
9. Minor engineering operations as specified by schedule; and finally
10. Providing extended public health service.

It is to be noted, however, that the provision and maintenance of roads and drains would be transferred to the Roads and Drainage Authorities respectively and that property tax collection would be undertaken by the Revenue Authority. Recognizing that there was a lack of clarity of the roles and responsibilities between the municipal corporations and the ministry, Cabinet took a decision to identify those roles and responsibilities. Accordingly, the major roles of the ministry are as follows:

1. To develop policy and standards consistent with local and international best practices;
2. To advise the Cabinet on the charting of the strategic direction for local governance and democracy;
3. To prepare local area and regional development plans and policies for the municipalities in collaboration with the municipal corporations; and finally
4. On the matter of roles and responsibilities at the municipal level, the roles of the municipal council and the executive council were clearly demarcated.

Other salient activities associated with our local government reform were being undertaken in tandem with the public consultation on the roles and responsibilities. These included:

1. The drafting of the local government legislation;
2. The review of the local government boundaries;

3. The development of an organizational structure for the Ministry of Local Government and local government bodies consistent with the approved roles and responsibilities.

In terms of the drafting of the legislation, the services of legislative drafting consultants, Mr. Ian McIntyre and Mr. Hugh Robertson were procured in September 2008 to draft the Local Government Bill and associated regulations consistent with the Government's local government reform policy, prescriptions and programmes. The legislative drafting consultants produced the first draft in December 2008 and, thereafter, between December 2008 and June 2009, several presentations were made to the key institutional stakeholders represented at the ministry's project management board, as well as to the Cabinet subcommittee.

This process allowed for stakeholders, such as the Chief Parliamentary Counsel, the Auditor General's Department, the corporate secretaries of the various municipal corporations and the trade unions, to provide feedback to ensure consistency with subsidiary and other legislation. We believe that the resultant Local Government Bill, 2008 laid before this House this afternoon is an omnibus legislation that attempts to strike a balance between prescriptive and enabling legislation. That is to say, it outlines provisions which are on the one hand, specific and unambiguous and on the other, those that are organic or allowing for changing circumstances and environmental conditions.

The main provisions of the Local Government Bill, 2009 include:

1. The constitution of municipalities, municipal corporations and councils.
2. The restructuring of corporations with the municipal councils; the restructuring of corporations with the municipal council and executive council as two distinct bodies.
3. The establishment of the executive council to guarantee that a mayor or chairman and secretaries are in charge of functional divisions.
4. The institutionalization of six specific departments or divisions.
5. The redefinition of boundaries to ensure that quality service is delivered effectively and efficiently and the institutionalization of the chief executive officer as the accounting officer of the corporation.
6. The provision of the Minister of Finance to consider certain factors in determining parliamentary appropriations to corporations.

7. The establishment of one central command structure for the municipal police under the Commissioner of Police and expanding the jurisdiction of the municipal police to include community policing.
8. The imbedding of repeal and transitional provisions.

**2.00 p.m.**

Mr. Speaker, with respect to local government boundary review, the main objectives were:

- to realign the boundaries to reflect the natural changes in natural geographic configuration, population growth, regional and urban migration trends, a new settlement pattern and industrial and commercial activity;
- to determine the number and types of local government bodies, which are appropriately suited to the socio-economic and demographic realities and sustainable development challenges in Trinidad;
- to coordinate and to standardize all boundaries and administrative regions in Trinidad and Tobago; and
- to ease data-gathering, exchange of information, analysis and implementation of projects.

Mr. Speaker, some of the main proposals for boundary review are:

- the reduction in the number of local government boundaries from 14 to 12; ideally seven regions, four cities and one borough;
- the expansion of the boundaries of Port of Spain and San Fernando, Arima and Point Fortin:
  - where the City of Port of Spain will expand to include Laventille and parts of Westmoorings;
  - where San Fernando will expand to include Pointe-a-Pierre; where the Borough of Arima will expand to include Wallerfield and the Borough of Point Fortin will expand to include La Brea;
- the Boroughs of Arima and Chaguanas have been elevated to city status.

In relation to the organizational structure for the Ministry of Local Government and local government bodies, it is designed to:

- ensure greater involvement of the locally-elected representatives in the management of the affairs of the local government bodies.

It continues:

- to establish new political and management structures, which reflect changes to both the role of the Ministry of Local Government and the municipal corporations and their role in promoting the sustainable development of communities;
- to strengthen the capacity of local government bodies;
- and to facilitate greater speed and flexibility in decision making and policy formulation, local area and regional planning, quality service delivery, expanded service delivery coverage within communities.

Since one of our aims in the reform is to encourage greater citizen participation in the affairs of local government, systems will be established to ensure easy access to information regarding the services offered by corporations, their roles and their responsibilities and procedures to accessing services, monitoring progress and voicing opinions.

Consequently, a robust ICT network will be established, integrating the information and the databases of the local government bodies, the Ministry of Local Government and other state agencies. This will facilitate citizens and burgesses seamless participation in the process of governance and creating a virtual city, a virtual town or regional hall, as it were, within their residential domain. The Ministry of Local Government will remain the central institutional mechanism linking the local government bodies, the citizens and burgesses to the Cabinet and to Parliament.

The municipal corporations would be restructured in such a manner that will allow them to provide and maintain services and implement projects, consistent with central government policies. This will promote sustainable development in the following core areas of responsibility:

- municipal management and corporate services;
- public health and environment;
- social services and community outreach;
- facilities maintenance and physical infrastructure;
- planning and development; and
- municipal policing;

with finance to be attached to any portfolio at the discretion of the mayor or the chairman.

The most revolutionary feature in the reform is the establishment of an Executive Council comprising the mayor, the chairman and six secretaries, each of whom will be assigned responsibility for one of the six portfolio divisions identified above.

The Executive Council will be collectively responsible and accountable for the efficient and effective management of the corporation. In this regard, it will determine the broad strategies for implementation, consistent with government policy, as well as approve the plans and programmes of the various divisions.

Since this body will now be staffed by full-time politicians, some of the potential benefits would be derived as follows:

- timely decision-making, that is on-the-spot decision-making;
- the formulation of programmes that are more compatible by local means and expectations;
- the devising of more effective strategies for implementation of programmes;
- more effective communication with community stakeholders and, therefore, being more tuned to their concerns, their needs, priorities and expectations;
- exercising greater and more constant oversight over project and programme implementation; and
- more effective monitoring, evaluation and review of service delivery.

Mr. Speaker, the reform has been a long and arduous process. In fact, it is a continuous process and the laying of these documents here today heralds the completion of yet another phase in this journey. It simultaneously signals the beginning of a core part of the implementation process, and more importantly, legislative changes are required to give effect to certain aspects of the reform, for example, the restructuring of the municipal corporations to introduce the Executive Council system, the new boundary demarcations, as well as the establishment of the central administration districts.

We are convinced that the implementation of this reform package will bring about tremendous benefits to the people of Trinidad and Tobago, as well as to promote balance, regional development and vibrant sustainable communities.

Some of the broad benefits we envisage include:

- improved effectiveness in the management of resources;
- expanded quality service delivery coverage;
- superior physical infrastructure;
- safe, secure and more resilient communities;
- clean and healthy environment;
- employment generation and community entrepreneurship; and
- increased opportunities for citizen inclusion in decision making.

As I conclude, I wish to emphasize that the message we are sending is one of good governance that encourages people to get on board and make their contributions to the development of Trinidad and Tobago without fear or without favour. Over the next two years or so, this Government's vision for the local government ministry and the municipal corporations is one that emphasizes collaboration and dialogue as we implement new models and new structures. Undoubtedly, it will be a challenging period, but we are confident that our new vision for local government will significantly enhance the quality of life of our citizens, especially at the community level. In addition, we will be able to measure the incremental successes that we achieve along the journey as we institute the necessary changes.

Although the issue of local government is engaging countries around the globe, the proposed system is unique to Trinidad and the circumstances of our country and our people. While we are joining the community of nations that are seeking to transform and modernize their own local government systems, our proposal reflects the dreams and aspirations of our own people. We consider it our contribution to the process of local governance around the world and we commend it for the consideration of countries, which like us, have been searching for a system which gives people at the local level a greater say in the conduct of their own affairs.

It has taken us five years to arrive at this place. This country has journeyed through several administrations and widespread consultations with the public as we seek to conclude this process. It will now be the Parliament's turn to deliberate on these matters of fundamental importance.

I want to remind every one of us that we too are loyal citizens of this beautiful country. I want to urge our colleagues opposite not to see this matter in the context of the cut and thrust of politics, but rather to partner with us, so that



together we can produce a system of local governance that can put Trinidad and Tobago ahead; head and shoulders above countries in similar circumstances. It will produce, for the people of Trinidad and Tobago, a system of local governance that will more closely meet our needs and our aspirations, will give us the level of local involvement and participation, which was not available to us under the previous systems. We are confident that the rewards would have been worth the tremendous effort put in by so many persons.

I want to take the opportunity to thank the staff of the Ministry of Local Government; Permanent Secretary, Blackman; Mr. Cornelius Price and Anaalean Inniss, and members of our communication unit, just to name a few, for their hard work and commitment to this process. We are equally confident that this is not the end of the journey of reform that, in spite of the many consultations, there are still more valuable contributions to be made by Members of both Houses of Parliament that will serve to strengthen what has been laid before this honourable House. We actively seek and encourage additional feedback from our colleagues opposite in both places, since in so doing, the benefits would undoubtedly redound to the people of Trinidad and Tobago, whom we call upon to serve.

Mr. Speaker, and Members of this honourable House, I thank you for your attention.

#### LOCAL GOVERNMENT BILL

Bill to reform and modernise local government in Trinidad, to provide for certain Municipalities, the delineation of their boundaries, and their classification as cities, boroughs and regions, to provide for the continuation of certain Municipal Corporations and the establishment of new Municipal Corporations, to provide for a Municipal Council, an Executive Council and uniformed Departments for each Municipal Corporation, to specify responsibilities of the Municipal Corporations, the Municipal Councils, the Executive Councils and the Departments and the role of the Government in relation to Municipal Corporations, to establish Central Administrative Districts and Central Administrative District Co-ordinating Communities, to repeal and replace the Municipal Corporations Act (Chap. 25:04) and to provide for related matters [*The Minister of Local Government*]; read the first time.

*Motion made*, That the next stage of the Local Government Bill (2009) be taken on Monday, July 06 at 1.30 p.m. [*Hon. C. Imbert*]

*Question put and agreed to.*

**Mr. Speaker:** I understand that there is a next Bill that would be introduced later on in the proceedings.

**2.15 p.m.**

**PRESIDENT'S EMOLUMENTS (AMDT.) BILL**

*Order for second reading read.*

**The Minister of Public Administration (Hon. Kennedy Swaratsingh):** Mr. Speaker, I beg to move,

That a Bill to amend the President's Emoluments Act, Chap. 2:50, be now read a second time.

Mr. Speaker, the matter before this honourable House is the proposed Bill to amend the President's Emoluments Act to ensure that the pension payable to former holders of the Office of the President is reviewed every six years from the date the holder of the office ceases to be President.

Clause 1 provides the short title of the Bill.

Clause 2 seeks to provide the interpretation provision.

Clause 3 seeks to amend the Act by inserting after section 3, a new section 3A, to provide for a review of the pension payable to former Presidents after every sixth anniversary from the date a President ceased to hold office. The proposed section also provides for the option available under section 3(2) of the Act will not apply to a revised pension under the proposed section.

Mr. Speaker, the Trinidad and Tobago Republican Constitution provides for a President who is the Head of State and Commander in Chief of the armed forces. The President appoints members of commissions and other senior officials. He is responsible for appointing Independent Senators on his own discretion. He has the power under other sections of the Constitution which are extricably linked to constitutional limits, and most of his constitutional acts must be performed in accordance with the advice or after consultation with other authorities, usually the Cabinet, the Prime Minister or the Leader of the Opposition.

Mr. Speaker, as you are aware, the Constitution provides for an Electoral College consisting of all Members of the both Houses of Parliament assembled and presided over by the Speaker of the House, and the President is elected by a secret ballot of the Electoral College, after which he then serves a period of five years.

Mr. Speaker, it has long been established that as the holder of the highest office of the land, the Office of the President ought to be treated with the requisite levels of respect and distinction. It is often said that the quality of a society is determined by the manner in which their elders, leaders and heroes are treated.

Trinidad and Tobago's first President, Sir Ellis Clarke, served this Republic with distinction and excellence for two terms, from 1976 to 1986. Even before his assumption of the Presidential Office, he had served as Governor General and his were the skills that helped draft the Republican Constitution and iron out its details. Indeed, Sir Ellis Clarke remains one of a very select group of Constitutional experts here in Trinidad and Tobago, and his advice is still frequently sought in matters of this nature.

Mr. Speaker, research has shown that Sir Ellis Clarke received many honours, including the Trinity Cross, three knighthoods, the Order of the Liberator and the Honorary Doctors of Laws. He went into retirement after 34 years of distinguished public service. Few can point to serious blemishes in all these years of being on the frontline. His achievement is immense.

Mr. Speaker, this is the general purport of why this legislation has become necessary. Under the current legislation, the first holder of the highest office of the land was caused to receive a nominal remuneration which has not been revisited since 1986, to reflect an amount which is cognizant of higher costs of living, rates of inflation and general increased prices in the cost of goods and services, 29 years after demitting office.

This legislation assumes the task of lending guided assistance to righting some of the unintended inequities resulting from the last piece of legislation which dealt with the emoluments of Presidents.

Mr. Speaker, another noteworthy example why this legislation is being debated, and an important aspect which this legislation intends to treat with, is the surviving spouse issue, as was the issue with former President Noor Hassanali, who died having retired from office.

President Hassanali was the second President of the Republic of Trinidad and Tobago. He served dutifully and with marked distinction from 1987—1997. Mr. Speaker, President Hassanali was described as one of the most neutral, reserved, and dignified figures in the history of Trinidad and Tobago politics. When he was inaugurated as President in 1987, he was described as a person of impeccable credentials who had a reputation for honesty and humility of the highest order. It goes without saying that the honour conferred unto Presidents and extended to their spouses should be reflected in the pensions that are concomitant with the Office.

Mr. Speaker, the natural consequences of the proposed legislation would be to ensure that the pension afforded to the Office is properly accounted for, having

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regard to changes in various conditions and by extension to ensure that the pensionable surviving spouses are not subject to a national disservice.

The thrust to confer ultimate responsibility on the Office of the President was graciously accepted in the name of service to country by the Presidents that we have had, both past and present, who have all served with distinction and honour.

Under the current scheme, my information is that the pension payable to Sir Ellis Clarke is in the general vicinity of a little less than \$6000 inclusive. There is an unfortunate disparity in sitting Presidents emoluments compared to those of their predecessors and it is the intent of this legislation to close this gap.

Mr. Speaker, the Bill proposes that should a President cease to hold office for more than six years before April 01, 2008 that President is entitled to a revised pension. Former Presidents and surviving spouses who would benefit from the proposed legislation are: Sir Ellis Clarke; surviving spouse of President Noor Hassanali and President Arthur N.R Robinson.

Mr. Speaker, the amendment also proposes that where a former President has elected to forego his pension entitlement, but exercised the option of pension at a rate of three-fourths of that pension, together with a gratuity equal to 12½ times the amount of the annual reduction so made in the pension, he precludes himself to a revised pension. In other words if a former President, had served more than six years before April 01, 2008 and he did not elect to have pension payable under the Act, but pension at the rate of three-fourths of the pension together with a gratuity equal to 12½ times the amount of the annual reduction so made in the pension, that former President would now under this proposed amendment, be eligible for a revised pension.

Mr. Speaker, this review of pension payable to Presidents on every 6th anniversary of the date he ceased to be President shall be equivalent to the salary payable to the incumbent on that date.

Mr. Speaker, the difference in spending power afforded to former heads of state under the current legislation is inequitable and the principles of natural justice dictate that this Bill be reviewed at this time to remedy the passive injustice suffered silently by our former Presidents and their spouses for far too long.

In light of the foregoing, Mr. Speaker, I now beg to move.

*Question proposed.*

**Dr. Roodal Moonilal** (*Oropouche East*): Mr. Speaker, thank you very much. Today, we are called to Parliament to discuss an Act to amend the President's

Emoluments Act, Chap. 2:50. I heard the Minister of Public Administration, the Member for St. Joseph, indicate the purpose for this measure in his introduction. It is, indeed, a very short Bill with three provisions dealing specifically with three persons. So, it is a Bill that deals with three persons, and we are here to ensure that there is some equity in the provision of retirement benefits to former office holders of the highest office of the land.

I also took note of some of the comments made by the Minister in his introduction, particularly the references to former presidents; Sir Ellis Clarke and the late Noor Mohammed Hassanali and the Minister paid tribute to those office holders.

Mr. Speaker, I am not sure that this is the approach that is required to satisfy a problem that the Minister outlined—the issue of providing a decent pension to high office holders and, in this case the President. While that is a genuine issue, I am not sure that this is the correct approach to deal with essentially three office holders and, in one case, the spouse of one office holder.

I will make reference to the Minister's presentation as I proceed, but I wanted to make a couple introductory points first. Yet, again, the Opposition has to call upon the Government to deal with the issue of pensions in a comprehensive and holistic manner that the Government should meet and treat with the concerns, not only of three office holders, but the concerns of all persons who have contributed by way of public service to Trinidad and Tobago. [*Desk thumping*]

**Mr. S. Panday:** Indeed!

**Dr. R. Moonilal:** Mr. Speaker, are you ready to retire? I am not asking the question, but this is a topic of a discussion that has been initiated by the Ministry of Social Development. In fact, the Ministry of Social Development reports that they have conducted panel discussions, and the theme of those discussions is: Are You Ready to Retire?

Mr. Speaker, for 91,000 citizens of this country, that is the scenario that confronts them—their retirement; their ability to respond to their needs and, in some cases, essential needs of medical treatment, housing, energy cost, inflation and so on.

You see, the Prime Minister promised, several years ago, in his 2003 budget—the Prime Minister, the Minister of Finance and Member for San Fernando East in 2003 stated:

“We are in the process of evaluating recommendations on pension reform with a view to providing the national community with a comprehensive pension reform framework for wide consultation.”

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This is the 2003 budget statement. The Prime Minister and Minister of Finance went on to state:

“...this annual amount will be kept under review to enable the elderly to always maintain a reasonable standard of living.”

So, it is the objective of the Government to ensure that the elderly maintain a reasonable standard of living.

In a document presented by the Ministry of Social Development to the International Confederation Ninth Global Conference on Ageing—this was in September, 2008, a few months ago, in Montreal, Canada—the Government indicated as a clear objective, a policy to promote and preserve the dignity and independence of the elderly. That is the policy objective.

Mr. Speaker, the Government has its objectives, but are those objectives being met? That is the issue. It is not the high sounding and fine pronouncement on objectives. Anybody could go on a computer and punch out on the keyboard the objectives, but are you meeting those objectives? The answer is a resounding no.

The Governor of the Central Bank, in his remarks on January 22, 2008, at the anniversary launch of the Financial Literacy Programme, indicated that they had conducted research. In that research, in the area of retirement planning, 33 per cent of persons over the age of 60 continue to work because they need additional income. This is the Governor of the Central Bank.

Further, 54 per cent of retirees do not have an occupational or personal pension. Almost half of the retirees, 45 per cent, reported that their current household income was insufficient to give them the standard of living they hope to have in their retirement. Mr. Speaker, 45 per cent of all retirees cannot survive on their current pension. It is insufficient to give them the standard of living that the Government promised as part of its objectives. So, 50 per cent are not meeting that objective of a decent standard of living.

When I go to the Bill, clause by clause, you will see that the objective is to ensure that the former presidents—and the Minister also indicated the spouse of a former President. So, you are saying to the national population that the spouse of deceased Noor Hassanali will benefit from this pension. That is what the Minister indicated—are provided with a pension equivalent to the salary payable to the incumbent on that day. I believe, the incumbent is the current President, and the salary payable to the President at this moment is \$49,500. That is the salary.

**2.30 p.m.**

So, when I read this, you are providing for pension payments to two former Presidents and the spouse of Mr. Hassanali of \$49,500. You need to explain that, because we need to explain that properly. But, Mr. Speaker, I must put this in the context of other public office holders first.

We have a situation in this country—and I will not speak to the general group of persons who receive Senior Citizens Grant at this moment as well—where judges at the Court of Appeal, at the High Court and at the Industrial Court, judges, who upon retirement—I am informed, Mr. Speaker—receive two-thirds of their last salary as pension, and that is not subject to change. It is not!

So if you retire as a judge in 2000, you receive two-thirds of your salary as your pension, and that is not subject to change, so you are still receiving that today, notwithstanding cost of living, notwithstanding inflation, notwithstanding cost of medical care, and in the case of judges you cannot practise, you cannot ply your trade for 10 years.

*[Mr. Imbert motions for Dr. R. Moonilal to give way]*

No, I am not giving way. Later I will give way.

That, Mr. Speaker, is the situation with judges of the Court of Appeal and the High Court. *[Interruption]* The Industrial Court is even different because the judges of the Industrial Court are not treated as judges of the High Court, and the Industrial Court is the equivalent to a court of superior record to the High Court. So, the judges of the Industrial Court are paid a pension pursuant to the regulations, Pension and Gratuity Regulations, Chap. 88:01, the Industrial Relations Act. So they do not receive the pension as a judge. In some cases we have very honourable gentlemen who may have served the Industrial Court for 20 years and they receive around \$5,000 a month as their pension.

In that context, you look today at this measure that you are going to provide—the Minister will have an opportunity to correct me if I am wrong—a pension to office holders before—I wanted to ask the Minister. Where did you come up with this formula? Where did it come from? What was the thinking behind it? Because nothing is wrong with adjusting the pensions of persons who have served this country, particularly our high office holders and so on, the Minister was right, they have served with distinction, they have received awards and so on for their service to nation and the region in some cases, and world and PNM. They have received awards and rewards for their service, but I am not sure of the thinking of

this. Is it that you studied this thing properly and decided that the current salary of the President is a good enough salary for all and it helps to take care of those former Presidents who may not have the sort of needs that they had before?

In fact, Mr. Speaker, a retired public officer—President, Prime Minister or whoever—has different needs; it is not the same needs as you had before. It is a need for service, particularly medical service, optical services and other related services; the need for, in some cases, maybe a chauffeur, because as you age you may not be able to drive and so on, so a chauffeur in some cases. *[Interruption]*

But, Mr. Speaker, I am not sure that a retired President in 1985, 1986 or 2001 needs \$49,500. I think there is an inequity here. I think this matter is being treated in a flippant way, to satisfy one or two former office holders because one or two office holders, formerly, have provided the Prime Minister with a Government and this is a pay-back time. This is it! Because office holders are in need of certain services—not as Sham Mohammed used to say; solid liquid cash—not that way, but in need of services and the Government should provide those services and assistance to former office holders.

If I heard the Minister right, the Minister spoke about former President Noor Hassanali. There was an article in the newspaper in this country that former President Hassanali had written to the Government to get assistance by way of removal of VAT and duties on the purchase of a motor car and the Government turned down that request. They turned it down! *[Interruption]*

For former President Robinson, they provided nurse, chauffeur, two vehicles with duties and taxes off, bodyguard, *[Interruption]* that was the reward and award for treachery. In the case of Mr. Hassanali, the newspaper reported that Mr. Hassanali had asked the Government for assistance and they failed to provide it.

I want to get back to the Minister's statement, talking about former President Hassanali and how great he was, a man of dignity and so on. To this day—unless I am mistaken—not one event has been held in honour of Mr. Hassanali. They have not dedicated one building, one street, one trace, nothing in the memory of Mr. Noor Mohammed Hassanali. We proposed several years ago that the Hall of Justice could have been named the Noor Hassanali Hall of Justice in tribute to the former President, who himself was a judge. They have done nothing, but they come and give the talk. It is like Mandela; they were fighting to hug up Mandela by the aircraft, when he left nothing happened.

The Minister also spoke about how we treat elders, leaders and heroes, and I want to go from one point to another on the spectrum. We have persons who have received Chaconia medals—I would not say Trinity Cross again because I think



that is out—and awards from the Government and different governments and so on, for contribution to public service, what do they get? Nothing! What do they get apart from this medal on Independence Day and some sweet drink? Nothing! They still have to go and face the medical bills, the doctors and so on; they still line up all over to get their services.

A holder of a Chaconia Medal Gold for Public Service said that he applied for self-help and he could not get self-help. I just want to say in passing, I note every year the Minister of Education will visit the school to meet the students who top the island in SEA, but apart from a hug from the Minister, what else do they get, a trip to Disneyland, a visa or what? [*Inaudible*] What I am saying is when you have before you persons who have excelled, you need to give some tangible award, some tangible service for that excellence. The children of 11 years will not be interested in a pension, but certainly you must reward excellence, apart from a hug. You understand? This is my point! [*Interruption*] How do you spell that hug? H-U-G, "eh".

**Hon. Member:** I thought it was H-O-G.

**Dr. R. Moonilal:** Mr. Speaker, let me get back on track to this issue of providing relevant service to former Presidents, providing a decent income support and I would like to ask the Minister to explain, why, what was the logic in coming up with this formula, that every six years—first, why every six years? I am not sure why every six years. And why would you want to make the pension equivalent to the salary of the incumbent President? Is that a figure that you have estimated that \$49,500 a month is good enough to face the grocery? Is good enough to pay for a butler? Where did you get that from because it may be less? I doubt it could be more, but it may be less, and if you look at that, apply your thinking to the plight of public officers like judges and teachers in the public service.

Mr. Speaker, a teacher who retired in 1988 would receive then 50 per cent of his salary as a pension, that has changed to two-thirds, but in 1988 if you retired as a teacher you got 50 per cent of your salary and that remained like that. Only, I think, in the '90s, they got a couple \$100-plus more, but their pension has remained, so you are getting now, two-thirds and they raised it by a few hundred dollars. Why you do not just raise the pension for former Presidents by a few dollars as well? But it is \$49,500. Will that satisfy the bills? Will that be enough to pay for the food and so on of the former Presidents?

One needs to look at the package of the President as well, and I raise this matter in the context of income to the President and whoever the President is—of

course, you know I am not on to personalities, you know that by now. I am not concerned with the personality of whoever the office holder is.

Mr. Speaker, in terms of the package, the President has a salary of \$49,500; a duty allowance of \$7,500; an official residence, fully furnished by the State with the necessary complement of staff, but when the official residence is not available—as it has not been available for the last eight years or so—and no suitable replacement is provided, there is an allowance of \$12,000 per month for housing. This was increased to \$13,800 in 2005. So you have a housing allowance of \$13,800; duty allowance of \$7,500, a salary of \$49,500. Now, in the context where office holders—and I am not referring to anyone in particular—do not buy medical, do not buy a "sweety", a soft drink and a "bara", will not be buying anything, will not be paying anything for anything, I mean, they buy nothing, should they not also be saving some money as well so that in retirement they would also have nice savings that could assist them?

So, while we want to give the status and dignity to former presidents, when they are in office they get some dignity as well. They should save some of that dignity so when they demit office they have sufficient funds to carry them through, apart from a good pension, commensurate with their office. I am asking, is \$49,500 a good pension? If so, could you point us to the actuarial survey or whatever scientific survey you did to come up with this figure?

May I add, the President is entitled to sixty calendar days per annum vacation, overseas travel facilities, entitlement to passage to the United Kingdom, hotel accommodation, meals, subsistence allowance of \$100 a day, an allowance of US \$200 per day, plus hotel suite, entertainment to be met, a warm clothing allowance of US \$350. So, the President, is entitled to telephone expenses, of course, medical benefits, exemption from taxation—

Mr. Speaker, the point I am really making is that you do not take money from your pocket to pay for a loaf of bread. You do not pay anything! Having not paid for anything when you are working, when you demit office you get this pension of \$49,500. Is that fair? Is that equitable? When you look at what happens to other office holders and high office holders who demit office and have to live on \$3,000 a month, \$5,000 a month as teacher, and for doctors. I just want to speak briefly about doctors.

You have a movement now from the public service to the RHAs and doctors are on contract, they are contract doctors, they have no provision for pension. They get a gratuity, but there is no provision for pension for medical doctors in the RHAs, they are on contract, so while this is happening—such an important group of people, medical doctors, they are not being encouraged to remain in public service.

If you want professionals to remain in public service, you need to treat professionals in a particular manner. Ensure that they have terms and conditions of work that are attractive enough to stay. There are persons—and I want to add—there are professional people, who, while money is important and they will always yearn for more money, as a doctor, or as a lawyer, they will yearn for more money, they may also be interested in serving their country and being a career public officer serving the public as professionals. We must ensure that we attract and maintain and keep those persons.

**2.45 p.m.**

So you can stay as an engineer, as my colleague from Couva South. A distinguished career in the state enterprise sector as a professional and as an engineer, and I am sure when his turn comes to address the House, he will give you a first-hand view of matters to show how pauperized you could be, when you serve the country at the state enterprise level—and lawyers.

We complain that we do not have lawyers going to the DPP's office and the Solicitor General's office and we are not attracting lawyers. You have no arrangement for pensions for these persons and to make matters worse, you are now being described as UNC and PNM lawyers and so on. Further insult! In fact, as professional workers in this country to hear that, it was obscene, unspeakable, incomprehensible, and a disgrace to be describing professional people by party badge, party tie and so on.

Mr. Speaker, hypothetically, if someone is an engineer and you vote in the association of engineers, do you put on your balisier tie to vote? That is the obscenity I want to get away from in my presentation.

The Minister of Public Administration speaks about how we treat the elders, leaders and professionals in the country. We must treat our professional people in a particular way and I get back to this point, 34 years of public service, the Minister spoke about. But you have to treat them in a particular way and do not insult them like the Minister of Works and Transport. That is the point, do not insult. Do not insult them when they conduct their duties, when they act based on their conscience. That is the problem.

Mr. Speaker, I would like to also raise this matter of the spouses of Presidents in particular, because we are dealing with Presidents now. We are not dealing with the spouse of the Prime Minister at this moment. One assumes they are well taken care of. I say this not to refer to anyone, because you know I never refer to any personalities when I address the House, but the President unlike a Prime

Minister, cannot appoint a spouse to Executive Officer. I think the highest office at the President's House is Director of Communications, unless I am mistaken. So a President cannot appoint that way and cannot seek employment. But apart from that, it is a convention in our system of government, that the spouse of the President will not work, will not be engaged in their trade. That is a convention. I am not sure if it is a law, but it is a convention that it will not happen.

Mr. Speaker, spouses of Presidents and so on, also give public service. They work and they have enormous commitments and so on. They dedicate themselves when they are in office, but also when they are out of office and so on, and maybe it is time to look at some of the provisions for the spouse because you have in one case—and I am referring to one case really, the case of Mrs. Zalayhar Hassanali who served with distinction during the time her husband was President and continues to involve herself in public service, in charitable work and so on, to what extent is the Government supporting her? To what extent is she receiving any support from the Government for her medical bills, for her travelling, for her work that she is doing and for her upkeep?

You see, Mr. Speaker, we cannot create a society where when the President dies, the wife dies too. It does not work like that, they may continue to live. They have certain needs and the Government, to demonstrate the gratitude of a country, should provide at least some basic facilities. But unless I am mistaken, the spouse of the former President has to continue to meet certain expenditure and the bills for services and so on. It is something that we should look at. Today, we use the word "the spouse", but maybe in years to come we may have the first husband and so on. It may not be the female. You may have to refer not to a female, not to the woman, but to a man who is the spouse of the President.

You see, we need to reflect on that and the extent to which the Government should make a commitment to persons, who continue to do public duties when the President so to speak, has passed on. I think the Minister should also address that because I am not sure, but if you read history, there was a concern with the state of affairs of Lady Hochoy in the later years, when we heard of complaints about her inability to meet basic expenditure and take care of herself and so on at that age, and you would not want that to be repeated. As I said, unlike the Prime Minister, the President cannot appoint that way to Executive Office, that will bring with it terms and conditions of work that are favourable, pension, gratuity, travel and so on. So, one has to consider that.

On that note, it is quite instructive to ask the Minister as well—has the Minister thought this out—is this also the pension that will be provided to an

Executive President? Because as the Minister knows, the Prime Minister of the country, the Chairman of his Cabinet, is considering the establishment of an Executive President. Have you contemplated this in preparation for the Executive President or would we be looking at that differently and changing it, if and when the Member for San Fernando East would have his way? It is a legitimate issue.

**Mr. Ramnath:** Imbert, the Governor General.

**Dr. R. Moonilal:** Mr. Speaker, the issue of equity that I am getting to continues, and for the benefit of the Minister, I just wanted to raise that because it is the Minister of Public Administration. We must treat all workers with dignity and I also want the Minister to consider police officers. There are police officers who have retired in the '80s and so on and live on a pittance. They have to go in their later days and work as a guard at the grocery, and work PH. I pray to God, not in Chaguanas. But they have to work PH, drive maxi and so on, and tout on the road. Former police officers—*[Interruption]*

**Mrs. Persad-Bissessar:** Teachers.

**Dr. R. Moonilal:**—and teachers. I have already given you the data. Mr. Speaker, at no point in time I will use this debate to make a cause for Members of Parliament and so on, but it is something that one has to factor in as well. I will leave it right there.

**Mr. Ramnath:** No, no, it is a fact.

**Dr. R. Moonilal:** I have been in touch with retired police officers, senior officers at a high rank, and when you hear that they retired in the '90s, '80s as the case may be and live on \$2,000 a month, you know it is an interesting point here. When you receive what is called a Government pension—and the Minister of Public Administration should note this to discuss with his colleagues—as a retired public officer, you are then exempt from getting other services from the Government.

So a police officer living on \$2,000, house falling down, would like to get a self-help loan of \$10,000, is told that he is disqualified from getting self-help because he is a government retiree, a pensioner. You get a pension from the Government, that is what they are told—or the teachers as the case may be, or a manager, a supervisor, a director; you are getting a government pension. So there are certain facilities that cannot be afforded to you, such as self-help. I give this one example, but there are other examples as well and we need to ensure that all retired workers are treated with dignity, are treated with some measure of dignity and ensure that they are treated in the same manner that you are attempting now to treat three former Presidents.

**Mr. S. Panday:** The three.

**Dr. R. Moonilal:** The three. Mr. Speaker, there are Members of the legislature in the Commonwealth as a whole and we could look at Trinidad and Tobago as well, who have served sometimes for years. Years they have served in the legislature, and you know them not only by making speeches and so on, but working on committees. There are persons who have served in this country for over 20 years, and in some case uninterrupted for 30 years and so on. I am not referring—Mr. Speaker, do not get me wrong—to incumbent office holders because I am not using the debate to—not the sitting MPs—*[Interruption]*

**Mr. Ramnath:** You can refer to me.

**Dr. R. Moonilal:** There are former Ministers of Government and so on, whether it is Mr. Mohammed or Mr. Sudama as the case may be, who live on a pittance and have served this country at the highest level. They have served in parliamentary committees. They have represented their constituents with distinction, and today, their pension is a pittance and it is not in this formula being proposed by the Minister, to make their pension equivalent to the current salary of a Member of Parliament or a Minister of Government, persons who have served as Ministers.

There is a former Minister of Health who was also President of the World Health Organization and contributed to that global effort to deal with the health crisis of the day, and after all of this service, you receive a pittance from the Government. But for the Presidents, we are here to deal with this measure.

So, I am asking the Government and the Minister of Public Administration to explain why you have selected these three persons alone. First, we want to know why. Why did you not think of coming up with a comprehensive Bill; a comprehensive approach? State your policy guidelines; and deal with all public officers or high level public officers, retirees. Not just Presidents, there are others as well, Attorneys General. Mr. Speaker, I do not know how long the current Attorney General will last, but I am not referring to him either.

**Mrs. Persad-Bissessar:** DPPs. *[Interruption]*

**Dr. R. Moonilal:** Directors of Public Prosecutions.

**Mr. Ramnath:** Former Speakers. *[Interruption]*

**Dr. R. Moonilal:** Persons who have served this nation with distinction as Speaker of the House of Representatives, and I am making again, no case for any sitting officer holder.

**Mr. Ramnath:** He does not need that.

**Dr. R. Moonilal:** Mr. Speaker, the fact is what is needed is not this three provision Bill to fix up somebody. What is needed is to withdraw this Bill and come with a comprehensive approach that will include and involve retirees of high office. Make an indexation, I have no difficulty. In fact, we have proposed on this side indexation. We have proposed that.

In fact, just to remind the national community, the United National Congress made a commitment that we are committed on entering office to reduce the pension age from 65 to 60, and we are committed as well to the policy of universal pension. [*Desk thumping*] Do away with means testing and so on. If you have two tomato trees in the back and you have some baigan and ochro coming out from the backyard, you cannot get pension because you are a farmer. Do away with that, a universal pension for all citizens of Trinidad and Tobago. That is our approach.

For office holders such as Presidents, Prime Ministers, permanent secretaries, directors, executive members of the police service and the other protective services and so on, you can create a new formula to look at those offices and to establish—in relation to inflation, cost of living and the normal basket as we call it—what is workable, what is desirable for those office holders today. Nothing is wrong with a periodic review; reviewing that every five years at the case may be or 10 years or so. I am not sure why six years.

Nothing is wrong with putting in the Bill a clause to review because you want to ensure that those persons when retired can meet their basic expenses and so on. But what we object to is not the provision of better pensions for a former President. Certainly not! We agree in principle with that. We object to taking three persons in this manner and implementing a measure that is really grossly unfair to others. That is the crux of our objection. I have given you several offices holders and so on, and not to mention engineers as well that are suffering.

Mr. Speaker, really, on a debate like this, I must mention briefly the plight of Caroni (1975) Limited former workers—[*Interruption*]

**Hon. Member:** They needed to be much more impressed here.

**Dr. R. Moonilal:** That is the point—who have been denied a proper pension.

**3.00 p.m.**

There is a principle; I want to come to the principle about persons who contribute to a pension or contribute to national insurance; that is their

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contribution. They worked for that money and put it there. Giving them back is not a pension that way; you are giving them back what is theirs. It is not a favour. You do no one a favour by giving back the money they gave you.

If you look at the Caroni pension today, and you take away the NIS, they survive on a couple hundred dollars per month, \$650. Imagine that for the month \$650. How much is that per day? Mr. Speaker, \$20 or so per day? You have to have one meal a day with that. You cannot even sing for your supper. *[Interruption]*

**Mr. S. Panday:** *[Inaudible]*

**Dr. R. Moonilal:** I am coming to that in a moment.

The Caroni workers survive on \$20 per day; that is unjust, unfair. While that is happening, the Government comes with this Bill to provide three former holders of the Office of President with \$49,500 a month as a pension. There is no logic to that approach that one group of workers survives on \$20 per day and a small clique of persons get \$49,500 per month, particularly when those persons may not need it that way, because, as I have said before, they would have had a handsome package and would have saved and had alternative arrangements to take care of themselves.

They like to talk a lot about the glory years of 1996 and 2001; those years when the murder rate was at a horrible figure of 92 per year. They like referring to the administration of the UNC. Just to remind the Minister of Public Administration, that it was the UNC administration that introduced a medical plan for daily-paid workers in the public service. *[Desk thumping]* Until then, those workers had to dig into their pockets from their salaries and pay for medical bills, doctors, eye treatments and operations. Today, the daily-paid workers enjoy a medical plan courtesy the Government of the hon. Basdeo Panday and the UNC. *[Desk thumping]* At that time the price of oil was \$9 a barrel.

**Mr. B. Panday:** Between \$9 and \$15.

**Dr. R. Moonilal:** Between \$9 to \$15 a barrel was the price of oil. So when they ask questions such as why did we not do this and why did we not do that, we were working with \$9 a barrel for oil, \$15 a barrel for oil.

During this administration I think a barrel of oil reached to \$170, so this is why they have the money. This is why they waste the money as well. *[Crosstalk]* You have the resources to come up with a comprehensive bill that would take in the Presidents, Prime Ministers and permanent secretaries. You have resources, so think of this. *[Crosstalk]*



We were proposing then that the Government introduce a pension plan for daily-paid workers. If we fast forward to today, there are workers in all types of State related employment today. I refer not only to CEPEP and URP, but a host of others. In some cases, they may be working 10 years and 20 years on work programmes; they have absolutely nothing to get, no pension, no gratuity, no nothing. They could be working in a State run work programme, in some cases, for 20 years and more. Of course, because they are outside the permanent list of government daily paid workers, they are not under the medical plan, as I indicated earlier.

What is your approach to treating such workers? So they just cut the grass for 20 years? From that type of work you would realize they develop all types of medical problems with limbs, eyes and so on. The Government is providing nothing by way of pension, gratuity or retirement benefits for what could well be for about 50,000 employees working through different state run programmes.

While that is happening, the Government comes today and invites the Opposition to look at a review of pensions payable to presidents, in isolation to that wider group of persons who also work in the public service at different levels.

In the Bill as well there is a provision in clause 3(2):

"A person who has exercised the option under section 3(2) is not eligible...in respect of a revised pension under subsection (1)."

I just want to deal with that for a moment. I thought the Minister was cautiously short in introducing the Bill. While it was really nice to hear the Minister talk about the good work of former Presidents, I thought he did not spend sufficient time dealing with the specific clause itself.

You are dealing with three persons essentially; so this is a Bill for three persons. Who are the former Presidents that have exercised the option of clause 3(2)? When you look in the parent Act, 2:50, that relates to:

"A person to whom a pension is payable under this Act shall, where he has exercised his option as herein provided, but not otherwise, be paid in lieu of the pension, pension at the rate of three-fourths of the pension, together with a gratuity equal to twelve and a half times the amount of the annual reduction so made in the pension."

So there is a provision in the 1976 law where a President can go for another approach, where the President, on retirement, takes three quarters of the pension and then they multiply by 12 and a half the remaining portion. We are dealing

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with three persons. I just want the Minister to indicate which former President has done that. [*Interruption*]

**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. [*Dr. H. Rafeeq*]

*Question put and agreed to.*

**Dr. R. Moonilal:** I was on the issue of the daily-paid workers. I dealt a bit with other categories, but I just wanted the Minister to take us back to the Bill to indicate whether or not a former President had, indeed, exercised the option of 3(2). We are not interested in the quantum, how much money, and so on, but if that is so, then there is a provision here at 3(3):

"A person referred to in subsection (1) who has ceased to hold office for more than six years before 1st April, 2008, is entitled to the revised pension referred to in subsection (1) as of 1<sup>st</sup> April, 2008."

That person will be taking what pension? Is it as well the three quarters of the incumbent salary? How are you now going to calculate that 12 and a half times? Would that be calculated on the incumbent's salary or the salary of the office holder, upon the point at which he demitted office? That is the issue.

I think there was a former President who exercised that option, for various reasons, to go for three-quarters and work the 12 and a half times the remaining quarter. When this is introduced, really how does that work? Is it 12 and a half times the incumbent's salary or 12 and a half times the salary upon which the office holder demitted office?

The other related matter deals with NIS and the provision of NIS scheme benefits to workers at various levels. The Minister made no mention of this as well, because there are some serious concerns with how the NIS is governed and the data we received from annual reports in terms of their investment portfolio and the extent to which they have been investing over the last five years or so, the problems that they now face, given the global financial crisis, and what is likely to happen to the investments of NIS and the impact upon the capacity of the Government to provide the benefits to the retirees in the wider public service.

I want to remind the Government, as well, of the employees at Caroni. I want to remind the Government of their own approach in dealing with this matter. It is useless at this point; I really do not want to get into the cost of living debate to

indicate the prices of commodities and how that would work, but for the Minister to consider other public officers and, particularly, ministers.

Some Ministers, incidentally, do not deserve a cent. A vote of no confidence was passed on one Minister. The Law Association passed a vote of no confidence. I am calling upon that Minister, the Attorney General, to do like Radica, to leave and go [*Desk thumping*] in the face of a motion of no confidence in him. Who supported him? A couple senior counsels who are singing for their supper. In fact, they are not singing for their supper; they are singing for the three meals. Why? Because they got a brief to prostitute—a brief to prosecute.

**Mr. Imbert:** Mr. Speaker, a point of order, Standing Order 36(1). [*Crosstalk*]

**Dr. R. Moonilal:** Let me get back to that matter.

**Mr. Speaker:** No, the Member has raised a point of order. I think he is winding up shortly. [*Laughter*]

**Mr. Imbert:** Relevance.

**Dr. R. Moonilal:** I was now getting to the description of lawyers, but I will not do that. I was making the point that certain persons got this brief to prosecute, that appeared more like a brief to prostitute. They go and support wrongdoing and support a breach of the separation of powers. [*Interruption*]

**Mr. Imbert:** Mr. Speaker, Standing Order 36(1). He is not speaking about the President at all.

**Dr. R. Moonilal:** Mr. Speaker, I am winding up my contribution. This is my summary. I am summarizing my points. [*Crosstalk*] Could I raise a point, 36(1) on irrelevance of a point of relevance? Could I raise that he is being irrelevant by raising that point of relevance? [*Crosstalk*] We are dealing with separation of powers, the guardian of our democracy, the President.

I am advising the Minister to rethink this matter properly. I know, Mr. Minister, that you have a commitment to helping a former President, particularly given the 18/18 situation. You have that commitment. The Opposition is committed to ensuring that former Presidents get a pension, income support that would afford them a decent life in retirement, so that they may be able to pay their medical bills, travel and other incidentals related to that.

Incidentally, I want to raise this matter: Former Presidents also, at that time, spend their years doing a lot of work: writing books, preparing memoirs, doing a biography, either with professional support by university intellectuals. These are

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also some of the issues they face, that they need support to publish books and academic literature, which really attest to their years in office. Many of these retired office holders, including permanent secretaries, could bring a good analysis of public service in Trinidad and Tobago, of the years they were in office, of their contribution, of their critical eye, a critical perspective on governance and public service. We must encourage this by retirees, by providing funds.

I know of two retired Permanent Secretaries, and I know of other office holders as well who, upon retirement, have written to the Government asking for support to publish a book, to publish speeches or to get a biography done, and the Government has refused to provide support for that. Those writings are important for this generation and the next to understand the trials, tribulations, and challenges of public officers at a particular moment in time. I am asking the Minister of Public Administration to look into that issue as well.

In the United States they have in law and in practice an approach where former Presidents get support for their presidential library. I am not saying any former President here would need that, because I do not know how much they may be able to support a library and what they could put in it. I am not saying that at all, because you are dealing with an executive president there, but certainly they could produce an item or two. It is something that the Minister should look at.

### **3.15 p.m.**

In closing, I want to indicate that we support, of course, any assistance granted to persons in need, whether they be President of the Republic of Trinidad and Tobago or president of a cricket club in Couva. We support any approach that will provide decent standards—

**Mr. Ramnath:** No, no. Why are you referring to me?

**Dr. R. Moonilal:** We support any approach that will redound to the benefit of public officers who have served.

In closing, I want to emphasize the point I made earlier, give benefits as well to persons who have received awards from this country; Chaconia, Humming Bird, the Trinity Cross holders and so on. Ensure that they have something tangible to get, apart from the children getting a hug because they did the SEA well and excelled there. Give them something tangible. I am not in any way belittling your hug, give them something tangible. And you should tell the Prime Minister he should have visited both students. The Prime Minister went to San Fernando. When asked why he did not go to Penal, he said he was going next week. That next week, school is closed. But I was not

surprised because I always suspected that the Prime Minister went to school in the holidays. [Laughter] So I was not surprised at all when he indicated that during the vacation he was going to school to meet the student from Penal. I was not surprised at all. But it really is the issue of equity as well, to treat students—two students did well. Of course, on behalf of the Opposition we congratulate both students; we congratulate their families. [Desk thumping]

**Mrs. Persad-Bissessar:** They kept back the results to—

**Dr. R. Moonilal:** I think that is a matter for a substantive motion; that is a matter for a motion as to why the results were delayed and whether they needed Cabinet approval.

In closing, let me indicate to the Minister and let me address the Minister of Public Information and yourself [Crosstalk]

**Mr. Speaker:** Order, please. You have enjoyed the benefit of some laxity, but do not overdo it.

**Dr. R. Moonilal:** Mr. Speaker, in closing, I indicate to the Minister of Public Administration, come up with a policy to provide tangible awards, rewards and service to all office holders, high office holders included, who have served this country at every level, and then we will be prepared to look at your Bill for the Presidents and to explain to us the basis upon which you have made these calculations.

Mr. Speaker, I thank you. [Desk thumping]

**The Minister of Works and Transport (Hon. Colm Imbert):** Mr. Speaker, the Member for Oropouche East has just wasted one hour of our time. [Desk thumping]

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

**Hon. C. Imbert:** Absolute abysmal waste of time. [Crosstalk]

**Mr. S. Panday:** You cannot understand.

**Hon. C. Imbert:** Actually quite pathetic is probably a better word.

**Mr. Ramnath:** You are worse than pathetic.

**Mr. S. Panday:** Short and foolish.

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

**Mr. S. Panday:** It was a short speech, Mr. Speaker.

**Mr. Speaker:** I know that is what you mean, but that is not how it came across.

**Mr. S. Panday:** It was short and foolish.

**Hon. C. Imbert:** Mr. Speaker, I was not listening, so I am sorry I do not even know what you are ruling on. I mean, most things said by that end there are largely irrelevant, so I was not listening. So it does not matter. Whatever you said I did not even hear. But the fact of the matter is that the matter that we are about is an amendment to the President's Emoluments Act, Chap. 2:50. Now the President's Emoluments Act came into effect on June 18, 1976 when the Republican Constitution came into effect and it was necessary since we had created the office of President, to address the whole question of the President's emoluments.

Notwithstanding the—I cannot even refer to it as noise—twaddle that was just uttered by the Member for Oropouche East, the fact of the matter is Trinidad and Tobago for the last 33 years has recognized that it is necessary to treat the Office of President as a special office and that is obvious because the President's emoluments are contained in a specific piece of legislation. Any civilized society will treat its highest office holder in a particular way, and I heard a level of contempt coming from the Member for Oropouche East, and that is symptomatic of the indiscipline that has found itself into many areas of our society. I take the strongest offence to any attempt to denigrate the office of President.

That is just symptomatic of the level of indiscipline that is perpetuated by the hon. Members opposite. In the same way there is a specific law that deals with the retiring allowances of legislators called the Retiring Allowances (Legislative Service) Act and the self-interest of Members opposite was no more evident when on a previous occasion we debated the Retiring Allowances (Legislative Service) Act and the Member for Siparia—I did not hear all of this when the Member of Siparia made a case for improving the pensions of parliamentarians; when the Member for Siparia pleaded her own case to improve her own pension arrangements.

**Mr. S. Panday:** Never!

**Mrs. Persad-Bissessar:** Mr. Speaker, the Member is imputing improper motives—

**Hon. C. Imbert:** Mr. Speaker, I am not giving way, you know; I am not giving way.

**Mr. Speaker:** Please, please. [*Crosstalk*]

**Mr. Ramnath:** “How yuh mean yuh not giving way? Nobody asked yuh to give way.”

**Hon. C. Imbert:** What is the point of order? Mr. Speaker, you know, the member for Siparia is an experienced parliamentarian.

**Mrs. Persad-Bissessar:** So are you.

**Hon. C. Imbert:** If the Member wants to get up on a point of order, apply the Standing Orders or quote the Standing Order. Come on! You have more experience than that! But the fact of the matter is that when the Member for Siparia was promoting a case to improve her own pension arrangements in this Parliament when we debated improvements for the pension arrangements on retiring allowances of legislators, I did not hear anything about Caroni workers; I did not hear anything about police officers, or teachers, or judges. I saw none of that. SEA results, none of that; I did not hear anything about URP workers, about professionals who may or may not act politically, as the case may be, and spouses. I did not hear any of that. What I heard when the Opposition was debating the Retiring Allowances (Legislative Service) Act was complete enlightened self-interest.

That is why I make the point that there is a measure of contempt coming through in the contribution from the Member for Oropouche East and it is a measure of contempt for the office holders of the Office of President and for the Office of President and I condemn that in the strongest possible terms.

If you look at any developed country, the way in which they treat the highest office holder in the country, that particular individual, whoever he or she may be, is treated in a special way and is treated in a way far different from the other citizens of that country, and this country will not progress until hon. Members opposite understand that you must treat offices with respect.

We have done things for former Prime Ministers, for that hon. Member for Couva North, we have done certain things to enhance the situation; we have done things to enhance the situation for former Prime Ministers in terms of medical attention and so on. We did not worry about the fact that it was the persona of the hon. Basdeo Panday when we were doing that. We were looking at the concept of the office of Prime Minister. We did not distinguish the person in the office and we did not lower the office just because of the person who may have occupied it.

This country will not progress until we get away from this stupidity where you want to personalize everything just because you do not like a particular individual. I heard the comment. They can deny it all they want; I heard the comment that they are angry that this PNM administration is bringing this Bill because it will help someone who put the PNM into government. I heard them, you know. That is what they said! And you could feel the rage and the contempt coming out and they have personalized everything, as per usual.

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But what this is going to do is to assist current retired Presidents and it will assist persons in the future who may hold the Office of President, in the same way that the changes that we made where we improved the terms and conditions of former Prime Ministers, assisted the hon. Member for Couva North and we did so without any fear or favour or any regard for the particular person we were dealing with.

It is a nonsense for Members opposite, in debating an Act that is called the President's Emoluments Act, that is specific to the President, that deals only with the benefits available to the President, former Presidents and retired presidents and so on and their spouses; it is a nonsense in debating that Act to tell the Minister who piloted this Act to bring a comprehensive Bill to deal with everybody, including teachers, police officers, judges and so on. That is nonsense.

The fact of the matter is that what we are about here today is improving the situation of former holders of the highest office in the country. The fact of the matter is that there are three persons who have been President of the Republic of Trinidad and Tobago, in addition to the incumbent: Sir Ellis Clarke, who served from 1976 to 1987; Mr. Noor Hassanali, who served from 1987 to 1997; and Mr. ANR Robinson who served from 1997 to 2003. Those are the three persons who have served as President of the Republic of Trinidad and Tobago.

When Sir. Ellis Clarke demitted office in 1987, I am told that he opted for a gratuity and the reduced pension and the current pension that Sir Ellis Clarke is receiving is a fraction of what the pension would be of the incumbent office holder when he demits office. The same applies to President Hassanali and his spouse. Under the Act a spouse is entitled to two-thirds of the annual pension to which that person was entitled and I cannot speak today—I do not have information on all three of them and I am sure we will get it before we can conclude this debate, hopefully. I know as a fact that Sir Ellis Clarke is in receipt of a reduced pension. I cannot say whether President Hassanali and President Robinson also opted for a reduced pension. But the fact of the matter is—*[Interruption]* The Member could have asked me to give way and ask the question. I would have given way. But I will answer it.

**Mrs. Persad-Bissessar:** We got the answer.

**Hon. C. Imbert:** That is okay, I will answer it. Contained within the President's Emoluments Act is a requirement where, under section 3(2):

“A person to whom a pension is payable under this Act shall, where he has exercised his option as herein provided...be paid in lieu of the pension...at a rate of three-fourths of the pension, together with a gratuity equal to twelve and a half times the amount of the annual reduction so made in the pension.”



**3.30 p.m.**

Mr. Speaker, as I said, Sir Ellis Clarke, I am told, opted for a reduced pension and it is currently a fraction of what President Richards will receive if he retires today. If I do the math, it is about one quarter of what the current President will get if he retired today. It is \$13,000.

When one is debating these things, we have to deal with facts. The information that I have with respect to Mr. Hassanali is that he received a pension of \$16,000. I am not saying that I can vouch for the accuracy. The research was done for me and that is the information I have—Ellis Clarke, \$13,200; Noor Hassanali, \$16,500. Mrs. Hassanali would, therefore, be getting two-thirds of the \$16,500, which will be about \$11,000.

Members opposite can jump high or low, but I think that we need to look at this very carefully and to establish whether it is appropriate for the wife of a former President to get \$13,000 or \$11,000 as a pension. We have to deal with specifics, rather than all these semantics. The Bill seeks to bring the pension payable to a former President up to the level of the incumbent President and it is done on a six-year cycle.

Those of you who look at Salaries Review Commission reports, they do a review every three years in theory. This means that for every two cycles of an SRC review, the President's emoluments will be adjusted upwards. The whole context of index linking—I do wish that the Member for Oropouche East would lift the level of the discussion so that we would have an intelligent discussion instead of all this stupidity.

**Mr. Speaker:** You have to be careful; you cannot say the Member's contribution is stupidity. You need to be careful.

**Hon. C. Imbert:** Thank you, Mr. Speaker, I am guided. I personally thought it was foolish. If that is out of order, no problem.

We need to lift the level of discussion inside here. The whole idea of index-linking pensions has been around for some time and there are consequences. If you seek to introduce a system where you use an inflation rate or any other indicator to create indexation of pensions, then with regular increases in inflation—look at history of Trinidad and Tobago; go back over the last 30 years; look at the inflation rate. You will see that there has been constant inflation over the last 30 to 40 years.

If there was an automatic increase in pensions, index linked to inflation, in some formula, whether 100 per cent or whatever percentage of the rate of inflation; whether you had a cap on it or not—let us say, theoretically if one looks at a 10 per cent inflation rate and one increases the salaries of office holders by 50

per cent of the inflation rate up to a cap of 5 per cent, speaking hypothetically, then with the inflation going at the rate it is now—we have had 10 or 11 per cent now for some time—we would have an automatic increase in pensions payable to office holders of 5 per cent per annum every single year.

One has to look at the cumulative effect of all that. This is not a simple matter. There are some offices where it is contributory; there are others where it is non-contributory. In some cases there is a plan; in some cases it is invested; in others it is not. In others there is a charge on the Treasury; public service pensions, for example, is not a contributory scheme; it is funded on a cash basis, based on cash flow. It is charged on the Consolidated Fund, but there is no pension fund per se where public servants make contributions and it is put into a fund and invested by a fund manager, where it accumulates and yields the kind of surplus that the Member for Couva South talks about. This is a very complex matter.

What we are seeing here, with the adjustment of the President's emolument legislation, is the beginning of a recognition that we have to start looking at the effect of inflation on pensions. It is not something about which you can adopt a carte blanche approach, such as the approach adopted by the Member for Oropouche. One has to look at the financial implications very carefully. With all the “ol’ talk”, all the bravé danger and the grandstanding and “gallerying” on that side, the Member for Couva North and his government did not make during their term of office all these radical pension reforms being proposed by the Member. They did nothing because they are well aware of the complex and economic financial implications of this form of pension reform.

All the “ol talk”, if the Members opposite cared so much for police officers and teachers, why did not they introduce these far-reaching pension reforms during the six years they were in office? It is just crocodile tears and the usual hypocrisy.

It is very unfortunate because on something like this, the House could have gotten into a learned discussion on the intricacies of pension reform, the question as to whether we should extend this formula here and look at it in the context of what we do with public servants and other pensionable offices. Instead, we have to listen to this tripe and drivel. I am sorry to use these words.

I heard some nonsense about doctors. The doctors on contract in the RHAs receive a gratuity of 20 per cent of their salary. Am I correct? It is true. You were on contract with the RHA.

**Dr. Gopeesingh:** Mr. Speaker, the Member is misleading the House. I never worked with Government so I was never on contract. I want that struck off the

*Hansard.* I was a university lecturer. I want that struck off the record. Mr. Speaker, it is deliberate and mischievous.

**Mr. Speaker:** If you find that he is misleading the House, check the book you will see.

**Hon. C. Imbert:** The fact of the matter is that the Member for Caroni East has operated as a consultant in some context within the public health system. Is the Member denying that he has ever done any consultancy work in a public hospital?

**Dr. Gopeesingh:** Mr. Speaker, I have been working with the University of the West Indies as a lecturer and a lecturer or professor gives service to the Government free of charge.

**Hon. C. Imbert:** And since the Member has now admitted that he has worked within the public health system in some capacity—

**Dr. Gopeesingh:** Never! Mr. Speaker, he is misleading the House. I have never worked in the health system.

**Mr. Speaker:** I will give you 75 minutes to rebut it.

**Hon. C. Imbert:** Mr. Speaker, I do not know what is wrong with him. Taxpayers' money has been paying this fellow for years. The Member for Caroni East has worked at the Mount Hope Maternity Hospital for years, a public hospital. What was he doing? He was trespassing there? This is absurd. The Member has attended to patients in public hospitals within the public health system, while his salary was being paid by the taxpayers of Trinidad and Tobago. Because the Member has an interaction with doctors within the health service, because he comes in contact with them while he works within the public hospital, he will know that doctors get a gratuity of 20 per cent.

I come back to my point. Doctors are on two- or three-year contracts and, if you receive a gratuity of 20 per cent over a three-year period, that is equivalent to an accumulation rate of 6.7 per cent. When you are looking at pensions; let us take a public servant, for example, a public servant will get approximately 67 per cent of their salary once they have made 33 years of service. When you divide the 67 by 33, you get an accumulation rate of 2 per cent per annum.

When you make the 33 years, your pension is now 66 per cent of gross salary at that time. If you look at a gratuity of 20 per cent over a three-year period, that is an accumulation rate in excess of 6 per cent, close to 7 per cent and, therefore, you cannot discount the value of a 20 per cent gratuity at the end of a three-year contract. It is far better than getting a pension 33 years down the road.

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You also have to look at the net present value of the gratuity you receive. You are receiving it in a three-year period. It is way in excess of what you would get if you accumulated a pension and, therefore, it is worth far more if every year you get a gratuity. As you go down the road, you do a three-year contract, 20 per cent; another three years, 20 per cent. If you stayed in the system for 33 years, you will get 11 gratuities, which would be 20 per cent of your salary all the time going up and the net present value of what you will receive may be far in excess of what you may get if you receive a two-thirds pension 33 years from now.

The other issue with the medical doctors is that, in order to receive a pension, you normally have to achieve the age of 60 years. There are some situations where there is a lower age, but normally you have to achieve the age of 60 years. So the public servant, who enters the service say at age 20 and by age 53 has accumulated 33 years, is not eligible to get the pension until 60, whereas the contract officer gets that gratuity immediately. You can go on contract at age 23 and at age 26 you get your 20 per cent gratuity.

When they are making these odious comparisons, Mr. Speaker, I would ask Members opposite to do some research and try to understand what they are saying. Mr. Speaker, you will have to forgive me. They are talking “dotishness” and when we come here and speak about a president in disparaging terms, I see the underlying contempt that comes through.

Why are we wasting time with all this “ol’ talk” about particular individuals who may have held the Office of President? Why spend time dealing with this matter? Why has the Member for Oropouche East raised all of this nonsense?

**3.45 p.m.**

What we should be dealing with in this particular Bill today, Mr. Speaker, is the idea of what we should do for our high office holders.

For example, I would love to hear what the Member for Couva North has to say about pensions for Prime Ministers, or is it that the Member for Couva North has nothing to say? *[Interruption]*

**Mr. B. Panday:** Absolutely nothing.

**Hon. C. Imbert:** I would love to hear about the idea of what we should do for former Prime Ministers. Should we introduce a similar system to review and revalue the pensions of former Prime Ministers? Should we do that?

Having listened to what the Member for Oropouche East has said, he said nothing. We on this side believe it is fitting and proper, recognizing that some of

our Presidents are of very advanced ages—Sir Ellis Clarke is almost 90 years old. I do not know his actual age, but I believe he is close to 90. *[Interruption]*

**Mr. Speaker:** Going into 92.

**Hon. C. Imbert:** Look at that, and he demitted office 23 years ago or 22 years ago. With advances in medical science and so on, it is quite conceivable that many of our Presidents or future Presidents may meet the age of 80, 90 or even more. I think if someone has served in the distinguished Office of President and that person has demitted office, because the Office of President is a quasi elected office. The person is selected, by, essentially, the Electoral College, but the Electoral College is controlled by the party that has the majority in the House of Representatives. The President is a quasi elected official. A President comes and goes, based on the particular parties that come in and out of office. There is no tradition in this country that a President will remain in office if a new government comes in, that is formed of a different party than the government that went before.

Therefore, Presidents do not really serve as Presidents for very long, five years or 10 years possibly. That is the kind of time frame that you are looking at. Therefore, you may have somebody becoming President at the age of 65, demitting office at the age of 75 and then living to their 90's on a very small and meager pension. I think the office needs to be given the respect that it deserves, because if we continue to demean and diminish high office holders in this country, what would the ordinary man in the street say if he hears Members of Parliament demeaning the Office of President and making derogatory remarks about the Office of President? What would the ordinary man in the street think? That is what I mean by the Members opposite are breeding indiscipline, encouraging contempt and creating a scenario in this country, where persons who hold high office are held in contempt and brought into disrepute by this very Parliament?

The Members opposite trivialize everything. That is why we are different to them and that is why we are here and they are there. That is why in 2001—*[Interruption]*

**Mr. Ramnath:** Robinson put you all there.

**Hon. C. Imbert:**—the population voted for the People's National Movement. That is why in 2002, the population voted for the People's National Movement, because the population has recognized that we subscribe to higher principles and a higher system than the Members opposite and I will have no part of any attempt to denigrate, demean and belittle the Office of President or any other high office in this country and I commend this Bill to this House. I thank you.

**Mr. Jack Warner** (*Chaguanas West*): Thank you, Mr. Speaker. It is always an honour for me to listen to the Member for Diego Martin North/East and then follow immediately after.

I want to make it absolutely clear to the Member for Diego Martin North/East that I have no intention whatsoever to demean the Office of the President of this country, or any other high office. It is not my style, never has been and never will be.

I want to also give you the assurance, Member for Diego Martin North/ East, that you were speaking just now about the Retirement Act for legislators. I want to tell you and I want you to listen to my words clearly, if I choose to qualify for retirement as a legislator, be assured of the fact that I will also take \$1 a month, as I take now for my salary as an MP. I have absolutely no intention of benefiting from this nation's largesse otherwise, except, of course, more than \$1 a month, as a retiree here, or a \$1 a month as an MP. Be assured.

Mr. Speaker, I want to also make the point to the Member for Diego Martin North/East, that contrary to what he says, I am not angry, in anyway — [*Interruption*] you said we on this side are angry. Oh, I had a sense of nostalgia. I thought I was there. I am not angry. However, I would like to make the point that the Presidents of this country, past and present, deserve our respect. I have no intention, I repeat one more time, of denigrating their role and I would like to make it clear today that while I have no intention of doing that, whatever we do, we must also give the impression that no one is above the law. It must give the impression that there is no inequality of treatment. I heard the last speaker say it is difficult to have a comprehensive Pensions Act. "It is a complex matter," he said. I want to make the point, that it seems to me, from where I sit here, to be ludicrous, first to have a Pensions Act for the President, Chap. 2:50; for the Prime Minister, 2:51; for Judges, 6:02; for prison officers, 13:02; for diplomats, 17:04; for widows and orphans, 23:54; municipal corporations 25:05, fire service officers, 35:50; and teachers 39:02. The list goes on and on. If it is difficult for us to have a Pensions Act, I believe that where we are today is even more difficult.

This Act, as has been said by previous speakers, is an Act about three persons. As I was sitting here, a birdie told me that the Chairman of CL Financial, Dr. Euric Bobb, resigned today. If what I am told is correct, I wonder if he is part of this as well. I do not know.

It is wrong for the last speaker, the Member for Diego Martin North/East to say that we on this side are shedding crocodile tears and it is an act of hypocrisy, because of the fact that we have not been supportive of the Bill. The plain and

simple fact is that we need to have a comprehensive Pensions Act. If we only take care of three persons' pension, we will give the impression that we are not so much concerned about the people's business. [*Desk thumping*] I thank my two colleagues for the applause on the desk. I am sure I could not get a third, but I thank them for it. We will be showing that we are not concerned about the people's business, as far as the country's resources are concerned, but that we are concerned, of course, at a higher level. People will be asking why is it that the pension of ordinary people is reduced, and why, of course, those at the higher level are increased.

It is in this context, therefore, that I want to speak. I have absolutely no argument against regularizing the pension of the Presidents. In fact, Sir Ellis Clarke, I know him quite well. Sometimes I want to cry for him, the way he has to go through life on a pension that he receives today. I know him quite well, so I would not speak evil about Sir Ellis Clarke. I knew the sufferings of the late Noor Hassanali. I will not speak evil about him, or even the present President. The fact is, if you are correcting at the top, you have to correct at the bottom as well, otherwise, we shall be guilty of the same hypocrisy that the very last speaker spoke about.

What does this law seek to do? It appears, from the reading of this Bill, in the Explanatory Note, that the Bill seeks to put into effect a revision of the President's pension every six years from the date he ceased to be President.

Section 3(A) of the Bill, which is the amendment, states that on every sixth anniversary from the date he ceases to be President, he shall be entitled to a revised pension, which is equivalent to the annual salary of the incumbent office holder. Therefore, in a nutshell, it is saying that the pension of the past President will match the salary of the present President. That is what it is saying in a nutshell. I want to take this Bill on three or four points, which I will raise.

Believe you me, Mr. Speaker, I do not need 75 minutes. Three or four points I will raise, because I believe those points are relevant and germane to the issue. Member from Diego Martin North/ East, I hope by doing so, I can lift the level of the debate.

The first point I want to raise is the relevance. When I first read this Bill, the immediate thought that came to me is: Why is this amendment so necessary at this point in time in this country's life? We have in this country murders galore. I was saying at a meeting in Dow Village the other night that we have three murders every two days; murders galore. We have poverty here like the opposite of heaven. Mr. Speaker, we had dengue. "Dengue gone an swine flu come in de country." There is flooding, left, right and center. We at this point in time, have brought this

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legislation to provide for intermittent increases in the pension of a past President or past Presidents. I question the usefulness of this at this point in time. What are our priorities? What are our priorities to our people, our constituents, the country and the young people? I have nothing against Sir Ellis Clarke, the late Noor Hassanali and Mr. Robinson.

Believe you me, whether Mr. Robinson brought the PNM into government or not, that is history. There is nothing that could be done about that. For me, where I stand here, at this point in time, it is an irrelevance. *[Interruption]* Be careful you do not come on this side. What for me is relevant, important and useful is if we ask ourselves: Will this Bill help to arrest crime? Will this Bill help the sufferings of the poor?

**4.00 p.m.**

So, at first glance, the Bill seems to be low on the priority scale when there are other pressing matters for this Parliament. I heard earlier on that possibly this is in preparation for an executive presidency. I do not know; I do not care. That is not important. I am saying that there are other issues that are important and, therefore, I question the relevance.

Mr. Speaker, the second point I want to raise has to do with the Salaries Review Commission. Under this country's Constitution, there is a Salaries Review Commission which is appointed by the President. Section 141(1) of the Constitution states:

“The Salaries Review Commission shall from time to time with the approval of the President review the salaries and other conditions of service of the President...”

It says further:

“The report of the Salaries Review Commission...shall be submitted to the President...”

and both Houses of Parliament.

Mr. Speaker, the SRC is a creature of the Constitution. When this document was drafted, the framers saw it was necessary to set up an independent body to review the salaries of senior officers. This independent body has the authority to regulate its own procedure and to determine independently how it runs its affairs. Now, for us to legislate for an automatic review of the President's salary every six years, what we are doing is telling the SRC that their job has changed. We are telling the SRC in some ways that we are usurping their independence. If that is the case, I am saying that this Bill would be ultra vires the Constitution.



Now, the bush lawyer, as I am—I am quite sure that when other eminent lawyers and jurists and so on who voted yesterday and who were called all kinds of things are speaking, they will tell you that this Bill is ultra vires the Constitution. So, I am asking the other side that when the time comes to advise us.

Mr. Speaker, the third point I want to raise this afternoon besides relevance has to do with other jurisdictions. In countries like Guyana, the United States of America and India, where I have done some research on this very topic, there is no fixed period for a pension review to occur. There is none in Guyana, the United States of America and in India. I did not go further than that, because time did not allow, but there is no fixed period. There is no provision for a review every six years.

In fact, in Guyana, the former President receives a pension equivalent to seven-eighths of the annual pay at the date he leaves office. Why are we different? Mr. Speaker, why cash? While it is important to ensure that past Presidents are cared for financially, it is important to ensure that Presidents are taken care of financially as retired policemen, public servants, teachers and all of us. It is important. Does it mean that it must be cash payment? I am quite sure that if there are systems in place where retired Presidents are given free medical attention—local and overseas or a bus pass—I remember President Noor Hassanali told me before he died if I could help him get a bus pass. I said: “Me! I cannot do that.” If we give them perks, it seems to me that will help mitigate the cash payments that we are giving them and they might be better off.

In India, for example, part of the pension benefits takes the form of free medical treatment—whether it is in Cuba or anywhere else. I am saying that if you do these things, the burden on the State will not be as heavy as it is.

I come now to another matter which has to do with old age pensioners and the disabled. It does appear to me to be somewhat inconsistent that we want to cater for a former head of state and not consider the needs of parents and grandparents. What about the old age pensioners? What about the differently abled? Why do we not set a date for a review of all pensions? Why do we not set a date and say that we are going to review pensions in a holistic fashion? As complex as it may be, the old age pensioners and the downtrodden are the ones who are more in need of this review than those at the top.

The point I am making is that there must be equity and equality. The playing field must be levelled. We must ensure that there is equity in the system and equality before the law, because we must not safeguard any former President and

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ignore our senior citizens. We cannot discriminate this way. I want to repeat that this has nothing to do with Sir Ellis Clarke, Prof. Maxwell Richard or Mr. ANR Robinson. I do not want to personalize this. I am not going to take this and personalize it. This has nothing to do with them. Some of us one day may become presidents, so what? Whatever we do, we must give the impression that we are concerned about the downtrodden, the poor, the old and the disabled.

Mr. Speaker, I want to make two points quickly and then I will take my seat. I told you that I do not need 75 minutes. I will not give you that pressure and bore you for so long. One of the points I want to raise concerns police officers and the other point is about Caroni (1975) Limited. Police officers have to work beyond the call of duty to keep us safe and sound. As you know, they are having difficulties, and as we sit here today their pension plan is incomplete. Why a retired police officer should leave his home and go and work for a private security firm to make ends meet? Why? These are the guys who have to protect and serve, and nothing is being done to make their lives easy, but we are making it easy for the guys at the top.

Mr. Speaker, even in the case of Caroni (1975) Limited workers—I do not want to spend much time on this matter because we have spent much time on it already—they are victims of a Government that I think is very vindictive. I do not understand why Caroni (1975) Limited workers have been made to suffer that way. The old age persons in this country suffer from a Government that says it cares; the police officers suffer from a Government that cares; the public servants suffer from a Government that cares; teachers suffer from a Government that cares; and nurses suffer from a Government that cares and we are passing a Bill for three men not to suffer. Something has to be wrong. I repeat for the tenth time that this has nothing to do with the past or present Presidents of this country.

Mr. Speaker, in the case of Caroni (1975) Limited workers, if ever there has been discrimination against workers, it has been against Caroni (1975) Limited workers. In 2003, over 10,000 Caroni (1975) Limited workers—many of them have worked for 47 years and have served this nation and they were forced to leave their jobs by this Government, because they closed down the sugar industry. As a result, over 50,000 persons, including wives and children, were put on the breadline. Some may ask—I do not know how the Member for Diego Martin North/East did not get up and say “out of order”. Some may ask what the closure of Caroni (1975) Limited has to do with the pension debate. But I will answer and say that these workers from Caroni (1975) Limited contributed to a pension plan which they expected upon retirement to benefit from. The company took these

workers' contribution and never remitted it to the trustees of the pension plan. The company never gave their money to the trustees of the pension plan. Caroni (1975) Limited failed to take care of the interest of the Caroni (1975) Limited workers even in their old age.

Some may recall the pension plan actuaries, Bacon, Woodrow and De Souza Limited said that if the plan had been funded correctly, it would have had a surplus, and today Caroni (1975) Limited workers would have been the beneficiaries. Caroni (1975) Limited workers are not asking for handouts, but they are asking for their entitlements. They are asking for a pension. In my constituency, the Caroni (1975) Limited workers are suffering the most. They are in Chaguanas West in an area where there are two sides; the very poor and the very rich.

**4.15 p.m.**

The very poor next to the very rich makes the very poor poorer and they are asking why? What have they done? So, today we have come here to increase the pension of the three Presidents, no problem, but I repeat, what have we done, what are we doing or what will we do for the downtrodden and the poor?

I have a difficulty, because I have seen oil prices decline, I know that the world now is in recession. I know that several economies are collapsing all over the place, I am aware that our gas reserves would not last forever, I am aware also of a Prime Minister who has claimed to be the godfather of the Caribbean and wants to play "whe whe" with our heritage—so to speak. These things give me no comfort; these things, in fact, give me a sense of depression and therefore all I could ask my colleagues on the other side—because at the end of the day I know the “Ayes” have it. What I could ask, when they are voting and the ayes have it, think about the poor; think about the downtrodden; think about the old and the infirm; think about the police; think about the public servants; think about teachers; think about nurses and guys if you do this and you think about those people, it will be a first for you and for them.

I thank you, Mr. Speaker.

**The Minister of Labour and Small and Micro Enterprise Development (Hon. Rennie Dumas):** Mr. Speaker, thanks for the opportunity to speak on the matter before us. I think I would like to start where the hon. Member for Chaguanas West just left off. As the representative for Tobago East, I was late to the Parliament today. I was late because I was thinking about the people whose lives could be made better by good public policy, and ensuring that the legacy of

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public policy contribution to development that the People's National Movement Government of which I am proud to be a Member is leaving all across the country of Trinidad and Tobago.

We were there handing out keys to a group of people who are receiving publicly funded, public designed, public built homes with public financing to the families that were walking into them. [*Desk thumping*]

In the irony that I have—no offence to the Member—sometimes when we speak about the downtrodden we have to be careful on which mountain top we put ourselves, because I think that something has to be wrong when an individual starts by saying, "I do not need a public salary and I will never need a public pension", so therefore your position, provisions and conditions are irrelevant to me when you are standing in a public office, in a public place, something is wrong with that. I would find out what is wrong sometime.

**Mr. Warner:** Ask me.

**Hon. R. Dumas:** In knowing what is wrong?

**Mr. Warner:** Ask me at tea time.

**Hon. R. Dumas:** At tea time. [*Laughter*] You see, Mr. Speaker, when we come to the concept of equity and fairness, the speaker of Caroni West, the Member from Caroni West.

**Hon. Member:** There is no constituency as Caroni West, it is Chaguanas West.

**Hon. R. Dumas:** Chaguanas West, sorry.

**Hon. Member:** You love him so much.

**Hon. R. Dumas:** This man in front here continues to confuse me.

**Dr. Gopeesingh:** You know me so much, "eh".

**Hon. R. Dumas:** You know I love every one of you on that side, sometimes you have to be admonished to make sure. [*Laughter*]

Mr. Speaker, when we speak to the concept of equity and fairness and we talk about being equal, I know that the Member for Chaguanas West has spent his whole life making sure that there are not very many men equal to him.

**Mr. Maharaj SC:** What is wrong with that?

**Hon. R. Dumas:** That is what I am saying; there is nothing wrong with that. I did not know you are his lawyer, if you are his lawyer in this case we will adjust that.

**Mr. Warner:** I do not need a lawyer. [*Laughter*]

**Hon. R. Dumas:** The representative of Chaguanas West has done a very good job of building differences between himself and most of the citizens of Trinidad and Tobago. Therefore, most of the conditions that govern the life of Trinidad and Tobago and the citizens of Trinidad and Tobago, he has built his way out of that, and therefore, when he stands on that superior summit of his, he has to be careful that his point of reference has no relevance to the life of all of us. He has to be careful, and therefore, I want to suggest to the Member for Chaguanas West—normally I do not give advice to my elders, not very often—that the speaker be careful that he is really standing on the same ground with the rest of us in considering the matters to which he speaks.

Some of us had the benefits of a long-time education, if you wish, and I know that the Member for Chaguanas West has had a very good public education from the public system of Trinidad and Tobago, and I know that he benefited from being trained as a teacher—

**Mr. Warner:** Like you.

**Hon. R. Dumas:** I know that he knows that when Mark Anthony stood up to suggest that his role was not to praise Caesar, but rather to bury him, he was using a model of speech that allowed him to be in a different place from those people to whom he was building a distraction.

When the Member for Chaguanas West, says, "I have nothing wrong with the President, but I want to compare the President to the police; I want to compare the President to the teacher; I want to compare the President to the pensioner, why are you dealing with the President," it is a form of argument that those of us who had paid some attention to learning how arguments are made, could recognize.

I want to suggest that the very existence of this Act that we are going to amend, is a public establishment of a difference between the terms and conditions of the President as against myself, an ordinary and lowly teacher or ordinary and lowly legislator, and certainly the terms and conditions of service for the President was taken out of the responsibilities for public negotiation; for collective negotiation as existed for the teachers. We came here, I remember—you see, we have to remember all and maybe the Member has only been in the House 18 months or thereabouts, so maybe he does not remember.

**Mr. Abdul-Hamid:** He has \$18.

**Hon. R. Dumas:** You said he only earned \$18. [*Laughter and crosstalk*] He may not be aware that among the first actions of this administration was placing

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the police, the teachers, the public servants and all the other pensionable positions in the public system; they were placed—amendments were made to the terms and conditions; provisions were made in the adjustment, but I remember Members from the other side holding us up and asking, did you negotiate with the teachers?

I remember the Minister of Education pointing out clearly—I remember standing and suggesting that I was aware that the negotiations with the teachers actually occurred in setting the terms and conditions for the teachers in terms of pensions. The same thing was done for the public servants, the same thing was done for the teachers, and the Army has its own process for negotiations.

There is a reason why there are different terms and conditions in terms of employment and in terms of the pensions. We cannot by definition ask the presidents to negotiate the terms, they have no union. You see, part of the oath that we take is to take care of all. [*Desk thumping*]

Today, I am the Member for Tobago East, I have to respect the position and the way in which Mr. Robinson treated that—because Mr. Robinson, when he was the representative for Tobago East served this country well. Mr. Robinson so conducted himself that this very Parliament could exist. We forget! It was in this Chamber that the Member for Tobago East's blood was shed to ensure that this country could be able to continue to conduct itself as a Democracy, that Parliament could be able to conduct itself as a democratic organization, as a country.

So, when we come to address whether the terms and conditions for Mr. ANR Robinson should be adjusted and sought after by this Parliament as this Parliament has been instructed to do by the very Constitution you quote—remember, it is not only the Salaries Review Commission that is a creature of the Constitution, this Parliament is also a creature of the Constitution and in doing our respective duties, the Salaries Review Commission has jurisdiction over your terms and conditions while you are in service. The Parliament has jurisdiction over your pensions because your conditions for your pensions are set by statute. It is in this condition that we have a duty, and again we can say that we are so busy that we cannot take time to consider the pensions of that very small group of gentlemen who have gone past the time of service, but who have acted properly in our continuance of our best tradition. I therefore feel that we have a responsibility to put that in place. [*Desk thumping*]

Mr. Speaker, I would understand that each of us as politicians, we need to seek a little grandstanding and we need to seek a little popularity. We need to do things like that.

**Mr. Abdul-Hamid:** A little theatre.

**Hon. R. Dumas:** What do you call it? A little theatre, but after the curtain is drawn I will take my bag and go home. We have to go home. The theatre is closed. The hall is dark and the hall is empty. We have to go in our little corner, just as every other person, we have played our part. The act is closed and we are now with our families. We are now in the dark, in the candlelight by the veranda, hopefully, but we want to make sure that the presidents can in fact enjoy that. I am told that you have significant issues facing most of the presidents—

**Dr. Rafeeq:** Tea time; tea time.

**Mr. Speaker:** I think the Chief Whip is very thirsty and he would like to have some tea, now is the appropriate time to do so. [*Laughter*] So, the sitting is suspended, we will resume at 5.00 p.m.

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

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

**Hon. R. Dumas:** Mr. Speaker, just before we took the break, I was making the point that I thought we had an exchange in the seat with Chaguanas West, because the ideas that were coming from his argument, especially when he was dealing with the issue of equity and equality, I was thinking that we were hearing a Marxist, one of the trade union leaders there in that seat.

**Mr. Warner:** Roget?

**Hon. R. Dumas:** I am not sure Roget, because Roget has one of the largest capitalist salaries that you could find in this country. [*Laughter*]

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

**Hon. R. Dumas:** I was also suggesting that the way in which the Member was setting his arguments, he was setting the general segments of the public almost as if he was making a choice between their rights and the Presidents. We went on to point out that we had addressed the various pension conditions of the various groups of workers in the country, so it was timely to treat with the Presidents. I also pointed out that the Presidents had the right to equity, and also had the right to equal treatment in their terms and conditions being serviced by the Parliament, which has the responsibility.

Mr. Speaker, I think we should know that just to borrow from the concepts of Marx, when he said that he had identified the fact that each of us has a relationship to capital and according to your relationship to capital, you can have

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your place in life identified. I want to say that once we use the Marxist theory here, we would identify the fact that the Presidents were all workers. They were not owners of capital, managing capital to make their living. They were in fact exchanging their labour for pay and their continuance for the rest of their lives. And it is in the context of the Presidents as workers, that we have to make sure we treat them as other workers and make sure we secure their pensions into their retirement.

There are a number of other things that were said, and I think they bear address because we must respond to them. Any evaluation will show that this Government, over the last three to four years, has in fact addressed the pensions of what the Member of Chaguanas West described as our parents and grandparents. We addressed the terms and conditions of their lives either as pensioners, or as recipients of the grant, or as recipients of what he called non-salary benefits. These were not earned rights, but significant transfers were made in terms of the access to medicine, access to services in the country in various types, and we can point out that we have worked to the point where, when we came into Government where what the poverty level was, it is now half of what it was. We can point to provisions being made for education in this country. We can point to improvement in every facet of life of the people of this country. So when we are asked, what is your contribution in terms of people's lives, we can point to those.

So we are suggesting that it is clear that we can address the lives of these three critical individuals, who have served us unabashedly. But, you know, there is always special pleading, and the argument of a representative as bringing the case of his members to the House is in fact laudable.

Mr. Speaker, when we speak of Caroni workers and pensions, let us be clear that the pensions that the Caroni workers enjoy are superior in every respect to what they were entitled to when we came to treat with their matter. If you draw up what the benefits were: a 25 per cent improvement in terms of the entitlement enhancement; you had access to land; you have transfers to property—*[Interruption]*

**Mr. Warner:** *[Inaudible]*

**Hon. R. Dumas:** Yes. No, you see debt has a different meaning for you. We are saying to you, today, you have a situation in which there is a procedure and a process and the public system works in a certain way. Yes, it is clear that it is theirs, and it is clear that they can access it. It is there.

**Mr. Warner:** Seven years—*[Inaudible]*

**Hon. R. Dumas:** But they are on it, planting and feeding from it. They are now using it.



**Mr. Warner:** Nobody is doing that.

**Hon. R. Dumas:** You are telling me nobody is doing that? That is not correct.

Mr. Speaker, I am suggesting that we have dealt with that matter. I think the concept of the six years is giving some difficulty to some of the Members. But we want to point out that six years will constitute what is normal in Trinidad and Tobago, two terms covered by negotiations, because we normally do three-year negotiations. In that situation as any other group of workers, you would have gone through one cycle of negotiations and another, and certainly, the six-year marker gives you an opportunity to catch up, as it were, and we think that is reasonable. Remember, we were pointing out that with the other workers, they can go to negotiations. The Presidents cannot go to negotiations. You do not expect them to get into that, and certainly we must build.

One of the things that they have said is that one government cannot bind the next one, but you can bind the next government to the extent that there is legislation. If you want to change it, you come back to legislation, but you can also predicate actions or ask for certain actions by what the legislation says. So if we have a careless government, a government that is not so caring or is likely to be confused with its posture towards individuals, that six years takes care of it. Therefore, you can treat with that matter where the individual does not have negotiating authority. In the situation, it is similar to when we make provisions for minimum wages, for workers who do not have a union or who do not have the negotiating place and power, and this is a provision which can treat with the entitlement being treated as fair.

Mr. Speaker, there is a question of relevance. I was quite put aback by any attempt to suggest, that because we have poverty, murders, flooding and illness, we should not deal with the issues affecting the President. That certainly cannot be, because we are dealing with those on a constant basis under administrative matters. It does not need legislation to deal with them and we are dealing with them.

When the UNC Alliance was in power there was flooding, and they left power and there was flooding. In the very areas where they were responsible for, where they get their most votes, there is still flooding and we have the Member for Diego Martin North/East trying his best now, and he has done the best job ever done by any Minister in treating with flooding in this country. [*Desk thumping*] That is the reality.

So, Mr. Speaker, when we come to treat with matters, we cannot say that we cannot treat with X because we have Y. The matter is that some problems are continuous. We go to them every day. It is like Sisyphus. We go to sleep and we pick

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up the load in the morning, and that is the reality with these matters of flooding, crime, et cetera. I know our opponents believe that crime is an emotive issue; it is an election winning issue, so they bring it into every argument. But the reality is that the matters before us are relevant and we are treating with them in a timely manner.

Mr. Speaker, I remember right in here, there were interests that came up for ex-Presidents or ex-Prime Ministers and we dealt with them. Every time the Government dealt with them, we faced a barrage of criticism, this is a special interest, and this is a special thing and so on. The Member for Diego Martin North/East was saying recently about particular postures that some men in the other side are taking to President Robinson. I was in the election in 1995 and Mr. Robinson won two seats in Tobago. Mr. Robinson was the mechanism for the UNC getting into office and he became a subsequent instrument for the continuance of the UNC A in office.

Mr. Robinson was made Minister Extraordinaire by the Member for Couva North. I think he was the Prime Minister then, so only he could have recommended the post. I am sure the then Attorney General might have assisted in determining that such a post could exist. I do not know what it meant, but Minister Extraordinaire was placed there and maybe when they found that Mr. Robinson sitting around the Cabinet table was not a convenient place for him to be, they put him outside and put him in the President's House. They must have done that as a matter of honour. I am sure that they were acknowledging the value and worth of Mr. Robinson. They forced him to abandon the Tobago East seat and go into the presidency, because they thought that he had that value to them. It is really ironic that the same gentlemen would now so question his value, so question his capacity to exercise the authority and judgment required of the office, that today they turn on him with such venom.

Mr. Speaker, Tobago East rejects that position. [*Desk thumping*] We are suggesting that we need to treat with Mr. Robinson properly, the same way we need to treat with Sir Ellis Clarke properly, and we need to treat with Lady Hassanali properly and we need to go on. The responsibility for review of this law had rested with the Opposition for a number of years. They did not do so. They did not change it when it was teachers; they did not treat with it when it was public servants; they did not treat with it when it was police and it is really ironic and hypocritical to hear them coming here and making a noise, when we have done all of that, cleaned up all of that. [*Desk thumping*]

We are talking about August 2008; September 2008; law after law; pension law after pension law, revised and fixed; and this is just maybe the last one in a

series. Therefore, to suggest that this law that impacts on these three families was irrelevant or was not part of the priority, I am suggesting that they have been last in line and it is time that they are treated with.

I want to treat with this question of the terms and conditions of service. This Government has treated with every body of workers, every association, and you make the point that those associations that have not been able to win agreements, that I make the point at all times that it takes two sides to agree. In this case, the Presidents cannot agree because they are not in a negotiation. But certainly, the Act exists, and to change the Act it requires intervention of Parliament. We are doing that. I am suggesting that we are doing that because this very small group deserves to have their time in the sun.

#### **5.15 p.m.**

Mr. Speaker, the question that was almost laughable was the question of other jurisdictions, and somebody telling us that in Guyana seven-eighths—but that is not all; he did not tell us the rest. In Guyana you have other provisions; you have a house for life and all that kind of thing. Not so? Therefore, you are not comparing apples and oranges. None of these gentlemen have a State house and all the kinds of facilities that other Presidents get. When the President of Mexico leaves office, what does he get? Do you understand?

Therefore, because we have an egalitarian kind of activity, where we recognize that all of us are workers in the system, and we have a way of treating with our Presidents and our senior office holders as workers, we need to pay regard to what happens in it. The alternative in terms of what happens to governance, what happens elsewhere, is not appropriate for us.

I urge that the Bill be supported. It is quite a simple Bill, quite a few clauses. We want to suggest that the sixth anniversary is relevant; the question of the revised pension is relevant. The six years is relevant, and should be supported.

Mr. Speaker, we have to remember that the people, all the individuals who have risen to the position of President, are all worthy of our honour, have all conducted themselves in appropriate ways and, therefore, are all worthy of being treated, and continued to be treated, well, and to live properly in this environment which they have helped to create.

I thank you, Mr. Speaker.

**Mr. Harry Partap** (*Cumuto/Manzanilla*): Mr. Speaker, the Member for Diego Martin North/East made some comments during his contribution, and I

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thought that we on this side should not leave them unchallenged and that we should correct the record.

I want to make it clear that the hon. Member for Oropouche East never, on any occasion during his contribution this afternoon, denigrated, demeaned or belittled any of the past Presidents who served this country. [*Crosstalk*] Secondly, the hon. Member for Oropouche East made no derogatory statements about any of the past Presidents. The accusation made against the hon. Member for Oropouche East by the Member for Diego Martin North/East is wicked and mischievous.

The hon. Member for Diego Martin North/East in his contribution said that for this country to progress the Opposition must get away from—I would use my own interpretation—small mindedness. I want to tell him that I believe he is wrong. We on this side have a very big heart. In fact, for this country to progress, the PNM Government must treat persons equally. The PNM Government must stop discriminating against citizens in housing and they must put a stop to corruption. Indeed, for this country to progress, we have to get rid of the PNM from government. The question is: What is the urgency of this amendment to the existing President's Emoluments Act, 2009? That question is valid in the light of a document I have seen, purported to be a Draft Constitution, and which makes provision for an Executive President. If that is true, in the context of constitutional reform, why not wait and do a comprehensive reform of the terms and conditions of the President, in terms of the holders of the Office of President. I believe the Government should wait. This amendment may really be premature, in the light of what they plan to do with the Office of President in terms of constitutional reform.

This amendment before us is really inconsistent with pension provisions for the vast majority of honest and dedicated workers who served both in the public and private sectors in our country. They served with no special privileges. They are now enduring the hardships imposed by Government's ineptitude and recklessness.

I am convinced that the urgency of this Bill does not exist really, when Government is dragging its feet on the long promised pension reform that has been alluded to by other speakers. This amendment before us really has the narrow objective of providing retired Presidents with financial protection to maintain a decent standard of living after office.

It would not have been so obviously immoral if the same considerations had been extended to retired public servants: teachers, daily-paid workers and private sector workers. These workers are in a more vulnerable position than any retired

President. I say so because according to Act 40 of 1976, the parent Act we are being asked to amend at section 3(1), a President, on retirement, is entitled to, and I quote:

“...an annual pension equivalent to the full amount of the annual salary received by him at the date he ceased to be President.”

Simply put, it means that a President, when he retires, goes home on his full salary as if he had never stopped working. In other words, the President does not get a cent less in his monthly retirement cheque than when he was working. Any ordinary worker does not have it that easy.

A worker's wage is taxed at source. My understanding is that a President enjoys tax free emoluments and benefits superior to that of any worker in our country. Furthermore, inflation has substantially reduced the buying power of workers' salaries or retirees' pensions, therefore, this adds a burden to pensioners and retirees. The inflation rate, as you know, now stands at 10.3 per cent under the PNM. I want to tell you that for six years, when the UNC was in office, the inflation rate was below 5 per cent.

I know of instances where persons who retired from public service, whether teachers or public servants, went home and for up to two years they received no pay at all. They received no pay, because their pensions were not ready and they did not have pension benefits for two years. I think the waiting time now is six months, and in that six months the retiree does not get any income. For six months they would live without any income; it is hard. In the case of the President, he does not have to wait; he gets his pension.

There are other workers who have retired from the public service that are still waiting on moneys owed to them by the Government. I know of persons who are two years in the waiting; this has nothing to do with the pension. Sometimes there were arrears in salary due to these persons, but for some reason they do not get this money, even though they have retired.

I say this to bring home the point that Government must act swiftly to bring pension reform, in order to alleviate the suffering of pensioners and retirees. What we have before us this evening is really a piecemeal approach to satisfy the big boys, while the masses grunt and groan in poverty. It is not fair to those who give 30 and 40 years of service to their country to be suffering in this manner.

The President's Emoluments (Amdt.) Bill, 2009, is really a clever way of indexing pensions to the cost of living, but the Government is doing that only for retired Presidents. We are saying that if we are indexing pensions to the cost of

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living for retired Presidents—and that is, in effect, what you are doing in this amendment this evening—then why not do it for all the retirees and pensioners across the board.

**Mr. Imbert:** Parliamentarians as well?

**Mr. H. Partap:** That is the position of the UNC; we have always supported the indexing of pensions.

The then Minister of Finance, the distinguished Member for San Fernando East, the Prime Minister, he spoke of pension reform in his budget statement of 2004. At page 24 I just want to read:

“Mr. Speaker, pension reform has been on the Government's agenda since 1997 and, over the last five years, a number of initiatives, including increases in old age pension and the national insurance system retirement pension, have been proposed to address the need for reform in Trinidad and Tobago.”

The Member for Diego Martin North/East had said in his contribution that the UNC did nothing in terms of pension reform. I want to correct that, because while the UNC was in office it had, in fact, set up a multipartite committee in the Ministry of Finance to look at pension reforms.

When the PNM came into office, I believe they changed it and set up a working group on pension reform. That group had a mandate to develop a detailed reform pension system for Trinidad and Tobago. According to the 2004 Budget Statement by the Prime Minister, that group would have been pursuing six areas; one was full portability and transferability of pension benefits; then they were looking at the harmonization of the NIS retirement pension and the old age pension; then the administrative integration of the NIS and the old age pension; then they were looking at a guaranteed level of income maintenance in retirement; appropriate integrated regulatory framework for the pension industry and, finally, integration and consolidation of the various laws and regulations governing the pension industry.

**5.30 p.m.**

What we have seen since 2004 was really a tinkering with the pension and the old age pension which really robbed retirees of moneys due to them. The PNM pension reform resulted in a disadvantage to retirees and pensioners. I want to make the point that in doing a harmonization of the pension, the pensioners and the retirees should not be at a disadvantage and the reverse took place under the Government's harmonization of the NIS retiree pension and the old age pension.

The retirees and the pensioners were at a disadvantage. That is bad. It is really bad and it is insensitive in terms of the poor and the defenseless.

Now they have come here and they are asking us to agree to special provisions for a retired President to have his pension move up to the level of an incumbent President. Between 2004 and 2008 Government manipulated the NIS retirement pension and the old age pension in an attempt to satisfy one of the reform objectives set out in the 2004 budget statement, and that was the harmonization of the NIS retirement pension and old age pension.

In this so-called harmonization, the Government had concluded that pensioners should be able to live on \$2,800 a month. That is what the Government is saying, that the pensioners and retirees must live on \$2,800. That is the ceiling. According to the Government, a retiree or a pensioner did not know how to spend more than \$2,800 a month. So it placed a ceiling of \$2,800 on the income of retirees and pensioners. In this way, the Government will allow retirees and pensioners who contributed to the NIS to go with the full \$2,000 that is now payable, but this PNM Government conveniently changed the old age pension to a Senior Citizens Grant so as to allow them to tinker with the payment of what was then called the old age pension. This is what they did.

So the PNM's skewed approach to harmonization of the NIS retirement pension and the Senior Citizens Grant, shattered the expectation of retirees and pensioners, and I would tell you why. Because when the announcement was made prior to the election, the senior citizens and the retirees were under the impression that they would be entitled to the \$2,000 NIS pension payment as well as the full limit of the old age pension which is now called the Senior Citizens Grant. It moved from \$1,150 and it went up to \$1,950.

**Dr. Browne:** Mr. Speaker, Standing Order 36(1).

**Mr. Speaker:** No. I will allow the Member to continue.

**Mr. H. Partap:** Thank you, Mr. Speaker. So what has happened was, the retirees and the pensioners—and this is in the context of this matter of what I believe is indexing pension to the cost of living in terms of the retired Presidents. So I move on quickly with this.

Their expectation of really \$3,900 per month really had been reduced to \$2,800 a month. So a retiree who is receiving \$2,000 from the NIS can only access \$800 from the pension. *[Interruption]* Nah, I do not see how that—anyway, the Speaker will rule on that. So they will only get \$800 from the pension. What I am

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saying is that these pensioners and retirees feel that they have been cheated by the Government. That is the impression that they have and they still have that and, perhaps they may make that known at the next election.

Government then is denying these retirees full NIS and Senior Citizens Grant and now they come here today with this amendment so as to give a retired President; allow his pension to be upgraded to the level of the incumbent President.

While we noted the Government had increased incrementally the pension received by public servants who for years had been there, there are some public servants prior to 1984 who have been receiving a very low pension and the Government had increased this pension incrementally, but still it is just not enough for these people to exist in a country of high prices where all the facilities are becoming more difficult to get and more expensive. And even though you offer CDAP and all this, people cannot get the drugs when they go to the drugstores.

So it means that our senior citizens and our retirees are at a very serious disadvantage. The trade unions and we in the UNC had been making demands every year and we have been suggesting that the pensions be indexed to the cost of living. I would suggest that this working group on pension reform which had been formed by the Government, we are suggesting that they be approached with the suggestion that the indexing be linked.

We believe that this amendment gives the Government a good opportunity to overhaul pensions in this country to remove the inequalities in the system and offer better financial protection to the most vulnerable in the society at retirement.

Thank you, Mr. Speaker. [*Desk thumping*]

**Mr. Chandresh Sharma** (*Fyzabad*): Thank you very much, Mr. Speaker. It seems as if the Government has a continuous failure, in that they bring these bills to Parliament and do not explain the real reasons behind it. When you listen to the mover of this Bill, he seemed to come closest to giving an explanation in saying that we have to compensate presidents who serve our needs. Because he made particular reference to former Presidents and I think he was making reference to a president who caused the PNM to be installed in office when they did not win an election. He went further to say, presidents who serve, without giving a definition of that area of service. Because how did this President serve?

There was an election in this country sometime ago when the then government won the election. How is an election won? An election is won when a party gets the most votes or obtains the most seats. On that occasion the then government



got the most votes and should have been returned to office in keeping with what obtains in the British Commonwealth and when you look at the Westminster system of governance it also obtains there.

So here is a Minister of Government saying "We are compensating for that kind of action." You would recall that very President failing to appoint Senators in keeping with the requirements of the then government and at a later time agreeing that he made an error and caused the appointment to take place.

When one looks at the history of that very President you also noted that the President was treated in a different manner compared to all the other Presidents: a tax-free car was given, which was illegal and unconstitutional. There were no provisions in the laws of Trinidad and Tobago for it at that time as obtains even now. That very President was also given health care provisions on a personal note, a nurse.

So here is a government asking the House and the loyal Members of the Opposition to give support to that and they are asking us, by extension, to tell the small man of this country for whom they do not represent, that this is how government is run: Have a President bow to your wishes; install an illegal government into office and the world is at your disposal. This loyal Opposition cannot fall for that.

Then we look at the current office holder, or we look at the current conduct of the office holder. When you look at what obtains, the Constitution of this country says, there shall be an Integrity Commission and the manner of appointment to the Integrity Commission, and when you look at how that appointment took place, it certainly shows the Government at work, because when you look at some of the persons who were appointed and we are asking to compensate for that; you are asking me to take large sums of the taxpayers' money and make it available to these office holders. We must not fear to treat with the real issues. When you look at the appointment of members of the Integrity Commission, with one Fr. Charles saying: "I have done something that is not in keeping with the law", and from what we read in the newspapers and what appeared in both the print and the electronic press, we were told that was okay. That is allowed.

So this Bill that comes to the Parliament today, is really for what? As Members of the Opposition, as Members of Government, what is our responsibility? You want to quote a Standing Order or you are not sure what you want to do? I am ahead of you, Sir, and it has nothing to do with height.

The point I was making is that we have a larger responsibility to the masses and when you look at the simple minded person in this country, they are not treated fairly. When you look at the pensioner, many of us in our practices at our

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constituency office will see pensioners coming to us today—and we see this on both sides of the House—where pensioners having to receive simple medication, cannot get it at the local district health facility. We see pensioners having to wait to 2012 to get a simple operation in the public hospitals. So what are we saying to those pensioners? We are saying, “Listen, we are going to the Parliament, not to attend to your needs, we are going because the Government wants to treat with Presidents who favour them, who are willing to break the laws of the country, who are willing not to look at the masses.”

How is a president seen in Trinidad and Tobago? We have to go back to our culture. A president is seen as a father figure. If the President is female, she is seen as a mother figure. We have not had a female president yet. The Member for Talparo is interested in becoming the first female president. I am sure an operation can assist you in that.

But I was making the point that a president is seen as a father figure. So we are saying to the masses; we are saying to the poor pensioner out there, "Listen, this father is going to eat twice and you can starve in the meantime." Because the President is well taken care of. All his needs are met, from his food bill to his security, to all the things that were spoken about and I will not repeat those. But when you look at the poor pensioner and when you look at how this Government, past and present, the PNM Government in particular, how they have treated with pensioners—a good case to look at is how they have treated with the Caroni workers. Had it not been for the Member for Couva North, when those Caroni workers who represented the pot-pourri of our people of Trinidad and Tobago were treated like dirt.

**5.45 p.m.**

They were paid for six months of the year, left unattended for another six months without any pension and the work of the Member for Couva North treated with that to a large extent. We go further. When you look at the local government workers in the corporations, had it not been for the UNC treating with the pensions of the local government workers—and the list goes on.

If you look at the PNM in office, they never treated with the need of the masses. In looking at this, we are saying to the small man: While you are suffering, we will bring legislation to treat with three and four office holders. And there is the poor response of the Member for Diego Martin North/East, asking how they treat with office holders. We have seen how they treat with office holders.

These are also office holders. At the very President's office, there are chauffeurs, drivers and attendants who are treated very poorly. Do you consult

with your people before you come to the Parliament to move a Bill? The answer is no because you would know what the masses are saying. Pensioners cannot pay their electricity bill. Every Monday morning, electricity is going up. They cannot purchase foodstuff; their grandchildren are shot all over the country and they cannot get the police to respond because there are no police vehicles. When there is a vehicle, there are no police officers. When both are present, there are no phones to respond to the calls. Really a total failure!

I think one of the Members on this side indicated that the Parliament must treat with issues that mean the most to the largest number of people at any given point in time. When you look at the legislation by the UNC governments in the past, it always made a fair, measureable and meaningful attempt to treat with the masses. Today, when you look at the PNM Government, it is flooded with money but not meeting the needs of the people. Is this not most unfortunate? How do we come here and justify your conduct when you look at Members of Government giving all kinds of foolish stories why we must treat with this particular matter at hand?

In preparing for this debate, I went to pensioners, as a good representative of the people of Fyzabad, and what are some of the findings? I found close to one in three persons having retired and having to still work because their pension cannot meet their needs. I found more than 50 per cent having to seek assistance from relatives and I cannot understand why this Government is not aware of that.

I found pensioners having to depend on the kindness of others. This is Trinidad and Tobago where people have given 30 and 40 years of their life to Government service. How does Government compensate them? By coming on July 03 to tell us to treat with three office holders. What a shame! And they fool us and try to gain sympathy by saying: How do we treat our office holders?

This is how you treat your office holders. How do you define office holders? Only those who hold high office or the servants of the people who make our lives the way it is, who add service to this country, who work long hours, from our police officers, our teachers, our garbage collectors, et cetera. The PNM has not impressed on us the importance of this legislation in the least.

In surveying the pensioners in the constituency of Fyzabad and elsewhere—I met with pensioners from La Brea, Point Fortin and San Fernando West—close to half indicated that the funds they are obtaining were insufficient, which they have communicated to Members of Parliament, the Members for La Brea and Point Fortin, in particular, and the Member for San Fernando West. They indicated this by going to their offices and presenting documentation of their pensions currently

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and their expenses. And these Members sit in this House and say absolutely nothing in their own defence. What a shame! Is this what it means to be in government? Are they prepared to sell their souls for a jacket and tie and for a tax-free car and forget to be of service? This is not how it should be.

The Government is aware, coming out of the MORI polls, that close to 70 per cent of pensioners in Trinidad and Tobago indicated, by documentary evidence, that they are unable to meet their needs based on their pension. Is the Government not aware of this? They cannot get up and deny it; it is a fact.

If they are aware, why bring legislation today? Why abuse the people of Trinidad and Tobago. One must remember that they are a minority government. I observed, in the electronic media last night, the Member for Diego Martin North/East criticizing the lawyers for voting in a particular way, as if they are not independent. Here 70 per cent of the pensioners are saying that they cannot live on it and they are a minority government wanting to make rules for the whole country.

One must never forget that less than 35 per cent of the qualified electorate voted for them. In fact, when you look at voters that opposed the PNM, it was the majority of votes cast in the last election. So they do not speak for the people of Trinidad and Tobago.

There is a lot of information available in the Government domain of what obtains for the pensioners. One cannot be asked to deal with this particular Bill without looking at the larger picture of the majority of people of Trinidad and Tobago. I would like to hear the Government say that it is aware that the majority of pensioners are suffering under its governance and that it proposes to do (a), (b) and (c) in addition to this legislation. They should give some degree of hope, although they do not deliver on anything they promise. Give some indicator to us listening here and the national community so that we would think that at least the Government is aware of our plight. How often do we see in the print and electronic media pensioners crying for help?

The Government is aware, based on the documentary evidence of the Ministry of Social Development, for which the Member for Diego Martin Central has responsibility, that a number of pensioners are taking care of their grandchildren. The MORI poll also demonstrated that. When you give a pensioner \$X today, you are giving that pensioner money knowing full well that it is going, not only for his own upkeep, but for that of his grandchildren in many instances.

Mr. Speaker, the Association of Village Councils has communicated this information to the Government through its many agencies. The Trinidad and

Tobago Association of Retired Persons has also communicated this. I would hope that before the Government closes this debate that it will respond in a meaningful and measurable way to the issue we have raised since they have been unable to raise them. They must have a conscience and make sure that their response treats with the masses. Do not come here to win favour.

Mr. Speaker, there is another extension of the argument because the Minister in presenting the Bill indicated that this was to compensate past and present office holders for services. As indicated earlier, the President is seen as the Father of the Nation where he must look after the interest of all people and the Government is not acting in the interest of all people. Is it to compensate the President for turning a blind eye? I hope that is not the case.

When you look at the number of failures of the Government as it relates to the people—and I will focus my arguments only on the pensioners for the time being—our pensioners are not happy. They are not living good lives because facilities are not available to them. When you look at the distribution of resources, there is no equal spread in this country. The people in Fyzabad, Barrackpore and San Francique are treated totally different from those in Diego Martin. *[Interruption]*

The Member is confirming that they get more. When you look at the provision of bus passes, it does not come to the rural communities. When you look at the provision of the actual buses, it does not come there. When you look at the facilities available at the health centres—I have argued on many occasions that many health centres in the rural communities are oftentimes without basic medication.

Under the UNC administration, medications became available. It was the government's work to make sure that a doctor was available at every health centre almost every day of the week. Previously that was not so. Under the PNM, it was once per week; under the UNC, it became five days.

We went further, under the UNC administration, we caused pharmacies to be installed with a full-time pharmacist. That was not available before. We went further. We went to the world medication market where medication was available to treat with the masses of people. When we looked at the health centres and what was available in terms of medication, one of the problems we were having was the high cases of diabetes, so we made sure medication was available for that. There were high blood pressure cases among pensioners and we made sure those things were available.

We went further. For pensioners we started to install health facilities for them to do exercises and every one of our recreation grounds was designed for healthy

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lifestyles by encouraging pensioners and others to start exercising, et cetera. The PNM is reversing all that.

Today you go in the average health centre, the doctor is not available; pharmaceuticals are not available because they are playing politics with everything. The Member for Diego Martin North/East yesterday criticized the lawyers as they exercised their right to attend a meeting and vote in a particular way, saying that they are UNC and that they are against the Government. When doctors stood up similarly, he said the same thing. They are saying to the country that they will compensate the President who may turn a blind eye. This is the feeling the national community is getting.

Mr. Speaker, as indicated earlier, when we look at the monthly income of pensioners in Trinidad and Tobago—I want to give an example or two—someone who drives a taxi for X number of years—driving a car in Trinidad and Tobago is an expensive thing—their savings would be a lot less than someone with a fixed salary. They are now being given a pension of \$1,920. What could it do for the pensioner, spread over a 30-day period? That is about \$60 per day. If that pensioner has in this house a spouse and two children under the age of 18 or 25 who are not working, can \$60 a day take care of this family of four? No.

His light bill under this PNM has increased in excess of 1,500 per cent. The pensioner who paid a light bill of \$300 per month is now asked to pay a light bill of close to \$1,000. His water pipe is no longer delivering water and he now has to make other arrangements to get water in his house, but he has to continue to pay his WASA Bill.

### **6.00 p.m.**

Because of the high incidence of criminal activity, largely sponsored through this Government, he now has to engage in floodlights, security lights and burglarproof, so his cost keeps increasing. This is what this Government has brought for the pensioners; persons who have given their life to this country in service. Today they have to incur a much higher cost to live.

Mr. Speaker, I went further to look at the life of the average pensioner. Today the pensioner finds himself very unhappy, simply because having worked and given service of 30 and 40 years under this Government, he has nothing to look forward to. There is no joy in retirement as indicated. More than 40 per cent have to go back and seek employment. More than 50 per cent have to depend on the kindness of others, in a country that now obtains the highest revenue in its many years.

Again, one has to make a comparison. When the UNC administration was in governance of this country, with oil at US \$9 per barrel, the pensioners were much happier. Their needs were met in a more meaningful and measurable way. Today, rather than compensate the average pensioner in this country, the Government is punishing those persons who have given. Today the average pensioner cannot afford the luxury of any item outside of his house. Very rarely can he have pizza with his relatives. He cannot go to the beach.

**Mr. Imbert:** “Yuh” promoting fast food?

**Mr. C. Sharma:** It does not matter what he goes to have. Do you want me to say KFC and you would be more comfortable, or do you want them to wear “pom pom” shorts? Whatever you want them to do, they are finding it difficult.

Close to 70 per cent of the pensioners who were interviewed indicated to me that they were finding it difficult to pay their basic bills. A telephone is no longer a luxury item. It is a necessity, based on a country governed by the PNM where crime is at every doorstep. Today they cannot depend on the PNM Government to send an ambulance to their call. They have to pay a private vehicle to take them to the health facilities.

Today, under this PNM Government, they cannot expect when they call the police station, the police will respond, because the Government fails to provide basic tools for the police to do their work. How does the Government respond and treat with it? They have brought for us today, to engage the national community to show that they are doing something, when they are really doing nothing—we have brought legislation. The whole country is looking on to see what legislation the Government has brought. They have brought something to say: Let us treat with the highest office holders who have attended to the needs of the PNM and not the needs of the national community.

You would recall in the early days, our pensioners were always satisfied because their living needs were basic. They lived very simple lives and they went along with whatever little they had. What has changed? They were surrounded by people who loved and cared for them. Today, the Government has caused all of that by breaking up families and relocating families. Today they have moved people from all over the country and not encouraged family-type lifestyles. Most of us grew up with our grandparents and that is no longer available to us. Today the grandchildren are coming to the homes of the grandparents because they would be on the streets.

The most senior Cabinet Minister made foolish statements yesterday and other times. He is begging for a chance. What for, to continue to destroy the lives of our pensioners and to continue to carry this country downhill? The senior Cabinet

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Minister wants us to close our eyes to the injustices and failures of the Government every day. I cannot think of a single good this Government has done in the last many years, not a single good. Today they have made the Office of the President to look as if it is an agent of the PNM, which is so sad. We were in government. The independence of the Office of the President and the other offices were well maintained. This does not obtain today.

When we look at what is happening, more and more people are asking how does this debate help to really attend to the basic needs of our pensioners? It would be foolish for us to attend to one area of pension. Some Members have made the point that we should be holistic and I agree with that. How is it we advance the argument and not look at the other areas of pension?

Mr. Speaker, what is in the average citizen's mind today? In the mind of the average pensioner he is saying: I hope that Parliament, to which I have sent my representative—I speak for all the pensioners who have voted for us—has sent us to do something to add value to my life and the lives of our children. This Bill is not doing this in this in the least bit. For the longest while, you have not brought to the Parliament any legislation that is doing this. You are only causing pain, hurt and grief every day.

Mention was made earlier about the Salaries Review Commission. I can refer you to Chapter VII, page 15. We know that the Office of the President now obtains close to \$50,000. How are we going to tell the pensioner who is struggling with \$1,920 and no other assistance we can justify \$50,000 today, with all other benefits met, from housing, to motor car to health care to vacation, et cetera?

We have seen pensioners practically begging for housing accommodation. We have seen pensioners sleeping on Harris Promenade in a push cart. We saw the very pensioner died some days later, after the case was highlighted. We are saying we want to support the sum of \$13,800 for the housing of the President, in his own private residence at the same time.

How can we go to our constituents and say this is what I did in Parliament today? Tomorrow, when I go to constituency office where hundreds of constituents will come, what would we say to them? Would we be pleased in our hearts and our minds that we have really done justice? The simple answer is no. I know many of my colleagues opposite do not go to their offices. They send their private assistants or whatever they call them.

Mr. Speaker, I recently went to Toronto two days ago. Do you know what was interesting? I did not meet a single pensioner on that aircraft.



**Mr. Imbert:** How do you know that?

**Mr. C. Sharma:** They all looked young like me. The story behind it is that they cannot afford a vacation. You are asking us to support a paid vacation for the President for 60 days. In their life of 65 years, they cannot travel one time. This is the PNM Government. Why are we punishing these people so much? What a wicked Government we have. I would like the Government to say that they are going to give every pensioner a two-day vacation in next door Tobago. We want you to start treating with our citizens.

**Mr. Speaker:** Hon. Member, it is quite possible that you may be advancing a proposition that if a pensioner were to become a jockey and ride a horse in the Arima Race Club, that would be relevant to the proceedings before us. I do not think so. All I am asking you to do is to come back to the Presidents.

**Mr. C. Sharma:** You will forgive me, I am not into racehorses, so I do not quite understand your jockeying position, but I get the message.

When we look at the medical benefits, again, I want to make the comparison of what obtains in the current system for pensioners. If you have argued that a pensioner going to Eric Williams Medical Sciences Complex has to pay for treatment, when he gets there oftentimes he has a long wait. The prescriptions cannot be taken care of because the medication is not available. I want to further suggest that all pensioners, on the occasions that they go to the public health facilities, their prescriptions cannot be met. Some arrangements should be made similar to CDAP, where they can obtain that medication.

Many pensioners have come to us when they have to go for MRIs or CT scans and they have to put out that money. We are asking to vote for the total payment to the Office of the President, but for the pensioner the same does not obtain. A CT scan is \$8,000. I want to suggest that those pensioners be treated in the same manner.

Mr. Speaker, further, there are many citizens, for one reason or the other, whose pension packages are not worked out properly. For instance, I certainly met a pensioner who drives a taxi for someone else two days a week. He is a fair-minded person. He went to the pension office and indicated that he was bored at home and wanted to stay alive, to use his own terms, and was driving a taxi for someone whom he had to compensate and was earning \$60 a day—*[Interruption]*

**Mr. Imbert:** Mr. Speaker, on a point of order. Standing Order 36(1), the Member is talking about pension for taxi drivers.

**Mr. Speaker:** I gave the hon. Member a hint just now, but apparently he did not take me on. I am asking you to take me on, hon. Member.

[MADAM DEPUTY SPEAKER *in the Chair*]

**Mr. C. Sharma:** He was getting \$60 from driving the taxi. He went to the pension office and indicated: I am driving a taxi as a pensioner because I am bored at home and the Government—[*Interruption*]

**Mr. Imbert:** Madam Deputy Speaker, Standing Order 36(1), the Member is persisting to be irrelevant.

**Madam Deputy Speaker:** The Speaker just asked you to take him on. I think you know what he means.

**Mr. C. Sharma:** Thank you very much, Madam Deputy Speaker. In arguing the Bill at hand, I am making a comparison of what obtains in what we are asked to support today. Here is a pensioner who went to the pension office having indicated that he is driving taxi for two days. On the one hand you have the Office of the President having all the facilities. The pensioner on the other hand having no facilities is advised to stay alert. He is driving a taxi for two days. [*Interruption*]

**Mr. Imbert:** Madam Deputy Speaker, Standing Order 36(1), the Member is ignoring the Chair.

**Madam Deputy Speaker:** Hon. Member, you are stretching the point. So, please, let us go back to the Bill.

**Mr. C. Sharma:** Am I to understand that I am not permitted to make the comparison?

**Madam Deputy Speaker:** I am not saying that.

**Mr. C. Sharma:** That is what I am doing.

**Madam Deputy Speaker:** You are stretching the point.

**Mr. C. Sharma:** If I do not come to the end of the point, the point would have failed. The end of this is that the taxi driver—moneys would be deducted from his pension. Here you have a fair-minded honest pensioner going to the pension office and you have now adjusted his pension downward.

If, on the other hand, we are saying: Listen, the Office of the President, these matters, in terms of the compensation, is to be treated with, we also have to indicate what is happening at the other end of the stick. That is the point I was making.

**6.15 p.m.**

Madam Deputy Speaker, in recent times, there has been enormous concerns about the work and function of the President. In moving the Bill, the Member indicated that this is to compensate for service rendered by past Presidents and the current President. When we look at what has transpired in the recent past, as it relates appointments, citizens are concerned. Recently, we saw where the appointment of the members of the Integrity Commission did not go down well, and the entire membership had to resign.

**Mr. C. Imbert:** Madam Deputy Speaker, Standing Order 36(10), the Member is calling into question the conduct of the President which is against the Standing Orders.

**Madam Deputy Speaker:** Hon. Member, even if that were not the case, you are being very creative. You are trying to go into areas that the Bill does not allow.

**Mr. C. Sharma:** When Members on this side spoke, we indicated clearly that we were not in any way suggesting any misconduct, and we are not challenging or questioning the conduct or the work of the President. I am simply indicating, as we are talking about compensating past and present Presidents, what comes to mind—we have to argue and present their side of the story—is that we are compensating the President for something, and part of that something is questionable. We are not questioning the work of the President, but we are saying what has come to our attention. This has been in the public domain and one cannot dismiss it by calling Standing Order 36(10), but I will continue.

Further, as I indicated, the Government has in its possession, as it relates to pensions, less than 25 per cent—this is information from the Ministry of Social Development and the Ministry of Finance. During the MORI poll, pensioners indicated that they were not able to set aside any funds. This means that the money that pensioners are getting cannot take them along.

Madam Deputy Speaker, 78 per cent indicated that they were living on a month-to-month basis. They indicated that they were behind with their water rates and land taxes. In fact, only 13 per cent indicated that they were comfortable meeting their payments, because they got assistance from relatives and others. More than 50 per cent indicated that they were able to plan for the next month in terms of their pensions. Madam Deputy Speaker, 52 per cent of the pensioners indicated that they ran out of money before the next month's income. That is a sad state and the Government must treat with these concerns rather than hide behind Standing Order this and that.

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Madam Deputy Speaker, 15 per cent of these same persons indicated that they had to cut back on their spending by as much as half of the goods and services they need. Forty-three per cent indicated that on a monthly basis they had to borrow money from family members and friends; 28 per cent indicated that they had to go into their savings on a monthly basis. In fact, many of them indicated that the banks were telling them that it was not economical to run their accounts anymore, because the banks expect their accounts to hold the monies for which they can lend and earn income to pay interest in order to sustain their accounts.

It is clear from the arguments advanced on this side of the House that the Government has failed, and it continues to fail to treat with the whole issue of pensions. We want to suggest a holistic approach with respect to the question of pension. You cannot come today to treat with pensions for three or four persons and engage the entire Parliament, and not treat with pensions of the wider community—a large section of our community—and they have given us thousands of years of service. Today, we are punishing them rather than compensating them.

So, I trust that the Government's reply would be intelligent, applicable and meaningful to the ordinary citizens of Trinidad and Tobago and, in particular, the pensioners. I thank you very much. [*Desk thumping*]

**Dr. Tim Gopeesingh** (*Caroni Central*): Madam Deputy Speaker, thank you. I did not come here today to engage in the debate on this Bill, but it has become necessary for us to respond to a number of comments made by two Members on the other side. Firstly, I will deal with the presentation of the Bill by the hon. Member for St. Joseph and the Minister of Public Administration. He introduced the Bill for emoluments for President and, in fact, what my colleague indicated was that we were really discussing three former Presidents, and trying to bring their pensions in line with the present President.

The second point I want to make is that the role of the President in a country is basically an honour role; a role where someone thinks it is a great honour to serve the country in that position as president of a country. As a result, when you are serving in a position of honour in a country, really one does not necessarily look to be compensated beyond the norm of any society where others work at a particular range. It is an honour and privilege to serve as a President of a country. I am illustrating this in the context of what I have read internationally in one Commonwealth country as far as salaries are concerned.

I just want to direct Members to the books that are given to parliamentarians, for those of us who read them: *The future, what will be the next 60 years*. That is

in the 2009 Issue 1 on page 83. Do you know what is the salary of the President of India? The original Act, which is the President's Emoluments and Pension Act, 1951, as the title suggests, lays down provisions regarding emoluments to the President of India and pension benefits to retired presidents, keeping in mind the increase in inflation over the years along with the changes in modern technology, the government of India put forward proposals for better pension benefits to former presidents.

Section 1(a) of the President's Emoluments and Pension Act 1951, which was the principal Act, provides that benefit shall be paid to the President of India by way of emoluments, rupees \$50,000 per annum. Fifty rupees is equivalent to US \$1. So, the President of India gets US \$1,000 equivalent per annum as a salary. That is equivalent to about US \$160 per month which is equivalent to about TT \$1,000 per month.

Now, in that context, the President of India is appointed and, basically, it is an honorary position. Her salary is equivalent to TT \$1,000 per month, and we are asking for a pension equivalent to almost \$50,000 per month for our President. But, we live in a society, and as the Opposition party, we have to look at what the requirements of a senior citizen are in an advanced stage of their lives.

What my colleague, Dr. Moonilal indicated, is that what is really of importance is the issue of medical assistance and a little travelling allowance. These are the things that should be looked at more critically than the salary. So, we are looking at Trinidad and Tobago President's salary, and we should examine this in the context of international scenarios—not Trinidad and Tobago alone—and show that the position of presidents internationally is really an honorary type of position. So, we are debating an issue of pension for Presidents in Trinidad and Tobago [*Interruption*]—of course he has to live—but the question arises: Do we need to go to that limit, particularly in the context of what my colleagues indicated where the rest of the society are not reaping the benefits of a proper pension.

The President in India, pension is three lakhs, and a lakh is 100,000 rupees. They have increased it from 50,000 rupees to 100,000 rupees by the amendment Act of 2008. They have now increased the pension to three lakhs which is equivalent to TT \$3,000 per month. Madam Deputy Speaker, TT \$50,000 is about US \$8,000, and US \$8,000 is about four million rupees. The President of India is getting a pension of 300,000 rupees. So, look at the discrepancy. I did not do the research to find out what is happening in other developed countries, but it is worthwhile. I thought when my hon. Colleague, the Member for St. Joseph presented the Bill—I know he does a lot of research and so on—he would have done the research for us and brought some comparative figures to substantiate his point, but I would leave that at the disposition here.

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The third issue is that while the Member of Parliament for Fyzabad was speaking, we were given an amendment to the President's Emoluments (Amdt.) Bill, 2007. You see, the Government believes that the Opposition stands up and speaks, but my colleague made a significant contribution that has forced this Government to think, and that is why the Government made this amendment which was circulated. It was after the Member of Parliament for Oropouche East asked the question, whether Mrs. Hassanali, a former spouse of a President, will be receiving the pension that her husband would have received, it is gratifying to note that the Government has taken this into consideration.

**6.30 p.m.**

Section 5 amended the new clause says:

“The Act is amended by section 5 (b ) by inserting after subsection (2), the following subsection (3):

In calculating the annual pension of a widow mentioned in subsection (2), the formula set out section (3)(a)(i) shall apply as though the person mentioned in subsection (2) is alive,”

So we are grateful for the fact that the Government has taken into consideration the question raised by the Member of Parliament for Oropouche East when he asked about the plight of Mrs. Hassanali and now you have decided to listen to it and you have made the amendments, and I am sure Mrs. Hassanali would be grateful for the contribution made by the Member for Oropouche East. [Desk thumping]

The third point I want to raise in response to the Member for St. Joseph's contribution, when he mentioned the question of the Electoral College, that the President is appointed by the Electoral College. Here it is today, we are arguing about a pension for former Presidents to come in line with the salary of the present President.

We inherit the Westminster system, Westminster system, winner takes all, first past the post and the President is appointed by the Electoral College—now, the PNM has 26 seats, we have 15; in the Senate you have 16 there. So 26 and 16 equal 42. With our 15 here and in the Senate we have six, that is 21, so 42 versus 21—therefore, the President is obviously going to be elected by the Government in power and, therefore, the President becomes a creature of the Government in power. The majority government, the PNM Government and for successive times, the President has always been a creature of the PNM administration. It was Sir

Ellis Clarke, it was Mr. Noor Hassanali, it was Mr. ANR Robinson and now the Electoral College has appointed President George Maxwell Richards. [*Interruption*]

Now, Madam Deputy Speaker, here it is we are debating an issue of a pension for Presidents, who were not comfortable with as far as the appointments of the Office of the President are concerned. As an Opposition party and an alternative Government we have preferred on several occasions that it is time for the Government and the Prime Minister to move on with the concept of constitutional reform. [*Desk thumping*] And he speaks about an Executive President and our Leader of the Opposition has spoken many times about the need for an Executive President. He argues that there is nothing wrong in an Executive President, but the question is, how is the Executive President elected? Our leader, as the alternative government, has indicated that the constitutional reform that is needed, the Executive President must be elected by one man, one vote and by the people. But here it is the President is appointed by the Government in power, and, therefore, becomes a creature of the Government. We are not debating the holder of the office at all. We are debating the office.

So it is important for us to register that point again, that we have no difficulty with the holders of the office. We have difficulty in the way that the President's office has been continuously been appointed and which is not acceptable to the people of Trinidad and Tobago anymore. [*Desk thumping*] It is time that we have a referendum on that issue in terms of the need for constitutional change; even though if that is the only issue, but the PNM Government will never want to do that. You will never agree with that whatsoever, because you know that you would lose your power of the President.

Madam Deputy Speaker, you know, it saddens me when I read—by the hon. Member for Diego Martin North/East—the newspaper recently about Members of the UNC going and voting against a particular person in the Law Association issue and he named the lawyers as UNC lawyers and so on.

The question is we understand that the same lawyers who represent the Prime Minister in his court matters, are the same lawyers who represent the President and writes the President's letters when he is abroad. In this matter with the Integrity Commission issue, we understand that while the President was abroad, the same firm of attorneys who was dealing with the Prime Minister in court and who works for the Prime Minister's team, sent the letters on behalf of the President while he was away and the same team of attorneys communicated for the President when he came back.

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So, when we talk about separation of powers, where is the separation of powers between the Executive and the State? You know, the separation of powers, the Executive, the Judiciary and the Legislature, which is the Parliament. We can talk here in Parliament, but the Executive is the People's National Movement, and we see interference of the Executive with the Judiciary, but now we have the same team of lawyers working for the Executive and for the President. So, where are we going? We are debating a Motion on pensions, [*Interruption*] therefore it becomes a farce. It becomes hypocritical when the same attorneys for the Prime Minister become the same attorneys for the President. Where is the separation? It is very sad. How can that continue, because you have the majority and you appoint your President, he must continue to work for you all the time? These are some of the difficulties we have as an alternate Government and we can assure you that when we get power pretty shortly—this is why the Prime Minister seems to want to control the elections again—[*Desk thumping*]—we will ensure that this country undergoes constitutional reform, Madam Deputy Speaker.

**Mr. Ramnath:** Why do you not respond to Desmond Allum's letter that he sent you?

Madam Deputy Speaker, I just want to respond to my colleague, the Member for Diego Martin North/East. He seems to have a predilection and a personal attachment to the Member for Caroni East.

**Mr. Imbert:** Where you get that from?

**Dr. T. Gopeesingh:** It seems as though while he stands there to speak he has to make some disparaging remarks at some time.

**Dr. Moonilal:** Are you his doctor?

**Dr. T. Gopeesingh:** I think it is incumbent upon me to respond—

**Mr. Imbert:** Madam Deputy Speaker, Standing Order 36(4)—

**Madam Deputy Speaker:** I hope you are not going to suggest that he is imputing improper motives?

**Mr. Imbert:** No, no. It shall be out of order to use offensive language. I take offence to that statement he just made. [*Laughter*]

**Dr. T. Gopeesingh:** To what you take offence? Madam Deputy Speaker, I just wanted to clear up some misunderstanding that he tried to present into Parliament. He indicated that I worked with the State and I am paid by the State and so on. [*Interruption*] I just want to clear up from 1985 to 2008, 23 years, I



worked with the University as a lecturer, then a senior lecturer; I have taught almost 1,500 students and I have worked in the public institutions as an honorary consultant, free of charge to the people of Trinidad and Tobago. [*Desk thumping and crosstalk*] Free of charge. I have done thousands of operations for the people of Trinidad and Tobago and I have seen thousands of patients for the people of Trinidad and Tobago free of charge while working in Government institutions for the University of the West Indies.

Madam Deputy Speaker, you know, after 35 years of being in the field of medicine, the State cannot pay me for what I have done for the people of Trinidad and Tobago. [*Desk thumping*] I do not and will never expect any payment for the work that I have done for the people with a good heart.

**Mr. Ramnath:** So you mean you are not going to get a pension for that?

**Dr. T. Gopeesingh:** And not even a pension. I will receive a small pension from the University of the West Indies.

**Mr. Ramnath:** But the State is ungrateful!

**Dr. T. Gopeesingh:** But, Madam President—"ah", you see I have ideas for you, Madam Deputy Speaker. [*Laughter*] Madam Deputy Speaker, you are very honourable, but if I am to ask the Member for Diego Martin North/East—

**Mr. Dumas:** Will you give way?

**Dr. T. Gopeesingh:** Yes, I will give way to you.

**Mr. Sharma:** "Oh God Stretch"!

**Mr. Dumas:** Mr. Fyzabad, shut your mouth! Member for Caroni East, is it correct that you enjoy the protection of a pension—[*Interruption*] I am speaking, shut your mouth Fyzabad—which is totally secured and well put away in British pounds? [*Crosstalk*]

**Dr. T. Gopeesingh:** Madam Deputy Speaker, he is trying to bring me into something—I worked for the university, the university has a contributory pension fund, which the university contributed, in the first instance we lost 40 per cent of that about five years ago and we are now losing another 20 per cent of it now, and nothing from Trinidad and Tobago Government. That is what the university put forward and I put forward, so I am not enjoying any pension from any state, Sir. [*Interruption*] Not in British pounds.

Madam Deputy Speaker, I come to some other—

**Mr. Ramnath:** What is he contributing to?

**Dr. T. Gopeesingh:** Well, the thing is, I was going to ask him now, what has the Member for Diego Martin North/East contributed to the people of Trinidad and Tobago?

**Dr. Moonilal:** Nothing! He built two walls and they fall down.

**Mr. Imbert:** More than you. [*Crosstalk*]

**Dr. T. Gopeesingh:** My colleagues are speaking for me. They say you went to Grenada and built a stadium, but let me not go into that this evening. [*Interruption*] There is no necessity to go into that this evening. But I just want to ask him, when he begins to speak about a colleague opposite and begin to make disparaging remarks, we will not condescend and go down to that level but to just give him the truth and the facts and we will keep the level of presentation at a high level not at the guttural type of level, that the Member tries to carry the debate to. [*Desk thumping*]

So I think I want to bring some upliftment to the standard of debate, and he spoke about it. The Member spoke about it, but we will treat with the issues in a dignified manner and not in a manner with arrogance, with swearing in an unpalatable way and so on. [*Crosstalk*]

Madam Deputy Speaker, I want to quote from a few of the things from the Central Bank and to indicate as far as we are talking about pension—the Minister of Works and Transport spoke about the pension reforms. So we are discussing the pension for the President in the context of a wider scenario of pension reforms in Trinidad and Tobago. We know that developed countries are experiencing a lot of problems as far as pension reforms are concerned. Some of them 20 years behind time, but Trinidad and Tobago seems to be zillion years behind time. When you look at what is happening and the work that is coming out from the Central Bank reports, you will realize that we are in serious trouble as far as pensions are concerned.

I just want to quote, in 2003, the Prime Minister obviously acknowledged that there is a major problem with pension reform, and he said in his budget presentation and I quote:

“We are in the process of evaluating recommendations on pension reforms with a view to providing the national community with a comprehensive pension reform framework for wide consultation.”

That is in the 2003 budget speech.

The Member for Diego Martin North/East mentioned that we should lift the debate by talking about pension reform, but here it is I want to indicate what the Prime Minister said six years ago and this was compounded by yet another promise and I quote:

“This annual amount will be kept under review to enable the elderly to always maintain a reasonable standard of living.”

Now, those two statements were made by the Prime Minister almost six years ago. What has happened between then—2003 to 2009, six years later—to make the population feel comfortable that a satisfactory pension will be given to them?

**6.45 p.m.**

In fact, this report in 2007 from the Central Bank said 91,887 persons belong to this group, the elderly, the pensioners, and the figure is growing annually, approximately 92,000. But while we speak about pension, Central Bank also speaks about inflation rate. Could you imagine a person retiring, let us say 1980 or 1979, 30 years ago, and you know what the salaries were, and they retired with two-thirds of their salaries as pension and inflation over the last 30 years—during the UNC administration, our core inflation rate approximated 2.5 per cent per year.

Under the PNM regime, from 2001 to 2008, your average core inflation has been approximately 7 per cent, about three times higher than ours. But if you extrapolate and you say the average inflation of 5 per cent per year for 30 years, and you compound that, you are coming close to about 180 per cent inflation alone. So, you look at the inflation over a 30-year period and you compare it to the pension that someone has been receiving in 1979, thirty years ago, their whole pension is eroded just by inflation alone, just by the mere fact of inflation, so their pension cannot sustain them.

Last year, food prices rose by almost 70 per cent in just one year. [*Interruption*]

**Dr. Moonilal:** My God!

**Dr. T. Gopeesingh:** Food prices by 70 per cent in one year. Madam Deputy Speaker, could you imagine what is happening to these poor people?

The Central Bank Study published in January 2008, revealed the shocking news that 69 per cent of the elderly were completely reliant on the Government for their source of income to meet their daily needs, and almost half of the retirees in Trinidad and Tobago do not now have the funds to give them the lifestyle they

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had anticipated. So therefore, Member for Diego Martin North/East, when you speak of pension reform, the Central Bank is speaking about it and you as a government have done nothing about it. You have been there for eight years, from 2001 to 2009, and what have you really done about pension reform? Nothing! The survey of the elderly by the Central Bank 2007 says, "Elderly in crisis".

Let us look at a more recent sample survey that was conducted by the Central Bank less than a year ago. The figures are aghastly; 11 per cent of this population is in a constant struggle to meet their commitments, with a further 38 per cent admitting to struggling on a regular basis to pay their bills. The survey revealed that 42 per cent of the population run out of money before the end of the week or the month, at least sometimes, and 21 per cent have no bank accounts. One out of five people in this country have no bank accounts, have no savings and they are living from day-to-day.

Madam Deputy Speaker, that is the situation in Trinidad and Tobago. That is the reality. So here is it when we are talking about pension reform, I am going to come to what is coming out from the National Insurance Board. I just want to make some illustrations to prove my point. The Central Bank figures advised that 33 per cent of our citizens, who are over the age of 60, continue to work because of the need for additional income. It is a fact. Sixty-nine per cent of the elderly in this country depend on the Government pensions for survival. That is a fact.

So, Madam Deputy Speaker, the elderly are in crisis in this country and this Government has done nothing, absolutely nothing to help the elderly. Do you know what they have done instead? It took them from 91 to 95 in their four-year period to raise pension by \$36. They raised pension by \$36 and they are coming to talk about pension? Thirty-six dollars in a four-year period. When we came into office in 1995, when the price of oil was but \$9 per barrel as compared to \$147 per barrel in their administration, almost 18 times the amount, we raised the pension from \$350 to \$850, nearly 250 per cent. Nearly 300 per cent, we raised the pension in the short period that we were there. *[Interruption]*

**Mr. Imbert:** Madam Deputy Speaker, this has nothing do with the pensions of Presidents. *[Interruption]*

**Mr. Ramnath:** Yes, it has.

**Mr. Imbert:** Standing Order 36(1). *[Crosstalk]*

**Madam Deputy Speaker:** Okay. I know you indicated that you are responding to some of what the hon. Member for Diego Martin North/East said about reform, I will give you a little more leeway, but come back to the Bill after, please.

**Dr. T. Gopeesingh:** Thank you. Madam Deputy Speaker, the Member for Diego Martin North/East opened up the entire debate when he went on an issue of pension reform. I am simply responding to clear up some misconceptions which the Minister put forward in this Parliament this afternoon, and if he wants to deny it, we can get a copy of the *Hansard* where you will see that he said, "I want you all to lift the debate. Let us talk about pension reform." This is what I am talking about now. If he does not want to hear about it, he can leave. He is tired. You want us to discuss something and we are coming here to discuss something, let us discuss it. *[Interruption]*

**Dr. Moonilal:** You want to go and make a phone call to prayer.

**Dr. T. Gopeesingh:** I am on the Bill and we are talking about pension. We are talking about pension for the President in the context of that. I want to quote from the *Express* on Wednesday, June 24, 2009, "Central Bank discovers insurance, pension breaches". *[Interruption]* Madam Deputy Speaker, I am talking about pension reform. The Central Bank released some figures for this country, 2008 annual report, and I quote:

"...the bank stated: 'The examinations revealed several breaches of statutory requirements by both the banking and insurance sectors as well as pension plans.'"

We are talking about pension reform.

"Eighty-five pension plans also failed to file their statutory statements on time."

Eighty-five per cent. So where are we going with pension reform?

**Mrs. Persad-Bissessar:** Nowhere.

**Dr. T. Gopeesingh:** If the Central Bank has the authority and the capability of ensuring that pension funds throughout this country are not taken care of, in the context of what the Minister was speaking about—pension reform—*[Interruption]*

**Mr. Imbert:** *[Inaudible]*

**Dr. T. Gopeesingh:** Yes. Madam Deputy Speaker, I will not be long again, but I have to clear up some of the things that he spoke about. *[Interruption]*

**Dr. Moonilal:** Yes, you are obliged to do that.

**Dr. T. Gopeesingh:** I am obliged to clear up the misconceptions which he gave to this country a while ago, and to dispel some of the mistruths.

**Dr. Moonilal:** "Cyah take the jamming."

**Dr. T. Gopeesingh:** The first one; there are pensions in the public sector and pensions in the private sector. Pensions in the public sector are sometimes dealt with by the National Insurance Board. If you are to be successful in pension reform, it must start somewhere. It is not started by the Government because public servants do not have a pension. The money comes from the Consolidated Fund. But where is the National Insurance Board in all of this? The National Insurance Board is supposed to be taking care of the people. Why is the National Insurance Board not in a position to pay the President? *[Interruption]*

**Mr. Imbert:** Madam Deputy Speaker, Standing Order 36(1). Now he has gone to National Insurance Board. Madam Deputy Speaker, I ask you to rule on this, please.

**Dr. T. Gopeesingh:** I am talking about why the National Insurance Board—*[Interruption]*

**Mr. Imbert:** On a point of order, Madam Deputy Speaker.

**Madam Deputy Speaker:** Hon. Member, the hon. Member for Diego Martin North/East was not long in his contribution. I know I have allowed you quite a lot of leeway in terms of dealing with reform to respond to him, but I want you to complete that point and move on.

**Dr. T. Gopeesingh:** I would not be long again. I will complete my point on that. The National Insurance Board, Madam Deputy Speaker, should have been responsible, if they were doing their work properly to take care of people in this country. The National Insurance Board has at its disposal \$17 billion, and do you know who it is run by? Calder Hart. The National Insurance Board is run by Calder Hart—\$17 billion dollars—and their annual return is approximately 7 per cent. Almost \$2 billion the National Insurance Board can generate on a yearly basis.

So the National Insurance Board generates a profit of about \$2 billion on the \$18 billion or \$17 billion in what they have and they cannot take care of our pensioners in Trinidad and Tobago, when our pensioners are given a grant? They call it a Senior Citizens Grant. It is no longer a right of the senior citizen. It is a grant that the Government can take away at any time. So it is a mess in the public sector. The National Insurance Board has \$17 billion to \$18 billion, they generate almost \$2 billion per year and the people of Trinidad and Tobago do not benefit.

I just want to make one point on the private sector insurance now. In 2006, there were 256 pension plans in Trinidad and Tobago, and in 2005 there were 256 as well. Madam Deputy Speaker, do you know there are 58 pension plans in the

private sector that are being wound up? Do you know what has happened to the money that these peoples have contributed to these pension plans? It has been lost and these people have nowhere to turn.

I want to give a few examples to illustrate my point about who are some of the people where these pension plans have been wound up. I just want to quote. It is a few of the state companies. [*Interruption*]

**Mr. Imbert:** Madam Deputy Speaker, now he is going into the winding up of pension plans. Standing Order 36(1). What is going on? [*Crosstalk*]

**Madam Deputy Speaker:** Hon. Member, in terms of your 45 minutes, you are just about nine minutes away and the majority of time I have allowed you speak on, so I really think that you need to— You have not found a way really to link it to the Bill. I am sure I have been very—

**Mrs. Persad-Bissessar:** Yes, he is.

**Madam Deputy Speaker:** No, he has not linked it to the Bill.

**Dr. T. Gopeesingh:** Madam Deputy Speaker, the President's Emoluments (Amdt.) Bill, 2009, speaks about a pension for the President. I am indicating that the pension for the President could have been obtained in two ways rather than the State having to pay the money from the Consolidated Fund. [*Desk thumping*]

The first way is if the National Insurance Board was doing its work and governance properly where they receive \$17 billion, they could have paid the President from that fund.

The second point is that, if it was a contributory type of pension, which the State would have contributed for the President, and the President probably contribute a certain amount for himself, which would be a private pension fund, the President could have been getting a higher pension than what the State is trying to give him now.

**Mr. Ramnath:** A very good point.

**Dr. T. Gopeesingh:** So now the point is, what happens to the other people who have been contributing to pension, and I will wind up.

There are over 59 pension plan funds in Trinidad, where these people are suffering, and the President if he had probably contributed to a pension plan as well, privately, he could have been suffering the same fate because the Central Bank and the Government have not done their work properly. Among these are workers from British Airways, Caroni 95, Caroni (1967) Limited, Guardian Life,

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Label House, Metal Industries, Redifusion, Trinidad and Tobago Export Development, Workers' Bank, TTT and so on. All the people and workers who had pension funds in these 56 pension plans are now suffering.

So, Madam Deputy Speaker, when the Member for Diego Martin North/East speaks about lifting the debate and talking about pension reform, he must be able to say why the Government does not contribute a certain amount for each Member of Parliament to a private pension fund. Why the Government did not contribute to a private pension fund for the President's position or the Prime Minister's position, so that the State does not have to bear the burden and the responsibility in the end?

So, Madam Deputy Speaker, in summary now, it is important for us to understand, first of all, the appointment of the President. We are not in sync with the present situation, the way that the President is appointed. Two, my colleague, from Oropouche East, must be sincerely congratulated for bringing to light the question of the need for Mrs. Hassanali to receive a pension on behalf of her deceased husband.

**7.00 p.m.**

Thirdly, the Government is way behind as far as pension reform is concerned, and they must get their act together, and not only "ol' talk", as promised by the Prime Minister six years ago.

Fourthly, the Central Bank is not doing its work, and they should be told that they are not doing their work properly. All the big language that the Central Bank Governor is using, and the Supervisor of Insurance and Banks speak about; they have been a miserable failure in this country and they have no moral authority to talk anything about finance.

Madam Deputy Speaker, I close my discussion on this.

**The Minister of Public Administration (Hon. Kennedy Swaratsingh):** Madam Deputy Speaker, I want to thank all my colleagues on both sides who contributed to the Bill, but let me dispel one of the myths that the Member for Caroni East— *[Interruption]* *[Mr. Maharaj SC rises]*

**Mr. Maharaj SC:** Madam Deputy Speaker, I had indicated to the—

**Madam Deputy Speaker:** I do not think at this time—he has already started.

**Hon. K. Swaratsingh:** If the Member keeps his contribution short, I am prepared to give way.



**Mr. Ramesh Lawrence Maharaj SC** (*Tabaquite*): I must thank the hon. Member for St. Joseph for giving way. [*Crosstalk*] [*Laughter*] I want to intervene, just for a few minutes, in this debate.

All that we are doing in this debate really is that the existing law provides that a President who retires will get as his or her pension, the salary he or she was getting. This law provides a mechanism for every six years that sum to be reviewed, so that he could get the salary which he was getting, whatever the salary of the President.

In Trinidad and Tobago, you have the Chief Justice who gets his pension at the salary he received and a retired Prime Minister gets the salary he received as his pension. In that context, I do not think there could be any serious objection to the President getting his salary as a pension. The serious question which really arises, the only innovation, is the six-year period for it to be reviewed.

In that context, I think we need to look at what the Prime Minister said in 2003. He said:

“We are in the process of evaluating recommendations on pension reform, with a view to providing the national community with a comprehensive pension reform framework for wide consultation.”

I hope the hon. Minister in responding would tell the Parliament what has been the progress of this pension reform framework which can have the consultation, including members of the public.

The reason this is important is that the International Monetary Fund (IMF) did, on the instructions of the Government, a research on pensions in Trinidad and Tobago. In this research, the report raised the question as to whether Trinidad and Tobago could spend the kind of moneys which is being spent on pensions. It is in that context that the Government has to expedite or ensure that this consultation takes place, because if we continue to do this on an ad hoc basis, it would add to the perception that people are not being treated equally.

For example, the Trinidad and Tobago Unified Teachers Association (TTUTA) has made representations to the Government. I have a copy of a letter in which they are also saying that their pensions should be pegged to salaries and should also be pegged to increases of salaries. You have the police officers saying the same thing; you have public servants saying the same thing. Therefore, if we do not treat this matter seriously, if the Government just listens to what the Opposition has to say but does not, in its response, indicate to this country, through the Parliament, what is the plan for this comprehensive pension reform framework, which it talked about in 2003, it would add to the perception.

I take the view that whatever the position, we have to understand that there are certain offices in the land in which it is important for the office holder to be treated in a certain way by the Government. That has to be the norm; therefore, we have to be clear about it and we have to send the signal, in my view, that, yes, we may disagree sometimes with what office holders do, but at this time when you are talking about pension and equity in pensions, if the Chief Justice gets his salary, if the Prime Minister gets his salary as a pension when he retires then, obviously, the President should also get his salary.

I suppose the Government, through the Minister, would also say whether this kind of facility would also apply to a retiring Chief Justice or a retiring Prime Minister. I think if it has to apply to the President, since the three top holders in office have been getting their salaries, it should also apply to retiring Prime Ministers and Chief Justices.

I think that the hon. Member for Chaguanas West and some of my colleagues on the Front Bench have made a very important point. The point is not that we are against this. I did not get the impression—and I hope I am right—that anyone is against this measure. I got the impression that we are saying the measure is probably long overdue. I do not think anyone in this country would want to see a person who held the Office of President go wanting in a way in which it would embarrass the Office of President. That would not do the country or the nation any good.

Therefore, the point we have to get from the Government tonight—and I hope the Government would indicate what they are going to do about it—is what plan the Government has with respect to other pensions in Trinidad and Tobago, which we have talked about.

There are just two things I wanted to respond to, to the hon. Member for Tobago East. It is not true that the former Caroni workers' pensioners got what they deserved. On the taking of VSEP, the Government promised that the pension payments for Caroni would be redressed. The position was that the funds, as the hon. Member for Chaguanas West stated, which were supposed to go into the pension fund, were not put by Caroni. The experts stated that if that was done with the investments, the pensioners' money would have been way in excess of \$650 a month; so that is still pending. They are only getting \$650 per month and, therefore, Caroni pensioners—I cannot remember the number of them—are entitled to get some benefit and the promise which the Government has made. Perhaps not tonight, but at some time, the Government should say exactly what is going to happen to the former Caroni pensioners.

Secondly, the hon. Minister also stated that the Caroni lands have been given; that is not correct. As a matter of fact, what has happened is that in consideration of the Caroni workers taking VSEP, they were promised that they would get two lots of agricultural land and one residential lot, if they did not have a lot before. A few of them have been given possession of the lands, but they do not have the infrastructure to do agriculture. The whole purpose of the agricultural lands was for the former sugar workers to be able to do agriculture, to have a supplementary livelihood. That is the reason they got the agricultural land. It was in this context the hon. Member for Chaguanas West was making the point.

Madam Deputy Speaker, thank you. Those are the points I wanted to raise. [Crosstalk]

#### MUNICIPAL CORPORATIONS (AMDT.) BILL

Bill to amend the Municipal Corporations Act, Chap. 25:04 [*The Minister of Local Government*]; read the first time.

*Motion made*, That the next stage of this Bill be taken on Monday, July 06, 2009, at 1.30 p.m., together with the Local Government Bill, 2009. [*Hon. C. Imbert*]

*Question put and agreed to.* [Crosstalk]

#### PRESIDENT'S EMOLUMENTS (AMDT.) BILL

**The Minister of Public Administration (Hon. Kennedy Swaratsingh):** Madam Deputy Speaker, I was just responding at the time to a comment made by the hon. Member for Caroni East; I wanted to take him to the parent legislation, when he indicated that we were now putting an amendment to deal with spouses. In 5(2) of the parent legislation it says:

“Where a person dies after having retired from the office of president, there shall be granted to his widow an annual pension equivalent to two-thirds of the annual pension to which that person was entitled.”

This amendment is making sure that this is now brought into this piece of legislation.

**Dr. Gopeesingh:** So you are making sure that this—

**Hon. K. Swaratsingh:** Yes, that is correct.

The other thing I want the Member for Caroni East to also be reminded of, when he talked about the President of India—are you aware of the other perks that he receives?

[MR. SPEAKER *in the Chair*]

**Hon. Members:** Tell us. [Crosstalk]

**Hon. K. Swaratsingh:** No, no; retired Presidents in India are given a state house and a car, free medical attention for themselves and their spouses for life.

**Hon. Members:** Same here!

**Dr. Moonilal:** “Robinson get all that!”

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

**Hon. K. Swaratsingh:** Mr. Speaker, I would come to pension reform in a minute; I will speak to it in a bit. I want to also suggest that Sir Ellis Clarke, being in his 90's, cannot afford to wait for us; it is really unfair. [*Interruption*]

**7.15 p.m.**

On the first of July President Robinson celebrated his wedding anniversary. He is 82 years now. Mrs. Hassanali is in her 80s and I think it is unfair for this House to link the welfare and benefit of those who would have served in the highest office of this land—[*Desk thumping*—]to issues of whether or not we do this or that.

In my view, there is never a good time or a right time. The Member for Cumuto/Manzanilla raised a point that I feel some responsibility for. It is two things when you talk about pension reform and the pension process by which public servants receive their pension. I, myself, am of the view that pensioners, those who have retired from the public service, have had to wait too long to get their pension and I share that view and concern, and even though we have brought it down, I will not be satisfied until pensioners, or persons retiring from the public service can get their pension as soon as they retire.

We have to aim and do that and I agree with you entirely. But I cannot share the view that we take in this House at times that we do one or the other. At the end of the day, let us make sure that President Ellis Clarke, President Robinson, Mrs. Hassanali, at least have the decency of enjoying the rest of their lives. I want to, therefore, suggest that that is the sole intent of this Bill.

I also want to suggest that this Bill seeks to deal with revised pension. If you go to the parent legislation, it is very clear that upon their retirement, Presidents have two options as to how they receive their pension. This Bill does not, because according to the parent legislation, once they make that choice, it is irrevocable and section 3(a)(ii) makes sure that you are not opening up again a review of the options that the Presidents would have chosen. Whatever options they chose, all this Bill seeks to do is to revise the pension. That is all it seeks to do. Therefore,

when we make statements that they are going to get all kinds of—the Member for Fyzabad talks about housing allowance and so on. The Presidents' remuneration that they received in office has nothing to do—this is about revised pension. So we have gone all over the place about this.

One view that the Government does share is that the Government does take pension reform seriously. In fact, during the time that I have been here, following negotiations with the Public Services Association, the association that is representative of the First and Second Divisions of the Trinidad and Tobago Police Service, the Trinidad and Tobago Unified Teachers' Association, the association representing the First and Second Divisions of the Prison Service, 2003, 2004, 2005, 2007 respectively, agreements were reached on an amendment to the relevant Pensions Act and regulations governing provision to the superannuation benefits, members of the civil, police, teaching and prison services. Those amendments all came during the course of the time that we have been here.

I also want to state that recently Cabinet did receive a presentation from Mercer who has been doing the pension reform in totality. We have sent them back to do phase two, and when they come back to us, I am sure the Minister of Finance, within a reasonable period of time, will come back—and I will tell you some of the things that we have done. The overall objective of the reform is to modernize the pension industry by development and implementing a comprehensive pension regime for Trinidad and Tobago. This will include consolidation and modernization of the various pieces of dated legislation, integrated regulation and supervision of the industry and implementation of a modern occupational pension plan for both monthly paid and daily-rated employees within the public service.

We have had a presentation. We have sent them back to do some more work and we are waiting until it gets back to us. When they come back to us and we have reviewed the presentation that they would have made, and looked at their recommendations, of course we will have to cost it, and upon doing that we will then come back and say something more comprehensively.

But I want to just highlight a few things. The Ministry of Finance facilitated meetings with stakeholders in the Government of Trinidad and Tobago responsible for the implementation of the monthly paid workers' pension plan and the valuation and redesign of pension arrangements for daily-rated workers. These stakeholder meetings include representative unions, officials of the personnel department and those responsible for pension administration in the public service.

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The presentation of revised proposals to the Ministry of Finance has allowed Mercer to better understand Government's vision and constraints, get feedback on their proposed approach, identify appropriate work models for each project stream, identify possible changes to the work plan details. In addition, more detailed discussion with the personnel responsible for pension administration led to a review of the proposed work plan, identification of needs and constraints and discuss conditions precedent for implementation.

Mercer held discussions with officials of the Personnel Department to review pension proposals for monthly paid public service employees, identify concerns and constraints, as well as review the work plans of the daily-rated pension, and actual evaluation and design of the project.

So I just want to advise the hon. Member for Tabaquite and others who have raised the concern—and I share the concern—the Government is working assiduously and once we have had the revised proposals from them and given due consideration, we will be bringing them forward. It is high on our agenda. We have sent them back; we do want to create a climate where our public servants not only receive their pension in a timely manner, but receive an adequate pension as commensurate with the rest of the society.

**Mr. Sharma:** Did you lay the report in Parliament?

**Hon. K. Swaratsingh:** It is not a report.

I, therefore, would like to invite all Members of this honourable House to separate the issues and to support the Bill as has been presented, with the amendments that have been circulated and agree with us that for far too long those who have served in the highest office of this land, have been disadvantaged and today let us all agree that we will set that right.

Mr. Speaker, I beg to move. [*Desk thumping*]

*Question put and agreed to.*

*Bill accordingly read a second time.*

*Bill committed to a committee of the whole House.*

*House in committee.*

*Clauses 1 to 3 ordered to stand part of the Bill.*

*New clause 4.*

**Mr. Imbert:** Mr. Chairman, I propose a new clause 4 which reads as follows:

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

“Section 5 4. The Act is amended in section 5—amended:

- (a) by renumbering subsections (3) and (4) as subsections (4) and (5); and
- (b) by inserting after subsection (2) the following subsection:
  - (3) In calculating the annual pension of a widow mentioned in subsection (2), the formula set out in section 3A(1) shall apply as though the person mentioned in subsection (2) is alive.”

*New clause 4 read the first time.*

*Question proposed, That the new clause be now read a second time.*

**Mr. Imbert:** Mr. Chairman, there was some ambiguity when you interpret the parent Act and, therefore, what we wanted to make crystal clear was that in calculating the pension of a spouse you would treat the dead President as if he were alive and in that way as the pension is enhanced every six years, the surviving spouse would also get an enhancement. We wanted to make this very clear because there is some ambiguity when you look at the parent Act.

**Dr. Moonilal:** I mean, I am fine with the intent, clearly. What was the ambiguity with the parent Act?

**Mr. Imbert:** When you look at clause 5(2)—

**Dr. Moonilal:** But 5(2) is clear.

**Mr. Imbert:** Clause 5(2), there is some ambiguity as to whether the widow would benefit from the revision of the pension. You follow?

**Dr. Moonilal:** Yes.

**Mr. Imbert:** So this is to ensure that the widow benefits from the revised pension. We did not want any ambiguity there at all, so this makes it clear, that you put a hypothetical situation as if the diseased President is still alive and receiving the six-yearly revision, the widow then gets the two-thirds of that. Okay?

**Dr. Moonilal:** I had asked a question during the debate. I do not know if it is relevant to this issue specifically, but the calculation in the event that a former

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President exercised the option of two-thirds, with the revised position to be clear, that revised position will be based upon the same formula of two-thirds and 12½ for the reduction.

**Mr. Imbert:** The advice that we have been given, because we discussed this off camera, is that the revised pension will be three-fourths. In other words, the person will not now go from three-fourths to a full pension.

**Dr. Moonilal:** Correct.

**Mr. Imbert:** If the person had exercised the option to receive three-fourths, then they will continue to receive three-fourths of what the revised figure is. You follow?

**Dr. Moonilal:** Of the revised figure—

**Mr. Imbert:** The revised figure is based on the salary of the President.

**Dr. Moonilal:** Okay, good. They will continue to receive three-fourths of the revised figure. But that would have no consequence with the initial sum taken, the 12½ based upon the earlier—

**Mr. Imbert:** No.

**Dr. Moonilal:** Okay, fine.

**Mr. Imbert:** It is just dealing with the formula to revise the pension and then the person will—if they had exercised the option of three-fourths, they will get three-fourths of the revised figure, and if they had not, they will get the full revised figure. Okay?

**Mr. Chairman:** That discussion being concluded on the wrong clause—

**Mr. Imbert:** Mr. Chairman, I think we are allowed a little latitude.

**Mr. Chairman:** A little latitude.

*Question put and agreed to.*

*Question proposed, That the new clause be added to the Bill.*

*Question put and agreed to.*

*New clause 4 added to the Bill.*

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

*House resumed.*

*Bill reported, with amendment, read the third time and passed.*



*Adjournment*

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**ADJOURNMENT**

**The Minister of Works and Transport (Hon. Colm Imbert):** Mr. Speaker, I beg to move that this House do now adjourn to Monday, July 06, 2009 at 1.30 p.m., on which day, assuming it is procedurally correct, we will be seeking to take the two Bills together: the Local Government Bill, 2009 and the Municipal Corporations (Amdt.) Bill, 2009 so that the debate will ensue on both Bills and then when the debate is concluded, the intention is that the Local Government Bill, 2009 would be sent to a joint select committee for further examination and the other Bill, we will take the vote on it in the normal way.

**7.30 p.m.**

**Cancellation of Caribbean Games  
(Government's Failure to Apologize)**

**Dr. Tim Gopeesingh (Caroni East):** Mr. Speaker, it became necessary for me to raise this Motion on the adjournment because of its failure under “Urgent matter of public importance”. I thought it was necessary because of the massive inconvenience caused to a number of sporting bodies and organizations throughout the world as a result of the cancellation of the games here in Trinidad. Therefore, the Motion before this House is the failure of the Government to provide an acceptable explanation and apology to Caribbean Governments, Caribbean National Olympic Committees, Commonwealth Games Associations and nearly 3,000 athletes and officials from 40 countries for the unjustifiable and arbitrary cancellation of the first Caribbean Games scheduled for July 12—19.

Mr. Speaker, I remember when the hon. Prime Minister raised this issue in the House last year. I personally asked him for the rationale and he indicated that it was time enough that the Caribbean had games that would come to the adult population. I asked what was the difference between that and the Carifta Games. The Carifta Games basically was for junior athletes and athletes at a different level. I then asked if he would withstand the consequences of the financial issues in relation to that. He said yes, we must go ahead with it.

I understand that this was being thought about for 10 years; from 1999—2009. The UNC, as a government, had thought about this and started the whole discussion and your administration continued it from 2001—2007 and the games should have been held.

Forty countries have become involved and over 3,000 athletes and officials have become a part of these games, training and practising for years to reach a

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state where they would be able to compete in the Caribbean Games. Many governments spent money in preparing their athletes; many athletes spent money preparing themselves and spent their energy and effort to become physically fit and ready for competition. Many were looking forward to the Caribbean Games to prepare themselves for times that would befit themselves for the world championships and the Pan American Games. They would have an opportunity to register times that would qualify them for the world championships and the Pan American Games. They have lost this opportunity because of the cancellation of the games.

Mr. Speaker, it was thrown on to the shoulders of the President of the Trinidad and Tobago Olympic Committee, Mr. Larry Romany, to make an apology to all these countries, athletes and officials and members of the Commonwealth Games Associations and the Caribbean National Olympic Committee. This Government, which cancelled the games, did not send any apology to these organizations. If that is not so, I stand to be corrected by the hon. Minister. Why was the cancellation necessary? When you have athletes preparing for years to come to games as they prepare to go to the Olympics, and suddenly it is cancelled, there must be something reasonable in the cancellation.

When I asked the Prime Minister last week in the tea room why he cancelled the games, he indicated that it was PAHO that gave the advice to cancel the games. *[Interruption]* He was serious and I was serious in discussing this with the Prime Minister.

I told him that I had raised it in the House and he assured me that the games must continue. I said that the Pan American Health Organization (PAHO) should not be allowed to tell him to cancel the games. Do you know why? The World Health Organization (WHO), the parent body for PAHO, allowed world championships to go on in many parts of the world. Why did WHO not tell the organizers of Wimbledon to cancel the game? The same A(H1N1) virus was in England. Why did they not cancel the US Open Tennis Championships? Because the United States has now stopped screening for A(H1N1) as so many people died from it already. We do not know what is the incidence of A(H1N1) in the United States, but US open is going on. The Confederation Cup in South Africa went on. The 2020 games in England went on as well.

These are world games where people come together, almost 50,000 people in a stadium. These international games went on, but they cancelled the games in Trinidad because of 15 cases of A(H1N1). Do you know what another excuse is? They said that some of the people on a volleyball team at the University of the West Indies went back to Suriname and about seven of them had it.

These games were planned for July 12—19 and these people assembled at the University of the West Indies in early June. You all say that the incubation period of the virus is 10 days; we know it is seven days—and you tried to put my colleague, Sen. Wade Mark, in trouble for that. If there was a problem among the University of the West Indies residents in early June, the 10-day incubation period would have finished. These games are being held from July 12—19. There are 3,000 athletes assembling for games here in Trinidad. Something else is wrong. This Government has not given a satisfactory explanation why it has cancelled the games. Was it that you felt that people would speak about the \$35 million? You have committed yourself to it already, but you spent \$120 million for two ships in the summit.

Do you know what painful tragedies will occur to these athletes? Many of us would have taken part in sports at some time and know the amount of training necessary to bring yourself to a level where you become physically fit and ready for competition. To be told now, after 10 years of countries training people—Trinidad said it would host the competition—now, after 10 years and athletes are ready to go and register their times, they are deprived of the opportunity.

How callous can this Government be! You do not care about people. Forty countries and this Government does not even want to apologize. They have asked the President of the Trinidad and Tobago Olympic Committee to apologize. Up to today I have not seen an apology from this Government to any of the countries, any of the Commonwealth bodies and any sporting organization. If it is so, it is hidden; we are not aware of it.

Mr. Speaker, this is totally unacceptable. In the same way they run this country—with callousness, not caring what the people say and think of them—they have extended it to the sporting bodies. [*Interruption*] I will repeat it. You are a callous, non-caring Government. You do not care anything whatsoever about the people. You are an autocratic, totalitarian Government. You are full of dictators and you are a dictatorial government.

You want to talk about political and economic integration with four countries when 40 countries have suffered as a result of the callousness of the Trinidad and Tobago Government. There should never ever be another game here in Trinidad. Do you know what the Minister of Health is saying? We did not cancel it; we postponed it. Postponed it to when? I understand that there are other games to come.

There is the Commonwealth Heads of Government to come in November. Will you cancel it if the A(H1N1) virus continues, which it will? The WHO says

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that it is pandemic and it will continue in increasing proportions. The United States has stopped screening. Tell us whether you are going to cancel the Commonwealth Heads of Government as well. If you can cancel the games for 3,000 persons in July and you cannot give a reason, saying that PAHO advised you, let us see if PAHO will advise you to cancel the Heads of Government Conference.

**Hon. Member:** No cruise for you.

**Dr. T. Gopeesingh:** I paid my money, Sir. It is important for the Government to come clean and tell the people why they cancelled the games. They are using PAHO as an excuse—[*Interruption*]

**Mr. Speaker:** Please! Let us bring some sanity to the closure of today's debate.

**Dr. T. Gopeesingh:** I will ask Roger Abdul to go with me next time; the man who was in the drain for two weeks. We have terrorists inside here. Taliban and terrorists must not accuse me of anything.

**Mr. Speaker:** Two wrongs do not make a right.

**Dr. T. Gopeesingh:** Mr. Speaker, people like Roger Abdul do not know anything about sports and athletes.

I close by saying that the Government has failed to apologize to the people of, not only Trinidad and Tobago, but also the spectators who were expecting an electrifying event to which to go. What about the Caribbean countries? All these people were expecting to have these games so that their athletes would qualify. We would like to hear what the Minister of Sport and Youth Affairs has to say.

**7.45 p.m.**

**The Minister of Sport and Youth Affairs (Hon. Gary Hunt):** Mr. Speaker, we know the saying: do not shoot the messenger. In this instance, I am utterly surprised. I was thinking, when I was reading the newspaper today and updating myself on the Internet, that the most recent developments on the planet with regard to the H1N1, the learned doctor would have withdrawn his Motion.

First of all, as I rise to dismiss this Motion, I was getting a bit of déjà vu. I thought it was Friday, April 10, but today is Friday, July 03. Friday, April 10 is Good Friday. That is the day “yuh beat up bobolees”. I thought today was Good Friday.

I want to say to the Member for Caroni East that he has had a very long and distinguished career in the medical profession in Trinidad and Tobago. This Motion is a health matter and I hope he realizes that by bringing this Motion, he is doing disservice to his long distinguished career.

I want to raise a few facts to this House. On Friday, June 19, which was Labour Day, the Ministry [*Interruption*] together with the Minister of Health, members from—[*Interruption*]

**Mr. Speaker:** The exchanges between the Members for Chaguanas East and Caroni East, I think you need to do better than that.

**Hon. G. Hunt:** On Friday, June 19, at 10.30 a.m. at a live broadcast press conference, together with the Minister of Health, officials of the Ministry of Health, officials from the Ministry of Sport and Youth Affairs, officials from PAHO, chief medical officers and technical staff at the press conference—I know it was a holiday and a long weekend. I do not know if the learned Member for Caroni East was on a cruise, but he probably missed the press conference. Let me regurgitate some of the facts that we had put forward at that press conference.

At that time, the global situation was that WHO reported a total of 29,669 cases. Affected countries jumped from 74 to 88. The WHO, on June 11, declared a pandemic phase 6. A pandemic phase 6 implies that the disease has moved from one hemisphere to the next and it is moving through villages and communities uncontrollably. The local situation, at that time, this is Friday, June 19, was that Trinidad and Tobago reported 18 cases, 11 in Tobago and seven in Trinidad.

Another fact, as it relates to the Caribbean Games, was that one of the test events to the Caribbean Games was a volleyball qualifier, 11 members of the Surinamese team who played at UWI Spec reported having contracted the A(H1N1) virus. One of our players from our National Team also contracted the A(H1N1) virus. Many of the staff at UWI Spec displayed flu-like symptoms and they had to be quarantined. The Member should know better than that, he is a medical doctor. These things are unpredictable. PAHO and WHO clearly stated that.

Mr. Speaker, I would just give a little background on the Caribbean Games. In September 2006, the Government agreed that Trinidad and Tobago host the Caribbean Games. Plans for the hosting of these games were significantly advanced through the work of the local organizing committee. The Caribbean Games 2009 was established to facilitate preparatory works for this event. We are supposed to have had five disciplines taking part in the Caribbean Games, track and field, boxing, netball, volle ball and tennis were all part of Caribbean Games 2009.

*Cancellation of Caribbean Games*  
[HON. G. HUNT]

*Friday, July 03, 2009*

The Sport Company of Trinidad and Tobago was mandated to implement physical works at six venues, Hasley Crawford Stadium, Jean Pierre Sports Complex; Shaw Park Tobago; UWI Spec; Saith Park, Chaguanas and Woodbrook Youth Facilities. It is a publicly known fact that the H1N1 virus was present in three of these locations, Tobago, UWI Spec and Saith Park, Chaguanas. Approximately 2,000 persons, made up of athletes, officials and press from an estimated 40 countries were scheduled to converge on Trinidad and Tobago to participate in these games.

In light of the increasing presence of the H1N1 virus, otherwise referred to as Swine Flu and its potential threat to human health and safety, particularly in situations of public assembly, the Ministry of Health has provided the following facts supporting the cancellation of hosting of the Caribbean Games. The Government of Trinidad and Tobago never took a decision to cancel the Caribbean Games. We cancelled the hosting of the Caribbean Games. These facts are as follows:

- (i) Participants, officials and guests attending the games from other countries can be a source of additional infection to the population of Trinidad and Tobago.
- (ii) The age groups of the Caribbean athletes corresponding to the age groups most affected by the current pandemic.

The learned doctor also brought in his arguments that athletes were peaking for these games. He should know as a medical doctor when athletes peak their resistance at that time would be at its lowest. I do not think it is prudent to expose our athletes, our prized elite athletes and our prized athletes from the region to a situation that would potentially endanger their lives and put potential danger to their chances to partake in the world games that you referred to.

- (iii) The housing of athletes and officials create an ideal environment for A(H1N1) transmission. The athletes would have been housed at a village at the University of the West Indies and they would have been in close quarters. There would have been 1,500 to 3,000 athletes in close quarters communing in that type of situation; an ideal situation for the spread and transmission of A(H1N1).
- (iv) It must be noted as well that with respect to the volleyball team, the tournament that was held in Trinidad from May 31 to June 06 has been identified as a possible source of H1N1 infection for Trinidad and Tobago and Caribbean nationals.

- (v) The trend of increasing transmission will continue, possibly for the next two to three months, consistent with the WHO model for wave of an influenza pandemic.

This is from WHO.

- (vi) WHO has indicated that it is difficult to predict how many waves will occur and how long the pandemic will last.
- (vii) Currently, there are no severe cases in Trinidad and Tobago, but the situation can change without warning.

On June 19, when we did the press conference, there were 18 cases. Today there are only four active cases. I have to commend the Ministry of Health for its proactive approach. This is the local situation.

I will show the Member what is happening on the foreign situation. The hon. Member raised the question of Swine Flu at Wimbledon. This is dated, Thursday, July 02, from the ITN. A total of 28 Wimbledon staff has been asked to stay at home after suffering flu-like symptoms. A Wimbledon spokesman said that 28 persons have been asked to stay at home from flu-like symptoms. According to newspaper reports three players are believed to have caught the virus. They are Slovakian's Michael Mertinak and Filip Polasek who shared a hotel room for the tournament and American Travis Parrott, Polasek's doubles partner, all three are no longer in the tournament. This responsible Government will not expose our citizens and our athletes to any situation of danger.

Buenos Aires declared a state of emergency. Health officials in Argentina declared a state of emergency in the capital of Buenos Aires on Tuesday after 26 persons died from H1N1. This was Tuesday this week.

Mr. Speaker, as Minister of Sport and Youth Affairs, I do not want the health and well-being of the citizens of Trinidad and Tobago and not even for this Government to be responsible for having acted in a way to put our citizens in danger. We will not do that.

Today, we indicated that on June 19, the total cases in the world was 26,669. Today, the WHO reported what a laboratory confirmed, meaning cases that have been confirmed in the lab, clearly there are more cases than the reported 89,921 in 125 countries, with a total of 382 deaths. We have had none. I can state categorically that we have had no athletes that have contracted flu from the Caribbean Games. We have had no athletes who have died or contracted H1N1 flu and there will be none, because the hosting of Caribbean Games has been postponed.

*Cancellation of Caribbean Games*  
[HON. G. HUNT]

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Mr. Speaker, today I was reading an article from his favourite newspaper, the *Newsday*. This is the World Health Organization's Director, Dr. Margaret Chan, who said:

“As we see today, with well over 100 countries reporting cases, once a fully fit pandemic virus emerges, its further international spread is unstoppable.”

This is the WHO.

CNN has learned that the Obama administration is planning to convene a Flu Summit on July 09.

In light of all these facts that we have put in this House, this Government is not prepared now and will never be prepared to expose our citizens and our athletes to any situation that will cause danger.

Mr. Speaker, I thank you.

*Question put and agreed to.*

*House adjourned accordingly.*

*Adjourned at 7.58 p.m.*

**WRITTEN ANSWER TO QUESTION**

**Chinese Workers  
(Terms of Employment)**

*The following question was asked by Dr. Roodal Moonilal (Oropouche East):*

- 93.** Could the hon. Minister of National Security state the nature of the contracts and terms of employment of Chinese workers entering Trinidad and Tobago for the years 2007 and 2008?

*The following reply was circulated to Members of the House:*

Hon. Members are advised that the number of work permits issued to Chinese nationals for the years 2007 and 2008 was as follows:

Year 2007 – 1,071

Year 2008 – 1,756

According to the Ministry's database, most of the Chinese workers are employed with construction companies and restaurants. For 2007 approximately 74 per cent of the workers were employed in construction-related occupations, for example, carpenters, masons, welders. In addition, about 11 per cent of Chinese



workers were employed in food services occupations, for example chefs and cooks, etc. For 2008, approximately 82 per cent of workers were employed in construction-related occupations while around five per cent were employed in food services occupations.

Hon. Members should note that these workers are usually granted a work permit for a period of 12 months from the date of issue. The terms and conditions of employment for these workers are between their respective employers and the workers and do not form part of the records of the Ministry of National Security.