

Leave of Absence

Monday, July 06, 2009

HOUSE OF REPRESENTATIVES

Monday, July 06, 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 hon. Member for Naparima, Mr. Nizam Baksh, requesting leave of absence from today's sitting of the House. The leave which the hon. Member seeks is granted.

PAPERS LAID

1. Report of the Auditor General of the Republic of Trinidad and Tobago on the financial statements of the Regulated Industries Commission for the year ended December 31, 2004. [*The Minister of Works and Transport (Hon. Colm Imbert)*]
2. Report of the Auditor General of the Republic of Trinidad and Tobago on the financial statements of the Regulated Industries Commission for the year ended December 31, 2005. [*Hon. C. Imbert*]
3. Second report of the Auditor General of the Republic of Trinidad and Tobago on the financial statements of the Public Transport Service Corporation for the year ended December 31, 1994. [*Hon. C. Imbert*]
4. Second report of the Auditor General of the Republic of Trinidad and Tobago on the financial statements of the Public Transport Service Corporation for the year ended December 31, 1995. [*Hon. C. Imbert*]

Papers 1 to 4 to be referred to the Public Accounts Committee.

Hon. C. Imbert: Mr. Speaker, should PTSC not go to the Public Accounts (Enterprises) Committee? Could we just settle that?

Mr. S. Panday: You have been here for so many years and you do not know.

Hon. C. Imbert: It is not me.

Mr. Speaker: It is the Public Accounts Committee.

LOCAL GOVERNMENT BILL

Order for second reading read.

The Minister of Local Government (Sen. The Hon. Hazel Manning): Mr. Speaker, I beg to move,

That a Bill to reform and modernize 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 Committees, to repeal and replace the Municipal Corporations Act (Chap. 25:04) and to provide for related matters, be now read a second time.

RELATED BILLS

The Minister of Local Government (Sen. The Hon. Hazel Manning): Mr. Speaker, in moving the second reading of this Bill, I seek the leave of the House to debate together with this Bill, the Municipal Corporations (Amdt.) Bill, 2009 which is related.

Question put.

Mr. Speaker: Unfortunately, we have some dissentient voices. Can you all dialogue? I am going to give it some time. [*Pause*]

Mr. Sharma: We must be given advance notice. It is a Parliament we are running and not a parlour.

Agreed to.

LOCAL GOVERNMENT BILL

Sen. The Hon. H. Manning: Mr. Speaker and Members of this honourable House, as I rise to debate two Bills; the Local Government Bill, 2009 and the Municipal Corporations (Amdt.) Bill, 2009 which were both laid in this honourable House on Friday, July 03, 2009, I wish to take the opportunity to thank the Opposition, Members of the opposing Bench, for facilitating this joint debate. [*Desk thumping*] Indeed, it is a collaborative approach, and I hope we will do this throughout this particular debate. We need your help.

The Local Government Bill, 2009 is the legal instrument we have developed to give effect to the policy prescriptions and the new institutional structures and arrangements for effective and efficient local governance. I wish to thank Members of this honourable House for the opportunity.

Mr. Speaker, this Bill highlights the main provisions and elaborates some of the key provisions that are critical to the transformation and the modernizing of the local government system. The main purpose of the Bill is to transform and to modernize the local government system in Trinidad and Tobago. It is an omnibus legislation which attempts to strike a balance between prescriptive and enabling legislation, that is to say, between rigid provisions and those flexible enough to accommodate changing conditions and local needs and experimentation.

The Bill is also designed to eliminate the deficiencies of the existing Municipal Corporations Act of 1990 as amended. These include the lack of clarity of roles and responsibilities of local government institutional mechanisms. They include the duality in institutional responsibility for certain functions, such functions as the Public Service Commission and the Statutory Authorities Service Commission being responsible for appointments to different corporations. It also looks at the addition of the detailed provisions that are suited to by-laws and regulations which are found in the Bill.

Mr. Speaker, the passage of this Bill is necessary to bring about the fundamental changes needed to improve the service delivery and to provide quality service delivery to this country; to decentralize operations to achieve good local governance and to facilitate local participatory democracy.

When the Bill is approved, a number of programmes, plans and projects would be implemented. These include the demarcation of the new boundaries for the local government bodies; the provision for the Executive Council comprising the mayor or chairman and six secretaries. It will include the establishment of six functional divisions and the clear definition of their roles and responsibilities.

It will include the establishment of seven central administrative districts; the implementation of a clear formula for funding whereby the Minister of Finance would consider certain factors in determining the sum to be included in the national estimates of revenues and expenditure for the service of a corporation in a financial year. Keeping these criteria in mind, the Bill contains the following parts.

Part I which is preliminary deals essentially with the long and short titles of the Bill which highlight the major aspects of the Bill and provide for the interpretation of certain terms.

Part II provides for the establishment of municipalities, of municipal corporations and municipal councils. It sets out inter alia the constitution of these three entities: their composition; their terms of office; their proceedings and their responsibilities.

Part III provides for the functions of municipal corporations. It outlines the responsibility of the municipal corporations and the role of the Minister of Local Government.

Part IV provides for the Executive Councils. It outlines the composition and the responsibilities and the powers entrusted on the Executive Councils.

Part V provides for meetings and proceedings of councils. This section contains the time frame for the first ordinary meeting or council after an election. It details procedures, meetings, quorum and standing orders for the conduct of meetings.

Part VI deals with finance. This section provides for the establishment of a corporation fund. The application or the use of the fund; a formula for funding where the Minister of Finance will consider certain factors in the estimates of revenues and expenditure for the service of a corporation in a financial year. It provides for financial rules and regulations. It also provides for the approval of work plans by the Ministers responsible for planning and local government.

Part VII deals with staff and related matters. This section provides for the appointment of a Chief Executive Officer as the accounting officer of the corporation and the appointment of heads of divisions and other staff and the method of their appointments.

Part VIII provides for the Municipal Police Service. This section establishes the Municipal Police Service with officers of certain ranks to be appointed by the Police Service Commission in consultation with the Commissioner of Police. It also calls for the establishment of one central command structure and, therefore, the civil realization of the appointment process.

Part IX deals with the association of local government authorities. This section makes provision for the Constitution, the role and the management of the body known as the Trinidad and Tobago Association of Local Government Authorities.

In Part X the central administrative districts are discussed. This section provides for the division of the island of Trinidad into seven central administrative districts. The establishment of the central administrative district, co-ordinating committees and the responsibilities of these co-ordinating committees.

1.45 p.m.

In Part XI, we deal with legal proceedings and this section outlines procedures for the enforcement of powers, by-laws, regulations, penalties and the recovery of fines and litigations.

Part XII deals with by-laws, rules and regulations. This section provides for the making of by-laws by the council and the procedures of their enforcement.

In Part XIII, we talk about the general provisions. This section deals with the general issues pertaining to notices, conditions of consent, execution of works on the fault of owners and plans.

Part XIV, repeal and transitional provisions are provided. This section provides for the continuation and transfer of powers, rights, property and liabilities of former corporations and other transitional arrangements pertaining to the existing staff.

I will now elaborate on some of the key innovative provisions of the Bill. Mr. Speaker and Members of this honourable House, the change of structure in the municipal corporation is indeed revolutionary. A good example is the Executive Council. The Executive Council, in Part IV, clauses 28 to 33, is designed to ensure greater involvement of the locally elected representatives in the management of the affairs of the corporation as well as greater speed and efficiency in service delivery.

The Executive Council is comprised of the Mayor and the chairman, as the case may be, and six secretaries. The Mayor and/or the Chairman heads the Executive Council and the six secretaries will be assigned responsibilities to any one of the six divisions, with finance being assigned to any one of those divisions, as deemed fit by the Mayor or the Chairman.

These six secretaries may issue general directions to the divisional heads and matters associated with their portfolios. The council from which the Executive Council emanates is a separate body, over which the Mayor or the Chairman presides at council meetings, and which allows for the fusion of political and executive authority, unity of purpose, greater discipline and more effective co-ordination of service.

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 the plans and the programmes of the various divisions.

The Executive Council will be supported by the chief executive officer, who is the accounting officer of the corporation and who will report to the Mayor or the Chairman. Since this body will not be staffed with full-time politicians, some of the potential benefits to be derived are as follows:

- decision making will be timely, that is, there will be on-the-spot decision making;
- formulation of programmes will be more compatible with local needs and local expectations;
- four effective strategies will be devised for the implementation of programmes;
- more effective communications with community stakeholders will be used to attune to their concerns, their needs, their priorities and expectations to programmes and plans;
- the exercise of greater and more constant oversight over programme, plan and project implementation would take place;
- more effective monitoring, evaluation and review will take place to ensure that quality service is delivered.

Mr. Speaker, in matters pertaining to the establishment of the six functional divisions, the central guiding principle would be the need to establish new political and management staff structures, which reflect changes to both the role of the Ministry of Local Government and the municipal corporations, consistent with central government policies. So, consequently, in order for corporations to effectively promote sustainable development within their communities, the following core divisions were deemed to be most appropriate:

- Division of Municipal Management and Corporate Services;
- Division of Public Health and Environment;
- Division of Social Services and Community Outreach;
- Division of Facilities, Maintenance and Physical Infrastructure;
- Division of Planning and Development; and
- Division of Municipal policing.

Mr. Speaker, with specific attention to municipal policing, found at Part VIII, clauses 65 to 78, the main aim is to adhere to the dictates of the national police service, while expanding its role to include community policing.

A Cabinet appointed committee, chaired by the Ministry of Local Government and consisting of representatives from the Ministry of National Security and the Association of Municipal Policing, met for approximately eight sessions to determine the recommendations put forward. The recommendations suggested, called for a change in the command structure, whereby the municipal police will fall under the central command structure of the Commissioner of Police and appointments are to be made under the purview of the police service, and in relation to the Police Service Act and not the SASC.

This change is expected to resolve existing anomalies associated with municipal police, pertaining to conditions of hiring, service training, and discipline and career development. However, while being assigned to the municipal corporation, the municipal police officers will be subject to the general directives of the Executive Council on matters of policing associated with the functions of the municipal corporations, including community policing.

The municipal police would be expected to play a significant role in creating and promoting safer, more secure and more peaceful communities. This was one of the areas of concern by citizens within the communities of Trinidad, as identified by the MORI poll, in 2008.

In this context, citizens stated that peace, tranquility, safety and security within a neighbourhood were highly valued in terms of the quality of life in their communities. Working in partnership with the local representatives and community stakeholders, the municipal police will, among other things, implement strategies for reducing the incidence of robberies, gang violence, drug use, domestic violence, and juvenile delinquency in communities.

They would foster the development of strategies in order to design and implement solutions for building safer communities and trust and confidence between the police and communities. They would increase the co-operation between municipal police and the community members, to determine and to address the root causes of crime; they would decrease the number of occurring crimes, and allocate policing resources to meet community police needs. We hope that they would facilitate the prevention of crime and infraction against the law, in collaboration with the central police.

Mr. Speaker, with respect to the Local Government Boundary Review, the main objectives were to re-align the boundaries, to reflect changes in natural geographic configurations, changes in population growth, changes in regional and urban migration trends, new settlement patterns and industrial and commercial

activities, 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 and Tobago.

Again, as we look at boundaries, we want them to coordinate and to standardize all the boundaries or administrative regions in Trinidad and Tobago, for ease of data gathering, for ease of exchange of information, for analysis and implementation of projects. Some of the main provisions of the 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, San Fernando, Arima and Port of Spain, where the city of Port of Spain would expand to include Laventille and parts of Westmoorings; where San Fernando would expand to include Pointe-a-Pierre; where the borough of Arima would expand to include Wallerfield and the borough of Point Fortin would expand to include La Brea; there would be the elevation of the boroughs of Arima and Chaguanas to city status.

We expect that the new boundary alignments and the elevation of the boroughs of Arima and Chaguanas would promote more efficient planning, more service delivery, provide more equitable development and distribution of resources and develop and promote vibrant local communities.

There is also the need to establish central administrative districts to create synergies between the various central government division and agencies, as well as those of local government. This institution is well documented in Part X, clauses 82 to 85. In addition, it is necessary to standardize all the boundaries of the administrative regions in Trinidad and Tobago, in order to facilitate easier and more effective use and analysis of data gathering by different agencies and more effective information exchange and more effective coordination in the implementation of projects and in the delivery of services.

The research has shown that there are 42 agencies falling over each other to accomplish the same task. For a simple beautification and cleanup project that the Ministry of Local Government coordinated earlier this year, we discovered that there were approximately 20 agencies, all working hard at the same task. We propose to establish a central district coordinating committee in each CAD, the main roles of which are, to coordinate the delivery of public services within the CAD to ensure the efficient and effective management of resources assigned to Government agencies within that central administrative district, and to monitor, evaluate and review the delivery of public services undertaken by the respective public agencies within each central administrative district.

We intend to obtain value for money spent. Funding for local government bodies has been one of the most contentious issues in local government over the years, and has often evoked responses of political discrimination by those corporations in opposition to the party in control of central government. While there is no merit to such claim, especially so far as the record of this PNM administration would indicate, we believe that clearly identifiable objective and relevant criteria for funding local government should bring an end to this acrimonious issue.

In this regard, we are proposing the following formula for funding local government. Part IV, clauses 43 to 59, conserve the criteria for the sum to be included by the Minister of Finance, in the national estimates of revenues and expenditure for the service of a corporation in a financial year.

2.00 p.m.

The Ministers responsible for planning and for local government shall also take into consideration the following factors as they relate to the relevant municipality and the functions and responsibilities of the corporations; shall look at the sustainable development needs as outlined in the development plans of the municipality; shall look at the size and the density of the population, the physical and social infrastructural needs of the area, the community services and delivery coverage and needs, the level and nature of housing development, the settlement patterns and commercial and industrial development and the estimates of property tax projected to be collected by the revenue authority from within the municipality during the financial year.

Mr. Speaker, it has taken us five years to arrive at these policy prescriptions, management systems, proposed institutional structures, operational arrangements and transforming and modernizing our local government system. The journey has been long. The journey has been arduous and stressful at times. However, we stuck stoically to the task. Our faith, our courage and motivation were driven by the firm belief that the Local Government Reform Programme was geared towards improving the quality of life, the standard of living and promoting the sustainable development of all of our communities.

There were many nay sayers and doubting Thomases along the way and once again, Trinidad and Tobago is trailblazer in matters pertaining to developing new and modern local governance institutions, structures and systems. We now have a model of local government different from the rest of the Caribbean, the Trinidad model of local government. In fact, we have already been asked to share the idea by some local and regional local government practitioners in the Islands in Caricom.

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We are urging our colleagues on the other side as well as the rest of the country to join us on this new pathway to good local governance and good democracy which is a component of Vision 2020 as we advance to developed country status. Our dreams and our aspirations, our needs and our desires are all within our grasp. Again, I appeal to those on the other side to join us and let us seize this once in a lifetime opportunity for promoting effective governance, advancing grassroots democracy and sustainable socio-economic progress.

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

Do I do the second Bill?

Mr. Speaker: Yes.

Sen. The Hon. H. Manning: I would move straight into the second Bill.

Mr. Speaker, I beg to move,

That the Municipal Corporations (Amdt.) Bill, 2009 be now read a second time.

Mr. Speaker, the purpose of the Municipal Corporations (Amdt.) Bill, 2009 is to extend the term of office of members of the municipal councils for a period of one year with effect from July 14, 2009. [*Interruption*] More specifically, the Bill seeks to amend the Municipal Corporations Act of 1990 as follows:

In section 273, by inserting after subsection (II) the following subsections; (1J):

“Notwithstanding, subsection (11)(4), (4A) and sections 12(5) and 15(1), only for the purposes of the elections due in the year 2009—

- (a) the term of office of each councillor shall continue for 12 months from the date of expiry of the existing term of office as though each councillor has been elected for an additional period of one year; and
- (b) subject to sections 12(6) and 15(2), the term of office of each Mayor, Deputy Mayor and Alderman shall expire at the end of the existing term, and the councillors shall elect aldermen for a term of 12 months in accordance with section 13; and—
 - (ii) the Councillors and Aldermen shall elect a Mayor or a Chairman of the corporation for a term of twelve months, in accordance with section 14(1k): all powers exercisable

by Councillors, Mayors and Aldermen under the Act, shall be exercisable by them during the period referred to in subsection (1J).

Mr. Speaker, before I go in the specific issues associated with the amendments being proposed to the Municipal Corporations Act, 1990, I will put the matter of Local Government Reform as it relates to the amendment in the proper perspective. On behalf of this PNM administration, let me assure this honourable House and the nation that we are committed to modernizing and to transforming the system of local government in Trinidad, and more importantly we are committed to the process of democracy. [*Interruption and desk thumping*]

In fact, we see local government as an indispensable participatory democratic structure of our country which must be strengthened; must be re-engineered and must be sustained and this was the reason why we worked so hard to bring closure to this part of the journey to achieve good governance. [*Desk thumping*]

On Friday July 03—as I said before—we laid in this very House the draft White Paper on Local Government Reform 2009, the omnibus legislation, the Local Government Bill 2009 and the Report on the Draft White Paper on the Local Government Boundaries Review Exercise, 2009.

These documents analyze the historical journey of the Local Government Reform in Trinidad and Tobago. They identify the new roles and the new responsibilities of the reform local government structure and the organization itself, to reflect the changes, to promote sustainable development within the local communities. They recommended the establishment of a national administrative boundary division to coordinate central government departments with state enterprises and local government bodies. Of great significance is the document and the local government boundary review. This document proposes the modifications that are required to facilitate effective service delivery and effective service coordination among Government agencies as well as to promote balanced integrated regional and national development planning.

Mr. Speaker, all these policy documents led to the development of the legislation—the Local Government Bill 2009—because this piece of legislation makes provision for the modernization and the transformation of the system. This legislation is as wide as it is deep, covering the reform of the organizational structure, the redefinition of boundaries of the municipalities, the establishment and executive councils, the encouragement of citizen participation. It also defines the need for local financing which must be dependent on local area and regional

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development planning and on public health issues. It also takes a special interest in community policing as I just explained.

Finally, and of great significance to the Ministry of Local Government is the institutionalization of the monitoring and evaluation mechanisms for the delivery of quality service to our citizens. We are proud as a Government to have placed on the parliamentary agenda a comprehensive approach to the improvement of local governance and sustainable development. Many attempts were made to do this over the years, especially after Independence 1962. But not many of the attempts were revolutionary as this approach.

Hon. Members, let me tell you a bit about the history. In 1965 the Sinanan Committee established by the then Government called for the decentralization of local government and the empowerment of communities. In 1965 to 1966, however, the central government called for greater control of the public utilities to facilitate efficient national development. The Water and Sewerage Authority became a national entity.

In 1967 the County Councils Act consolidated the executive positions of the seven county councils and redefined their roles and responsibilities, giving them more power. Seven years later in 1974 the Hugh Wooding Constitution Commission recommended wide ranging changes for local government bodies to be responsible for the maintenance of buildings, the control of funds and the extension of boundaries. Research showed that only boundaries were extended. In 1982, the Tobago House of Assembly Act was passed, giving Tobago a fundamental pillar upon which they were able to develop a comprehensive local self-government system looking after their own welfare. In 1983 the PNM administration published a document and a comprehensive reform of local government calling for the local authorities to be a partner in national governance.

Before this policy paper could be fully discussed, accepted and implemented, a new Government was installed in 1986. It took this new Government three years to develop its paper on local government and in 1989 the National Alliance for Reconstruction published a draft policy paper and a proposed reform of local government and drafted the Municipal Corporations Bill which was passed in 1990. This Municipal Corporations Act 1990, created corporate entities and expanded the local government functional base. It also created 13 regions, two cities and three boroughs.

When the PNM returned to Government in 1992, the Government reduced the number of regions from 18 to 14 to facilitate a more efficient approach to management. It placed a great deal of emphasis on accountability, on transparency

and on value for money. In 1995, when the UNC joined in coalition with the NAR, not much was done for the improvement of local government. In 2002, when this Government once again took power, we realized that many of the main provisions that were recommended since the Municipal Corporations Act, 1990 was passed were not implemented.

Mr. Speaker, after 14 years of the existence of the Municipal Corporations Act, 1990, the goals promised had not been realized. Distinguished researchers have reported that this lack of achievement may have been based on the fact that many aspects of law were not implemented.

It has been further stated that at the end of the day it really may not have been realistic to implement the proposals recommended. Therefore, relentlessly, this Government began to pursue the reform initiatives from the year 2004. We began to carefully research the challenges. We began to listen to the people and to adapt to the environmental realities of the day, while making appropriate adjustments along the way.

It is these five years of painstaking research that have brought us to this point of laying in Parliament the draft White Paper on Local Government Reform. The Local Government Bill 2009 and the report on the draft White Paper on the Local Government Boundaries Review exercise.

Not only have we laid the documents in Parliament, but we are preparing our staff to implement the new proposals.

2.15 p.m.

The Ministry of Local Government and the municipal corporations have already joined with the United Nations Development Programme (UNDP) in training approximately 400 staff members in the skills of project management. The Prince 2 (projects in controlled environment) right now is taking place. This training will be ongoing as we build our capacity to implement this far-reaching programme.

Mr. Speaker, we have also been negotiating with the University of the West Indies to build capacity and we are about to sign a Memorandum of Understanding with that institution, to access certified training for our politicians, as well as all levels of staff, from the Ministry of Local Government, to the regional corporations. We intend to improve the capacity and the capabilities of all members of the Local Government family, because we believe that high quality component is also good for good governance.

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In preparation for the transformation of the local government system, the Ministry has instituted a project management board and this board meets fortnightly. This Cabinet appointed board comprises key stakeholders, including trade union representatives, appointees from the Village Council Association of Trinidad and Tobago and from the Trinidad and Tobago Association of Local Government Authorities, including senior staff members of the Ministry. The Minister of Local Government chairs this project board.

Our project managers report to the project management board. They have developed a strategic plan to implement the reformed programme and have identified 12 projects for immediate implementation. We have already begun several initiatives in the area of waste management. We are modernizing and revolutionizing our approach to waste management, with emphasis on reducing waste generated on recycling and on reusing. We have established an effective partnership with SWMCOL to implement initiatives in these focal areas.

Mr. Speaker, significantly in the area of waste management, we recently signed a Memorandum of Understanding with the Province of Nova Scotia, Canada, and this MOU emphasizes a range of activities, including consulting services for the acquisition and installation of the latest technology, the establishment of appropriate waste management systems, and the capacity building and institutional strengthening.

Mr. Speaker, we are not about “ol’ talk”, but we are action oriented in this regard [*Desk thumping*] and we have obtained Cabinet's approval for the establishment of a Disaster Management Unit in each of the 14 municipalities with a Central Coordinating Unit in the Ministry of Local Government. We are collaborating with the ODPM to ensure consistency in policy and standards. Steps have already been taken to have these units staffed and equipped before the height of the hurricane season. A consultant is already on board, designing policy in keeping with international standards.

Mr. Speaker, and Members of this honourable House, we are ready to make the necessary changes that will help us to implement the reformed local government that this policy document and legislation call for today, but we can only move forward after we have the full approval and consensus of this Parliament. We on this side put the question to you: Are you in agreement with the policy and with the programmes set before you?

Hon. Member: No!

Sen. The Hon. H. Manning: Mr. Speaker, if not, I would love to ask Members on the other side, what are their recommendations? Mr. Speaker and

Members of this honourable House, we must join hands in this journey of effective local governance and democracy.

History has shown that because we have not done so in the past, implementation of good governance has not taken root. Our people need a better chance to benefit from the potential that exists in this country. As I said in my statement on the occasion of the debate on the Municipal Corporations Bill in 2008, research documented by Dr. Bishnu Ragoonath of the University of the West Indies titled, “Governance and Participatory Democracy in the Caribbean Local Government”, states that:

“Local government has been, and continues to be a primary vehicle for the institution of governance in the Caribbean.”

He says:

“...decentralization is postulated as a cornerstone, but the practical administration of local government in the Caribbean leaves much to be desired.”—and—“to some extent, local government is replete with poor quality of services”—with—“the inability to make and implement decisions”—with—“weak financial management;”—with—“the employment of public resources for private and even corrupt interests: and a largely closed or non-transparent decision-making process.”

Mr. Speaker, cumulatively, more than 14,000 people have participated in the consultation process on the reform initiative from the year 2004 to present, all representing a wide and diverse cross-section of the population of Trinidad. This Government views this as an endorsement of our approach to reform, and as an indicator of continued support for the process by the population. As a result of the consultations, Cabinet approved the roles and the responsibilities for local government bodies. As I said before:

- Planning for local and regional areas;
- Monitoring, the execution of works by state enterprises and statutory authorities;
- Landscaping and beautification of communities;
- Providing community policing;
- Waste management to include recycling and reusing;
- Disaster management;

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- Issuing approvals for applications for full planning permission; and
- Expansion of public health services.

The Draft White Paper and the draft Local Government Bill, 2009, were laid in this honourable House on July 03, and together they represent government's policy and government's guiding philosophy for the reform. The most monumental achievement of this juncture has been the completion of that draft Local Government Bill, 2009, which represents the cornerstone upon which the reform now rests. It is envisioned that the draft Bill will become the catalyst for all major reform initiatives.

We intend to get this right and we believe that the reform as envisaged, will bring about tremendous benefits to the people of Trinidad and Tobago, as well as promote balance, promote regional development, be vibrant and sustainable communities.

We have already begun to see the commitment of our citizens to the process, and this gives us the impetus to continue along the road we have charted for the reform. Our approach has been deliberate; our approach has been calculated, phased and developed with our people in mind; and we see the light at the end of the tunnel, with the legislation having been laid in the Parliament. We see the culmination of five years of hard work and we are at the cusp of a new era: a new era of local government, a new era of good governance, a new era in Trinidad and Tobago, in Trinidad's history.

This matter is of critical importance to our nation, in that it seeks to reshape, it seeks to restructure the institutional mechanisms of local government and governance. We are of the firm belief that the new system should be implemented before the Local Government elections are held, thereby allowing the system to get a fresh start, a new disposition for a new dispensation with enabling legislation and an appropriate institutional framework to bolster the system.

Mr. Speaker, we have calculated that it will take at least six to nine months to put in place the new arrangements after the Bill is passed and becomes law, and therefore, we do not believe that it would be wise to hold local government elections under the old system, and then a year later, hold them under the new system. If we had adopted this course of action, the same Opposition and other critics, would have a field day saying, among other things, that we are not serious about reform, that we are wasting taxpayers' money, and that we are waiting for three years to hold elections under the current system. Indeed, it would have been a case of "damned if you do and damned if you don't". [*Desk thumping*] Given

our commitment to holding the elections under a reformed local government system, we would be in breach of the law if we did not adopt the wise, mature and responsible approach of proposing the amendments to the Municipal Corporations Act, 1990.

We at the Ministry of Local Government, the agency responsible for local government reform programme, had a clear plan of action for implementation of the reform. Our action plan had identified January and at least March for the completion of the packages for submission to Parliament. However, the national community should know that the Ministry does not work in isolation, and there are other key stakeholders involved in the reform, for example, the Ministry of Works and Transport, the Ministry of Health, the Ministry of Planning, Housing and Development, the Ministry of National Security and the Ministry of Finance. Also involved were the trade unions, the municipal corporations, and of course, Cabinet, to name a few.

Several discussions were held with these agencies, and from time to time we had to make compromises and adjustments to the policy proposals and programmes. It was this that was chiefly responsible for the extended period within which we worked to complete the various components of the reform package. We believe that the expanded range of responsibilities at the local level will allow for improved effectiveness in the management of resources, expanded quality service delivery coverage, better superior physical infrastructure, safe and secure and more resilient communities, a cleaner and healthier environment, employment generation, community entrepreneurship and increased opportunities for citizen inclusion in decision-making.

In light of the foregoing, that Government is proposing that the Municipal Corporations Act, No. 21 of 1990 be amended accordingly to reflect the following:

In section 273, inserting after subsection (II) the following subsection:

- “(1J) Notwithstanding section 11(4) and (4A), and sections 12(5) and 15(1), only for the purposes of the elections due in the year 2009,
 - (a) that the term office of each Councillor shall continue for twelve 12 months from the date of expiry of the existing term of office, as though each councillor had been elected for an additional period of one year; and

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- (b) subject to sections 12(6) and 15(2), the term of office of each Mayor, Deputy Mayor and Alderman, shall expire at the end of the existing term and the councillors shall
 - (i) elect Aldermen for a term of twelve months in accordance with section 13;
 - (ii) The Councillors and Aldermen shall elect a Mayor or Deputy Mayor of the Corporation for a term of twelve months in accordance with section 14.
- (1K) All powers exercisable by Councillors, Mayors, Aldermen under the Act, shall be exercisable by them during the period referred to in subsection (1J).”

Mr. Speaker, by adopting this approach, we have again called on our elected representatives to work with us, as we draw closer to the realization of a vision, a vision that was crafted in Vision 2020, a vision crafted in the year 2004 and has been reengineered, reformulated, refocused and is now best suited for our nation's development.

2.30 p.m.

At this stage and on the issue of the expiration of the term of mayors, deputy mayors and aldermen and the provision for the election of the new mayors, deputy mayors and aldermen, this amended Bill simply provides for those who do not wish to continue in these positions, or remain in public life to exit the system. *[Interruption]* And while we believe that there is no distinction between all those who have been called to serve the country, we must recognize that persons who have not been elected by the people should be given the opportunity to determine the extent of their further involvement as their tenure has been extensive, way beyond initial expectations.

We believe that the extension of the term of office would allow for continued representation, while the implementation of the new legislation takes place. *[Interruption]*

Mr. Speaker, I therefore urge those on the other side to support the amendment to the Municipal Corporations Act, 1990 which will allow the councillors to continue in office, to provide for the election of new aldermen, new mayors and new deputy mayors as new arrangements are put in place for a more effective, efficient, dynamic and progressive system of local government.

Mr. Speaker, as I said before we are not about “ol' talk”.

Mr. S. Panday: This is "ol' talk".

Mr. Speaker: Order!

Sen. The Hon. H. Manning: We are action oriented. Furthermore, Mr. Speaker, the complete package of our local government reform policy prescription will require new legislative provisions, both primary and secondary.

Mr. Speaker, having regard to the current environmental considerations and the impending local government election, destined to occur within the current system of local government, it is recommended that the local government election be postponed to allow for the determination and implementation of the new systems, new structures, governmental policies and legislation on the proposed local government reform.

We firmly believe that more time is required to ensure that the new systems are put in place before election is held, and this will allow the newly elected local government officials to enter a newly reformed local government system with clearly defined roles and responsibilities, more resources for employment to communities, opportunities for more effective representation and decision-making, and a greater measure of contribution to the development of sustainable community.

Mr. Speaker, I beg to move.

Question proposed.

Mr. Speaker: May I remind Members that in contributing to this Bill, you may also contribute to the Municipal Corporations (Amdt.) Bill, 2009.

Mr. Basdeo Panday (Couva North): Mr. Speaker, in responding to the hon. Minister's introduction to the debate on the Local Government Bill, 2009, I start from the premise that the people of Trinidad and Tobago have chosen to live in a democracy, a world and a concept that has meant different things to different people including the hon. Minister.

At a more sophisticated level however, Aristotle said of it: "If liberty and equality as is thought by some are chiefly to be found in democracy, they will best be attained when all persons alike share in the government to the utmost." And that is the key.

Of course, Abraham Lincoln put it more succinctly when he said: "Democracy is government of the people, for the people and by the people."

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Some were more cynical, George Bernard Shaw, for example, thought of democracy as a device that ensures that we shall be governed no better than we deserve. [*Desk thumping*]. Very applicable to what is happening inside here.

Winston Churchill said: "Many forms of government have been tried and will be tried in this world of sin and woe. No one pretends that democracy is perfect or all-wise. Indeed, it has been said that democracy is the worst form of government except all those other forms that have been tried from time to time."

Mr. Speaker, but in the heat of all of that, Agnes Ragbir reminds us that democracy forever teases us with the contrast between its ideals and its realities, between its heroic possibilities and its sorry achievements.

What I am trying to make, Mr. Speaker, is that democracy is not an unchanging, static thing, but a pulsating, dynamic phenomenon. We are forever trying to deepen and expand it, but always with one thing in mind, the widening participation of the people who are ungoverned, [*Desk thumping*] and that is the light in which I propose to look at the Local Government Bill, 2009.

As far as the intention of the Government to postpone the local government election for the fourth time is concerned, I think that is the very negation of our democracy, but more of that later. As far as this Bill is concerned, the first question I think that ought to be asked is: Does this Bill deepen the democratic process, or is it going to achieve exactly the opposite?

It is against this background that I said we must look at this Bill on local government. Exactly, Sir, what are we doing here? We are changing the laws as they relate to local government, so to reform the local government system. Surely, it must be because we believe that the present system is not working in the interest of the people.

Now, like the Member for Diego Martin North/East—famous bush lawyer of this Parliament, always talking about law. Mr. Speaker, you and I know that when you are interpreting statute, there is something called the mischief rule. Oh, here he is. I so like to speak law when he is here.

The mischief rule also applies in passing legislation and in embarking upon legislation; there is a basic question that all legislators must ask themselves. What is the mischief that we are trying to remedy here? What is wrong with the present law or system? And, having identified those problems, we then set about to remedy those defects by the amendments which we propose today. That is the approach; I am sure we will all agree with that.

So, that being the case, the first thing will be, of course, to identify the problems being confronted by local government bodies and I think on top of the list is funding and lack of financial and other resources. We then look at the Act to see how it deals with that. There are management problems facing the local government bodies and they arise out of the fact that they have no control over their personnel. How can one run a business if you do not have control over your workers? They have no control over the staff, and particularly the Chief Executive Officer. We shall see later on how he is going to be appointed and the local government bodies cannot determine priorities in accordance with local wishes.

Surely, if we are going to deepen the democratic process, we should look at how much more do we give the ordinary people, the electors, a say in the political processes which will determine their lives. They cannot award contracts or monitor those awarded by the central government, and one of the basic problems which has been exacerbated in this Act, is the usurpation of their functions by central government, and I refer to CEPEP, URP and all the special purpose companies, the Rural Development Sports Company and so forth.

Another problem that they face is that they cannot enforce the law because they lack legal authority and personnel, hence the ineffectiveness of the Litter Act. We have passed the Litter Act, but there is litter everywhere. They cannot enforce the law and that should be the function of the local government. They cannot enforce their health laws; they cannot prevent the dumping of garbage all over the place; they cannot prevent the throwing of rubbish in the drains that causes flooding from time to time. These are the problems faced by local government, and hon. Minister I ask, how are they going to be resolved in this Act?

Another complaint of the local government body is the inequality of treatment of all citizens, and surely, Madam, democracy demands the equality of treatment of all citizens of our country. [*Desk thumping*] There is the frustrating inability to compel central government to perform its duties and obligations to the municipal corporations, to do that adequately in time, or at all.

There is a jurisdictional problem that frustrates people in this country, that is to say, the local government will clean the drain to a certain point, and the rest of the drain is under the Drainage Division, so when the water comes down the local government drain, it cannot go through the central government drain. That is a complaint we have all the time.

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The point is, there is a jurisdictional problem and who is responsible for what, and what can we do to prevent that kind of frustration? I have said what the difficulties are in this approach we have to the amendment of laws and we ask how does the Bill resolve these issues. It is my humble, respectful view that the Bill is the very negation of democracy.

It is we who give the local government bodies—instead of strengthening them and it further concentrates power in the hands of central government. Local government has now become the agent of the central government; it has become its tool, its instrument.

2.45 p.m.

Its basic function is now to supervise, monitor, execute and/or oversee the decisions of the central government. Under this pretence of reform, the Government has set up a bureaucratic structure which, in my humble view, will hinder rather than facilitate the elected government officials and, by extension, the local people from having an effective say in how their municipality is run. What is that bureaucratic structure?

That bureaucratic structure is, first of all, there is the corporation, of course, the municipal corporation which includes city, borough or region and they will have a municipal council; below the municipal council will be an executive council. The municipal council, of course, we all know would consist of the elected members and four, maybe sometimes five aldermen. The members of the municipal council would then elect from among themselves a mayor in the case of a city and borough, and a chairman in the case of a region. But then follows a curious provision in clause 10 and that curious provision in clause 10 says that following upon the election of the mayor, he, the mayor, then selects one of his partners to be his deputy and in the case of the regions, the chairman will nominate the council's deputy chairman.

I ask simply: What is the rationale behind that? Why are we doing that? Why does the council not have the power to choose its own deputy mayor and deputy chairman? So here we have something again that one cannot understand. There must be some reason. I am sure the Minister has a very good reason which she will tell us about when she replies.

The municipal corporation will be run by a municipal council. And what are their responsibilities? If you look at Schedule 4 of the Act you will see that their responsibilities are to make standing orders and by-laws for the corporation; to formulate broad strategies for the implementation by the executive council in

accordance with Government policy. Not their own; not the people's. They are to review the operations of the executive council and they are to debate matters like this Parliament. We are replicating it. I do not know if it is for the better or the worse, but we seem to be in a kind of way, replicating the structure of the Parliament here, so they must debate matters as we do in Parliament, I imagine with the same effect.

They must represent the interests and concerns of residents of the municipality. How? They are to bring grievances and deliver requests of the public to the relevant departments of the corporation. But the corporation does not decide what is to be done. So if people bring complaints to them and they decide, well, we ought to do so and so, they cannot do it. What is the point? They also have the monumental task to oversee the central executive council and the departments and to approve a budget, to review reports of the activities of the corporation and to seek redress on behalf of the people of the public for maladministration against the corporation. Now tell me. Where in this Act is there the mechanism for that kind of implementation? How do they redress the grievances of people for the maladministration against the corporation?

So we know the functions of the municipal corporations now. Part III of the Bill speaks about that, as being, providing and maintaining services and implementing projects consistent with the central government policies. That is the key. And they are doing that so as to promote sustainable development in the core areas of responsibility. But their responsibility is to the people, not the central government. They must be responsible to the people, the electors, the burgesses, whatever you call them. What services will they provide when the functions of local government bodies have been taken over by the special purpose companies? I told you a little bit before about that. And these special purpose companies are controlled by the Government. For example, will the Rural Development Company and the roads company perform the work formerly done by the local government authorities? It appears to me that the councils will no longer be responsible for roads and that this work will be done by the roads company.

But let me make an observation which was made by the chairman of the Couva/Tabaquite/Talparo Regional Corporation, when he delivered a paper to the hon. Minister some time on August 27, 2008 at Mc Bean. He said that:

“One is hard-pressed, however to critique effectively due to lack of details.”

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He was talking about the municipal management.

“What is evident, however, is the lack of, and even the removal of authority from local government bodies. The municipalities will no longer have the power and authority for the paving of roads, for the construction of bridges, for culverts for land slips, for box drains...”

Your favourite topic.

“concrete the drains.”

And so on and so forth. But that used to be their function. You are taking away all those functions and say you are deepening democracy? Surely, that is inconsistent. All of that is gone.

So what has happened now is, people have lost the opportunity to determine their own priorities. Communities differ and in some communities some people may want a steel band yard while in other communities they may want a market to sell their agricultural products. Central government must determine that? Surely, not. Surely, they must determine their own priorities. Communities differ. They have different needs and so on, and if they decide that the roads—

Sen. Manning: Mr. Speaker, on a point of clarification, please. I thank the Member for giving way. I do not want the Member on the other side to keep going down the wrong road. One of the things that I have said and I keep saying over and over is that the main platform in local government at this point in time is area and regional planning and that the way we are doing planning, we are talking to people and developing plans. Right now we have 20 consultants outside there. They are in your area; they are sitting with your people and they are developing plans. That is how we are going to find out exactly what is happening and prioritize and fix.

Mr. B. Panday: Madam, that explanation frightens me. [*Desk thumping*] “Dem experts yuh talking bout outside there”; you had Mastrofski! Mastrofski spent \$80 million and could not solve crime! Those are your experts. The experts are the people on the ground; those are the experts, not Mastrofski. [*Desk thumping*]

Sen. Manning: I am talking about the people on the ground. You have it wrong.

Mr. B. Panday: Your planning is at the central level. Read the Bill again. However, be that as it may, Ma'am, I respect your views.

The corporations, it is said, will be responsible for the municipal management and corporate services. Municipal management and corporate services do not mean anything to me. But if you turn to clause 82 of Part X you will see that yet another layer of bureaucracy has been introduced. Let me see if I can find that.

Dr. Mooninlal: Page 39.

Mr. B. Panday: Thank you. I beg your pardon. I am sorry. Have I made a mistake again? It seems that in your presence I can do nothing right. *[Laughter]* Part X, clause 82 says:

“For the purposes of local government, the island...shall be divided into seven Central Administrative Districts...”

So on top of this bureaucracy, they have now put further layers; further layers have gone up.

“(2) Each Central Administrative District shall comprise such Municipalities...

83(1) There is established for each Central Administrative District, a Central Administrative Co-ordinating Committee what shall consist of representatives from

(a) each Municipal Corporation within the Central Administrative District;”

And then ministries. The ministries are water and sewerage, electricity and so on. It is my view that this is an unnecessary layer of bureaucracy set up in order to give the Minister more power of control over the municipalities. The corporations are also responsible, according to this Act, for public health and environment, but they cannot even construct a box drain. That is inconsistent. How are you going to be responsible for health and environment when they have mosquitoes all over the place, all kind of vermin, and so on, for which, incidentally, if even they want the chemical to spray it, they have to go to the central government for the chemical. They are responsible for health and environment but they no longer can construct a box drain.

The corporations are also responsible for social services and community outreach; facilities maintenance and physical infrastructure. What do all these things mean? Will they will able to determine their priorities as their electorate demands? And the answer is, no, they will not. There is nothing here that says they will. It always is an implementation of plans from the central government.

Do you know the one I like? They are responsible for municipal policing. I love that one. Is there not already in the legislation provision for the city and

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borough corporations to retain, or have, or get the use of, what is called municipal policemen? But do you know something? The Chaguanas borough has for years been asking the Police Service Commission to appoint municipal policemen without success.

3.00 p.m.

Now I ask you, do not put a provision in here without another provision that says that if you call for policemen and they do not appoint them, somebody has to pay. [*Desk thumping*] That is what is lacking in this. There are no provisions for the local government authority to sue the Government for failing to perform its functions. The Chaguanas Borough had to ask for policemen. They cannot enforce the laws for selling on the streets and the market law. They cannot enforce anything. Why can they not enforce them? Because they have no policemen.

They call upon the Police Service Commission to appoint and the Police Service Commission refuses. What happens? Nothing! This is meaningless unless there is another clause. There is provision already in the law. In any case I think under this change the Commissioner of Police will continue to be responsible for the appointment of policemen. The Commissioner of Police would be in charge and no one has been able to explain why the Chaguanas Borough has been unable to implement this part of the existing law.

Finance, I hope somebody would deal with it. My colleague reminds me that the policemen had motorcycles but nobody could ride them. So what do we do? We introduce bicycles. If they cannot ride the bicycles, we would introduce skate boards or tricycles. [*Laughter*] That is how ridiculous the administration of this Government is. [*Desk thumping*] There has been a failure to deal with this whole question of finance. I am sure my colleagues will go into this with a finer paint brush.

In this Bill however, which is what I am arguing, I do not see anything that will resolve that problem of financial resources by the municipal bodies. There is a provision when they speak of financing. It is Part VI, clause 44(3), page 28. This has to deal with financing. It states:

“In considering the sum to be included by the Minister of Finance in the national estimates of revenues and expenditure for the service of a Corporation in a financial year, the Minister of Finance shall take into account the following factors...:

- (a) the sustainable development needs as outlined in the development plans for the Municipality;”

Who will determine those needs? The municipality? Does not seem so to me. The Minister of Finance will determine those needs.

- “(b) the size and density of the population;”

That is reasonable.

- “(c) the physical and social infrastructural needs;

That is reasonable.

- “(d) the community services delivery coverage and needs;

- (e) the level and nature of housing development, settlement patterns and commercial and industrial development;”

That is exactly why you should create communities and not lump people or regions together because you want to win an election. Not because the Government has built houses in a certain place—you build houses in a certain place, you draw the boundary around the houses so that—[*Crosstalk*]

Mr. Imbert: We did not think about that.

Mr. B. Panday: "Doh pretend, doh sound as if I'm giving you an idea."

Mr. Imbert: Yes. We did not think about that.

Mr. B. Panday: We all know that that is what is happening. I think that I will come to that a little later. While I am at that part let me make this other point that I wanted to make. When you are determining the regions, do you know that the Couva/Tabaquite/Talparo region was supposed to be two regions? You made it into one and by making it into one, do you know what the Government did? They tied in a rural area Tabaquite/Talparo with an industrial town which has totally different needs. The Point Lisas area has totally different needs.

Hon. Member: Nothing wrong with that.

Mr. B. Panday: You are saying nothing is wrong with that; that is why the Bill is obviously what it is. While we are talking about the density, size of population and physical infrastructure, the Couva area is flat. The Tabaquite/Talparo area is hilly. Their needs are different. The idea in local government is to create communities. You end up with the Couva/Tabaquite/Talparo region which is 29 times larger geographically and by population, approximately seven times larger

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than the Borough of Point Fortin. The budgetary allocations for the Development Programme for 2007 and 2008 were \$4 million and \$4.8 million. I am saying that these are problems which we faced and the Bill must deal with them, otherwise the Bill is useless.

The Bill has set up provisions to deal with legal matters. I think that is commendable. There are parts of the Bill which are commendable. That is to say the idea of having the by-laws and then setting up a whole legal procedure of having them enforced will help. It will not work again as I say if you do not give them resources. If the State does not give them resources, the question is: What legal right do they have against the State? Unless it follows logically, then the first provision is useless. The Bill needs legal provisions which will allow the corporations to take the central government to court to compel them to do their duties towards the corporations. I do not think I want to repeat the functions.

Mr. Imbert: Nobody.

Mr. B. Panday: Yes, apparently you think I should.

You remember the functions I said were taken away, Mr. Speaker? Let me tell you the functions with which the corporations are left. In Schedule 5, the responsibilities of the municipal corporations and maintenance of all public sector buildings are not under the control of other agencies. Monitoring the execution of works by state enterprises, statutory corporations and public sector agencies as prescribed.

The provision of local recreational facilities, they left them with playing fields. The landscaping and beautification of the communities, CEPEP will no longer do that? I just asked. Of course, they have left them with the establishment and management of burial grounds and crematoria and cremation sites. That is for the corporation itself. They are burying them. [*Desk thumping*]

They will ensure water distribution in areas where there is no pipe borne water, but you heard them cry out here. People do not have water. The Government knows that. Give us money to pay the trucks to bring the water. You have heard that here. The poor Minister made a little faux pas when she said there was and in fact, there "wasn't". We forgive her for that. We are forgiving people, you know. Look what we do in our party. [*Laughter*]

This delivery and management of services, they have left them with burial grounds. The functions and duties of the corporations as we have noted before would be carried out by executive council secretaries appointed by the Minister on the advice of the mayor after consultation with the members. That is fair enough.

The sixth department is the one I want to make some comments on because the Minister said that not only should we criticize, but we should also offer suggestions as to what we think should be included. The sixth department is that of municipal management and corporate services, public health and environment, social services and community outreach, facility management and physical infrastructure, planning and development and municipal policing. What is missing here is probably a most important department because without the human resource and control of human resource, none of this can be done. You need to consider the question of setting up a human resource management department. There have always been problems with the councils. Councillors get into so much difficulty. When I go to my constituency office everybody complains about the councillor "eh gettin wuk for dem." All kinds of problems they have. The MPs are not cleaning drains and so on. I tried but I lost my speed.

This will deal with the question of employment. Councillors should not have to deal with that. You should have a human resource management department that deals with employment, so they can be taken to task for discrimination, cronyism, corruption and whatever goes on. The comment I want to make here is that the central government has sat down from on top and determined what departments there shall be. But surely, a corporation should have the power to establish departments which will meet their special and particular needs of their communities.

3.15 p.m.

I wanted to make reference to clause 25(2). It says that:

“For the better performance of its functions, a Corporation is hereby empowered to do all such acts and take all such steps as may be necessary for, or incidental to the exercise of its powers...”

It has here we have:

“(b) enter into...contracts as it deems fit for the efficient discharge of its functions;”

But you have taken away the functions for roads and drains. When you say that is what they must do, I ask: Does this mean that the central government will now cease to award contracts for works which are the responsibility of the local government?

I give you an experience. I drive to Mayaro and it is the worst repair job I have ever seen in my whole life. That is the Naparima/Mayaro Road, the Torib/Tabaquite Road. I enquired who did that of the local government. Well, a

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contractor. Who employed the contractor? The central government. What say did you have in it? None whatever. How come this man was paid for doing such shoddy work and they have no control? Will the Government continue to award contracts for the performance of work to be done in the council and all the council will have to do is to supervise it—stand up and watch it? Is that what will happen? I thought I would make reference to that and say that you ought to correct that.

“Where a statutory authority or a State enterprise provides services in a Municipality, that authority may enter into a Memorandum of Understanding or contract with the Corporation for the purpose of promoting the efficient and effective delivery of those services.”

What sanctions are anticipated where a statutory authority provides services which are inadequate?

Mr. Speaker, I would like also to refer briefly to the functions of the Executive Council that are enumerated in Schedule 7 and they include the broad strategies of implementation consistent with government policy, not their own. I thought that was the function of the municipal council. How can they ever perform these functions when they have no power and control over their staff? The staff by and large is appointed by the Minister.

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.

Mr. B. Panday: Thank you Mr. Speaker and colleagues. It would appear from the legislation that all or most of the staff of the local government bodies will be appointed by the Minister. Suppose the Minister refuses to appoint the required staff or suppose he appoints to such posts party hacks who refuse to carry out the instructions of the council, what happens then? Is this not part of the present problem with which the councils are faced and over which they have no control? [*Interruption*]

If you feel that is the only way to operate things my friend, I feel sorry for you. They are to approve plans and programmes in the department. They are to formulate policies relating to the functions of the operations consistent with government policy. They are to allocate financial and other resources to the other

departments. What happens if they have no resources or insufficient resources to allocate? What is the local government body to do? They are to review the operations of the various departments to ensure compliance, to coordinate the operations of the various departments and to rationalize the divisional operations.

I have said before, and I repeat, that this issue of the control of staff at every level of the corporation is critical to the proper functioning of the local government. Even at the lowest level, I have been told that workers come to work at 8 o'clock and go home at 10 o'clock.

Mr. Imbert: I thank the Leader of the Opposition for giving way. Are you suggesting that each council, forget its political persuasion, should be given authority to appoint all staff from the CEO to the lowest level of staff?

Mr. B. Panday: Of course. In any case, they are going to be taken on by contract. Why should the Minister enter the contract? These people are going to be responsible to the local government authority, not the Minister. From the top to the bottom, it is my humble suggestion—if there are arguments on it, I would love to hear them—that they should be responsible for all staff.

I have been told by councillors that the labourers come to work at 8 o'clock and by 10 o'clock they have gone home. No one has control of it; no one can do anything about it. No wonder the money allocated finishes and the drains are still not clean. How will we deal with that? That is a problem the Bill must deal with.

Clause 60 deals with staff and related matters.

“(1) The Permanent Secretary of the Ministry shall, with the approval of the Minister, appoint a Chief Executive Office on contract.”

Why? He is going to be on contract; his terms and conditions will be stated. Why should the Permanent Secretary appoint the Chief Executive Officer? The Chief Executive Officer really should carry out the instructions of the council. They never do because they can spit in the eye of the councillors and say: “You cannot do me ‘nutten’. What you could do me? The Minister and I are partners.” That cannot work. The whole government system would not work.

“(2) The Chief Executive Officer shall be the accounting officer...”

No problem.

“61. Each Department”—remember we had talked about a department—“of a Corporation shall be under the supervision of an officer who is designated as the Head of the Department.”

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I would like some explanation here.

Clause 63 says that:

“The staff of a Corporation shall include such other officers”—I imagine they are talking about below the CEO—“appointed on contract by the Permanent Secretary of the Ministry or the Corporation, such as legal officers, accountants, engineers, public health officers and such other officers and employees as may be required for the efficient discharge of the duties of the Corporation, provided that the establishment of a Corporation shall be subject to the approval of the Minister.”

What is meant by “of a corporation”? Which ones? Who? Is it the Permanent Secretary who shall appoint or the corporation? I do not understand what it means, but I have some misgivings about the establishment of a corporation being determined by the Minister.

One would expect that the Minister would give them adequate resources, but we are not talking about this Minister. We are talking about one who is biased, prejudiced and corrupt. Suppose that Minister will not give them the staff that they need, how will they perform their functions? What is the mechanism for resolving a problem like that?

Mr. Imbert: [*Inaudible*]

Mr. B. Panday: I understand you are going to refer this matter to a joint select committee. If you are genuine about local government reform, then I believe that your committee could work these things out.

I was speaking about the role of the Minister contained in clause 26(1):

“The Minister may give general or specific directions to any Executive Council in relation to Government policy touching or concerning any matter, and it shall be the duty of the Executive Council to govern its actions in accordance with any such directions.”

That is direct control. Remember what I said at the beginning. Let us look for the problem and let us resolve them. That may exist in the present legislation, but it is a mischief. Let us correct it.

- “(2) The Minister shall hold regular discussions with each Mayor or Executive Council in respect of the development of the relevant Municipality.
- (3) The Minister may investigate any matter concerning the affairs of the corporation...”

As I have tried to point out in my contribution, it would appear from the legislation that the role of government bodies is now to promote, manage, coordinate, monitor and collaborate with the central government and that local government no longer has the duty to develop, institute, prosecute, construct and provide services.

3.30 p.m.

The council can talk—they have a lot of power to talk—as much as they want, but at the end of the day, the Central Government is what is going to decide what is to be done.

If that be the case, I ask: How have the people been empowered? How and when will they have an opportunity to participate in the decision-making policies that affect their day-to-day lives?

Mr. Speaker, I think I have made all the points I wish to make. I made the point about gerrymandering with the housing estates. I simply hope at the end of the day, when this matter goes before the joint select committee, the matters will be resolved.

As far as the postponement of the election is concerned, my feeling is that the Government is afraid to face an election. They know that they are very unpopular and they do not want a decisive indicator to indicate that their popularity has fallen and that is why they have postponed the election. If I am right—you could only eat me raw if you perpetuate the division that you are trying to get in my party—that you are postponing the election because you are afraid, let us get down to the joint select committee. Let us take one month. Let us finish passing the law in one month and let us hold the election—*[Interruption]* two weeks—within two months of today's date.

Thank you, Mr. Speaker.

The Minister of Tourism (Hon. Joseph Ross): Thank you very much, Mr. Speaker. I listened very carefully to the hon. Leader of the Opposition and there were some very interesting points which he raised. He expressed a couple of concerns about the Permanent Secretary appointing the CEO and how the Bill would ensure that the people are empowered.

During the course of my discussion, I will attempt to probably deal with those. He also made some other points, which gives me the impression that he did not really read sufficiently into the documents that were given to him. I could understand why. I think he made it clear towards the end of his contribution. He is

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so concerned with another faction in his group that his time is taken up and he does not have time for anything else. Mr. Speaker, I would not want to go on and on about it. We have two Bills before us today, the Local Government Bill, 2009 and the Municipal Corporations (Amdt.) Bill, 2009.

Firstly, I would like to, really and truly, commend the Minister of Local Government for bringing to this House, a significant piece of legislation; very historical. I believe that this legislation is significant for a number of reasons, because it entails provisions that have the potential to bring about a positive effect on the lives of every resident and every citizen. Of course, as the Minister of Tourism, I know it will have a positive effect on visitors coming to our country.

I think I would also like to commend the hon. Prime Minister and his team over the years for recognizing the need to improve governance at the local level and, more than that, having the will and the commitment to tackle the problem head on.

Mr. Speaker, I have had the opportunity to attend several of the consultations that took place over the last couple of years on local government reform. The level of participation and the quality of the contribution from members of the public were remarkable and as such, I think that the people of Trinidad in particular should be applauded for their willingness to bring about change in a very meaningful and democratic way in Trinidad.

We have been criticized—the newspapers are filled with articles today on it—that this Government has been taking so long in bringing about local government reform. [*Interruption*]

Mr. S. Panday: Seven years.

Hon. J. Ross: I would come to that. We have been talking for the last seven years and it could be more, but the point I want to make is that there is really no quick fix to local government. The research will show that Denmark took more than five years to reform its local government system.

In 2002, the Government of Denmark had appointed a commission on administrative structures to look into the whole government system. [*Interruption*]

Mr. B. Panday: What about the size of Denmark?

Hon. J. Ross: Do not worry about that, I am coming. The commission submitted its report two years after, in 2004. Between 2004 and 2006, the Government published its proposals, held discussions and negotiations and it was not until 2007 that the reform was put into effect; over five years for a developed

country like Denmark to implement local government reform. So, when those on the other side are criticizing us for going on and on with local government reform, I want to say that local government is such a significant part of our system of governance that we cannot do it in one or two years. It takes time. It takes a lot of consultations and energy. You have to get involved in the communities. You have to involve others in the exercise. In the final analysis, the point is that it will take time. Right here in our backyard—you are asking about the population of Denmark—in St. Lucia, an island of 238 square miles, with a population of 156,000 people, it was discovered that local government reform was not something that could have been implemented quite easily and quite quickly.

Let me quote from the Assistant Director of Community Services and Local Government, Mr. Gaspard from Dominica. This is what he had to say on local government reform in St. Lucia. He said that the Local Government Reform Project that they anticipated would have been wrapped up and implemented within two years; they estimated that they would have wrapped up and implemented their local government reform in two years.

“However, as the process unfolds, we realized that it is taking more than we anticipated and that we need to ensure that communities are fully apprised of the process, not rushing into it at all.”

That is right here in our backyard. According to Gaspard, the Ministry wants the total population to understand, appreciate and be in tune with the process, so when it is time to implement the local government initiative, everyone will be clear on what they are about. It goes on and on.

The point I am making is that I do not believe that this Government took an unreasonable long period of time to bring about or to complete the local government reform process. We are on schedule.

Mr. Speaker, I consider myself to be very fortunate to have been the cost accountant in the Ministry of Finance in the 1970s, with specific responsibility for monitoring and reviewing local government expenditure. Prior to that, I have had the opportunity to serve as Chairman of the San Juan/Laventille Regional Corporation, until that very historic moment in 2007, when Bartaria, again, was returned to the PNM. At the corporation, I really and truly understood and experienced some of difficulties with local government. It followed on my experience in the Ministry of Finance on how controls existed. At the time it was the county councils. Both of these positions have given me an excellent insight into the management and operations of local government bodies.

More recently, as Minister of Tourism, I fully recognize that local government has a range of functions and powers at its disposal to influence natural resource management, including tourism development. The way local government operates must have an impact on how we go about our tourism development programme.

I am sure that many of us here today, probably including yourself, have suffered tremendously under the ineffective and inefficient local government system that currently exists—[*Interruption*—we are coming into that—a system that could not deal with all the unplanned housing developments that are taking place all over the country. There are squatters all over the country. Again, the local government system as it is today, finds it extremely difficult to deal with that and a system that could not ensure regular maintenance of our local roads, our bridges, our cemeteries, our recreational facilities and so on.

3.45 p.m.

Recently, I had a case in my constituency where in a particular recreational facility the members of the community had to take money from their pockets on a regular basis and for a considerable period of time to pay for electricity. Mr. Speaker, all these things happened because the system of local government was not working effectively. As a matter of fact, I do not believe that the council was aware that something like this was going on until it was brought to my attention. Thank God that position has since been rectified.

We operate under a system that cannot ensure the proper maintenance of our local drains. No longer do we see men coming early on mornings and cleaning the drains. These are just a few inefficiencies and ills of the system that I believe this present Bill will get rid of.

I feel very passionate about this matter because it affects me personally. I am sure that every one of us in this House is affected by the way local government operates in our community. Bearing this in mind, I stand to support the Local Government Bill, 2009. I support it strongly. I also support the Municipal Corporations (Amdt.) Bill, 2009 because it follows, and I will show why.

From the start, I can say that what sense would it make if we do not go through the process of implementing the reform before holding local government election. It is like taking new wine and putting it into an old bottle. It cannot work. The wine will be contaminated. That is the point I will develop later on.

Dr. Gopeesingh: It tastes bad.

Hon. J. Ross: That is coming from the doctor. What does this Local Government Bill, 2009 hope to achieve? The Local Government Bill, 2009 will

bring about a revolution in the system of governance at the local level; a major revolution that will make Trinidad a model, not only for the rest of this region, but the rest of the hemisphere and, indeed, for other parts of the Commonwealth and the world. [*Desk thumping*]

I compared what we are trying to put into place now with what Denmark was also putting in place. [*Interruption*] You must have benchmarks and you must know what are best practices. Member for Fyzabad, you must know that. This Bill was crafted around international best practices and that is something that the hon. Member for Fyzabad is not aware of. If you go through the White Paper on reform, it was crafted around the Aberdeen Agenda and the Oakland Accord. All these things came out of the Commonwealth Local Government Forum. The contents of our local government reform are more or less in agreement with what obtains in those countries.

We on this side acknowledge that the current system of local government is inefficient, ineffective and uneconomical to operate. As the Minister of Local Government indicated, there are many duplications. Even the hon. Leader of the Opposition talked about CEPEP, URP and all those other institutions doing the same thing, and this is one of the things that the Bill seeks to get rid of; duplication of effort, waste of resources. The present system is inadequate to deal with the changing and dynamic environment, and this is another matter that we are going to correct when this Bill is passed in this House.

Mr. Speaker, the implementation of this Bill involves the setting up of new institutional arrangements, new systems and procedures. The hon. Leader of the Opposition talked about staffing, and this Bill also introduces new staffing arrangement which must be put in place before we can think of holding any local government election. Mr. Speaker, if we do not put these systems in place what is going to happen is that we will be opening ourselves for a lot of conflict and confusion which will cause much inconvenience. The present system is more suited to the old county council model which I mentioned earlier. The Local Government Bill, 2009 is different from the Municipal Corporations Act of 1990 which it seeks to repeal.

Mr. Speaker, let me highlight some of the differences between the Local Government Bill, 2009 and the Municipal Corporations Act of 1990. I will just mention a few of them. With respect to clause 25(1), under the “Function of Municipal Corporations” it states:

“Subject to section 75(1) of the Constitution, a Corporation shall, in relation to its Municipality, be responsible for

- (a) providing and maintaining services and implementing projects consistent with Central Government policies so as to promote sustainable development in the following core areas of responsibility:
 - (i) municipal management and corporate services;
 - (ii) public health and environment;”

The point I want to make here is that under the Municipal Corporations Act of 1990, such a function never existed. What is also noteworthy is that what we are promoting here is sustainable development. Under the Act of 1990, such consideration was never given.

Clause 27(1) states:

“Each Mayor shall, no later than three months after the end of the financial year, present to the Minister, a report reviewing the implementation of the Corporation's work plan approved by Cabinet under section 41 for that financial year and the activities of the Corporation during that financial year.”

What this is saying is that it is bringing about a responsibility system. In other words, the corporation will not be acting irresponsibly. They must account to the Minister for their performance and the Minister, in the final analysis, will be held accountable for what goes on in the Ministry of Local Government. So, we are talking about implementation of a responsibility accounting system as well. This was not taken care of under the Municipal Corporations Act.

Dr. Gopeesingh: Will the Member give way? I thank the hon. Member for giving way. Would it be the Municipal Council or the Executive Council that will have to report back to the Minister? Could you clarify that?

Hon. J. Ross: The Municipal Council would have to report back to the Minister. How the system is structured is that you have the Executive Council reporting to the Municipal Council and the Municipal Council will then report to the Minister. In so doing, what you would be perpetuating is a system of accountability and a system of responsibility and you will be strengthening the internal controls within the organization and within the central government.

Clause 29 states:

“(1) An Executive Council shall be responsible for the carrying out of the functions and responsibilities of the Corporation.

(2) Without prejudice to the generality of subsection (1), the Executive Council shall be responsible for the matters specified in Schedule 7.”

The hon. Leader of the Opposition looked at this matter in detail.

Dr. Gopeesingh: Does that contradict your original answer?

Hon. J. Ross: It does not. Mr. Speaker, I would also like to look at clause 29(8) and it says:

"An Executive Council may appoint such committees as it thinks fit to facilitate the efficient and effective conduct of its business."

I strongly support this. What we are going to have is an improved system of control. I will be lobbying for the Executive Council to consider appointing audit committees.

Mr. Sharma: That already exists.

Hon. J. Ross: Where are you from?

Mr. Sharma: That exists in the regional corporation.

Hon. J. Ross: Which regional corporation? As I was saying, we would ensure a proper system whereby audit committees are going to be reporting to the mayors and chairmen. Again, this will ensure a greater amount of transparency and accountability and will augur well for good governance within the local government system. This is what we are hoping to achieve in the final analysis—good governance in keeping with Government's 2020 vision for Trinidad and Tobago.

Mr. Speaker, the hon. Leader of the Opposition talked about finance and the people in the overall exercise. The Bill speaks extensively on the importance of planning. As a former chairman of the Laventille Regional Corporation, I am telling you that it was extremely difficult—and all the other chairmen will tell you that it is extremely difficult—to develop a comprehensive plan for the regions, because there are too many fractions. What this Bill is going to do is to ensure that the system is there to facilitate comprehensive planning.

4.00 p.m.

More than that, it guarantees that there are mechanisms in place to monitor, to control, to report, to review, to update, to improve your plans. This is what good governance is all about, and this is what this Bill would bring to Trinidad.

I am indeed amazed at some of the uttering that I hear sometimes from the other side. Sad to say, they had the opportunity to reform local government and they did nothing to the effect. [*Desk thumping*] But I was happy when I heard

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that the hon. Leader of the Opposition mention that he saw some excellent parts in the legislation before us. I want to say thank you for recognizing that much thought and effort was placed into this document.

Mr. Speaker, since the hon. Leader of the Opposition did not give me too much to answer, I would go now to the question of his comment, that we are afraid to go to the polls. Nothing could be further from the truth. [*Desk thumping*] I would like to remind him that in 2007, you said the very same thing. You said the very same thing. Let me tell you something, the hon. Prime Minister did not just give you local government elections, he called a general election and the people spoke. So, I would advise you to cool it.

The PNM is not afraid to go to the polls. [*Desk thumping*] The country has already assessed them and the country came up with a verdict. They are not able to manage themselves—[*Desk thumping*—so, they are not going to put them to manage this country. We have heard much about the functions of local government. [*Crosstalk*]

Mr. Speaker: Order!

Hon. J. Ross: The local government bodies have many, many important functions to carry out. They have service functions to carry out; they have regulatory functions to carry out; representatives have representative functions to carry out; they have the functions of community planning; co-ordination functions, among other things. For these reasons, local government is too important a matter to be left in its present state, in Trinidad.

I am saying if Members on the other side are very, very serious about local government; or if they are very serious about this country, I believe that they would support the Local Government Bill, 2009, and as well, support our intention to pass the Municipal Corporation (Amdt.) Bill, 2009.

Mr. Speaker, there is no doubt that over the years some of the systems of local government have failed us. As an auditor, by profession, I am very familiar with the system, and the system is lacking in many respects. Let me give you a good example, and it could happen easily still. I was doing an audit in 1970 or thereabout, in Sangre Grande, where a contractor was given a job to deliver, to spread and to roll a certain distance, hot mix. The contractor was already paid and everything, and when I went to investigate the job, the job remained in its original state; the road remained in its original state and the contractor was paid; everything was finalized.

Mr. Bharath: Normal PNM Government.

Hon. J. Ross: It is not a question of government, it is the system, and this is what we are trying to correct. My investigation, when I discovered it, I reported the matter immediately. The Permanent Secretary at the time for Local Government and the CEO, we met and they did not believe it. I wanted them to go right away; they went the next day to see what really had gone on there, and when they reached the morning, works were in place. *[Interruption]* No, it was paved, but with what. The contractor brought a team all night and they threw cold mix all over the place and the residents complained about the noise the night.

The point I am making, Mr. Speaker—and this is only one instance, there are many others I can quote, but this was one of the most glaring, where collusion in the system allowed something like that to happen.

Mr. B. Panday: Thank you, hon. Member. I am very interested in what you are saying because that is similar to the example, I had raised. The point is, how come this person was paid for work which was not done. Two, I imagine there was a checker or something, right, who would sign so that he can get paid. What happened to the checker? Unless the Act can deal with these kinds of problems, these are the things that bothers me.

Hon. J. Ross: This is where I have to commend the hon. Minister of Local Government. When you look at what is being proposed, I have the assurance that with the kind of controls that I see would be built into the system, it would be very, very difficult to get away with something like that. Collusion is something that is not easy to stop, but we, under this Bill, would make it extremely difficult for people to collude. I would not go into all the ramifications and all the details, but I am telling you it would be very difficult.

Another classic, and this happened in Toco, where many—I cannot remember how many truck loads of gravel and in those days gravel was expensive and difficult to get—truckloads of gravel, and when you went to look for the gravel, you could not even see one stone. When you asked what happened; rain came and washed it down; it went down to the drain; go down to the drain, nothing.

This Bill has the potential to correct all these deficiencies. For one, it is going to ensure that you have the right caliber of people; the right structures and the right systems in place; you would have a better monitoring system in place, and of course, you have audit committees to ensure that there is compliance with all these rules. Further, all these issues would be taken up on a very timely basis at the Executive Council and at the municipal councils level.

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Mr. Speaker, there is no doubt that responsibility and accountability systems are not operating as they should, and probably very inadequate at the moment. There is no doubt that the present structure of corporations does not facilitate timely intervention and action. As it is, it takes a long time to get anything done or to get anything corrected. There is no doubt that local government bodies need more autonomy to be really effective and functional, and this is where the Executive Council would come in.

Good governance is about effective government; efficient operations; transforming the very way that business is being conducted; having the right systems in place to achieve Government's objectives; the right structures and the right people; the right equipment; the right regulations; proper controls. All these things are what constitute and would help to ensure that we have good governance in our country.

We on this side are saying put local government right, now. We want to see that the local government system is put right, correct, right now. We are saying do not interrupt the reform process; put the necessary measures in place, so that we can allow the country to have the best possible local government arrangement. Put these things in place before we consider going into local government elections.

Mr. Speaker, it would be a sad mistake for us to consider going into local government elections and then coming back to try and complete local government reform; that is starting from the wrong end, and that kind of arrangement will only be fraught with problems, more problems and more confusion, and that in itself is a strategy for not implementing reform in Trinidad.

I strongly endorse the recommendation of the Minister of Local Government. I ask those on the other side to support us in ensuring that the Local Government Bill, 2009 is passed and implemented and the Municipal Corporations (Amdt.) Bill, 2009 is implemented.

I thank you.

Mr. Jack Warner (*Chaguanas West*): Thank you, Mr. Speaker. See how the applause on this side does not discriminate. [*Crosstalk*] I have a serious problem that we have come here today to talk about reform of local government and also about the Municipal Corporations (Amdt.) Bill, which extends or is intended to extend the life of local government for 12 months. We spent almost all our time talking about the reforms, which we already agree shall form the basis of a Joint Select Committee.

4.15 p.m.

Mr. Speaker, what the public wants to know is why are we giving councillors 12 more months? Where is the disconnect? Far too often we come here and we do not do the people's business. The people are concerned and they want to know why we are giving councillors 12 more months, and we come here to talk about reforms and to skirt the issue of the Municipal Corporations (Amdt.) Bill.

I will spend more of my time today in talking about this amendment Bill, in talking about why the Government should not extend councillors by 12 months, in talking about the threat to democracy and en passant, I will talk about the reforms, because the reforms are going before a Joint Select Committee. Before I say that, I just want to make two or three quick corrections on some things which I have heard from the last few speakers.

The Member for Barataria/San Juan and Minister of Tourism boastfully said the PNM was not afraid of elections.

Mr. Imbert: That is true.

Mr. J. Warner: That is not the issue! That was never the issue, Mr. Speaker. The issue really is denying the people the right to vote. [*Desk thumping*] The issue is not about elections, "who win, who lose", so be it!

If we on this side conduct our business to lose then so be it. But the issue is to deny the people the right to vote. The right to vote is sacrosanct. It is sacred. Many communities and many countries the world over have suffered for the right to vote and we have come here this afternoon to trivialize it and to talk about reforms when we know it is going to go before a joint select committee. Who is fooling whom?

Whether we speak about the right to vote, whether in local election, general election, club election, [*Interruption*] yes, and even party election—UNC is that as well and I make no apologies for that—it is fundamental. [*Laughter*] And whatever consequences flow from the right to vote so be it. [*Crosstalk and laughter*]

Mr. Speaker: Order!

Mr. J. Warner: I want to also say that I heard the last speaker talking about contractors in the '70s and what happened to them in Sangre Grande, Toco and so on. Even up to today they have contractors doing the same thing and worse.

Mr. Speaker, I have 41 questions here—which tomorrow I am going to ask the Minister of Works and Transport—dealing with two planks that are at Piarco

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Airport for more than three years, dealing with a system in Piarco where there is a permanent arrangement—

Mr. Imbert: Ask me now.

Mr. J. Warner: I want to ask him about the EMA. I want to ask him how he could give the same contractor all the work in this country. All the work!

Mr. Imbert: Who is that? Ask me now!

Mr. J. Warner: Tomorrow. How I could ask you it now, tomorrow. Wait "nah".

Mr. Imbert: I want you to ask me it now.

Mr. J. Warner: No, I do not want to ask you it now. Your boss says, "hungry dog eat raw meat".

There are questions, because these contractors that he spoke about, I am saying, even today they exist. The point is—[*Interruption*—you know, I always know that out of nothing, nothing comes so I do not have to go and worry, *ex nihil, nihil fit.* [*Laughter*]

Mr. Speaker, we spent some \$500 million for the east-west ramp at the airport, [*Inaudible*] contractors, it has not been used. It has not been used and therefore I am saying to you, when I ask these questions and get answers, I hope I am in the House when the answers come, because if not, you know nobody would ask for me.

Hon. Member: Except—

Mr. J. Warner: Except of course, my two colleagues here. So, I hope I am in the House when the answers come for these questions. Forty-one of them and they concern one contractor who has been given all of the work in this country. All!

Mr. Imbert: Who is that?

Mr. J. Warner: Who is that? When I tell you all about Euric Bobb, "all yuh say it eh true and all yuh dance. I will tell all yuh tomorrow." That is the point I want to make.

The third point I want to make—I have heard from this side, it has been said that the PNM wants to postpone the election to divide the UNC.

Hon. Member: They did that already.

Mr. J. Warner: I want to make the point and I have read that same thing in today's *Express* by the Mayor of Chaguanas. I did not want to dignify what the

Mayor said today in the *Express*, [*Interruption*] but since it was said here, I want to say that if people are denied the right to vote then that divides them.

Hon. Member: Even in internal elections.

Mr. J. Warner: That is correct. If people are denied the right to vote the people are divided and I am saying if you have to have division let it be in the party and not amongst the people. That is my issue!

I do not believe that the PNM is so intelligent as to postpone the election so as to divide the UNC. They are not so intelligent. [*Interruption*] I would not say much more, and therefore I disagree with that. [*Interruption*]

Let me therefore spend some time talking about the Bill to amend the Municipal Corporations Act, the Bill which is designed—Madam Minister—to deny the people the right to vote. That is important and the reform that we shall discuss later. Let me tell you very early that reform is very necessary. I accept this. It is very relevant and it must be done. We must effectively deal with what is sometimes perceived as poor quality or unqualified elected representatives, shortage, unskilled staff, lack of accountability, no public participation and disregard for public procurement policies. You have to deal with that.

I was in Johannesburg and I read where you were amazed and alarmed at the procurement policies of Chaguanas Borough Corporation and I tell you never again, but more about that later. So, we have to deal with that; we have to deal with the thin line that separates local and central government. That thin line which sometimes gives the impression that things are done twice—duplication—or things are not done at all. We have to deal with that in reforms.

Therefore, we have to correct these evils and therefore I do not want anybody to misunderstand me. Reform is necessary, but the public today wants to know why they have lost the right to vote? I am saying to you that though reform is necessary, it should never be used as a reason for extending the life of municipal corporations. Worse yet, for a fourth year. Reforms should never be used to double the life of a statutory body which has a term limit by law. By law they have a term limit and what this House has done is to double the term limit. That was never intended.

I am saying, therefore, that what we are seeing here today by this Municipal Corporations (Amdt.) Bill amounts to a scandalous attack on our democracy.

Mr. Maharaj SC: True! [*Desk thumping*]

Mr. J. Warner: This is a scandal on our democracy and that is what I want to

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talk about today. No reforms! You are attacking our democracy and it makes a mockery of the principles of open democracy and the freedoms entrenched in our Constitution.

Madam Minister, by this draft Bill that you have here, you have abused the law. This Bill has abused the law. The law gives you the right to extend the life of the corporation but that does not mean to say that the law gives you the right to do it four times. One, two, three and four times! The law did not give you the right to do it four times and this is an abuse of the law. The law gives you the right for an extension—and I am sure when the framers drafted the law they thought that an extension would occur if there was some emergency, but we have no emergency, what we have is an emerging dictatorship. [*Laughter*] That is what we have. [*Desk thumping*] Not an emergency! You cannot postpone an election because of your own legislative incompetence. You cannot postpone and should not postpone an election because of Government incompetence.

Yesterday, the Member for Mayaro invited me to his constituency to see some problems of the constituents there. I went with him yesterday in Rio Claro, in Mayaro, in Poole and so on. When I went with him throughout the community yesterday and I said to them, "I couldn't stay longer because I had to go to prepare for this debate today." They said, "Jack Warner, why you and Gypsy fooling yourselves for? Jack Warner, wha happen to two of all yuh? Papa Manning control central government, mama Manning control local government, together they both control all government, wha happen to all yuh? Wha all yuh talking about? Whey all yuh going? The 'Ayes' have it."

In Mayaro that is what they told us yesterday. [*Interruption*] "Papa Manning, central government; mama Manning local government; whey all yuh going, Jack Warner?" Look him there and we had two "paimé" and we still left. [*Interruption*] Yes, we had two "paimé" and we left. Ask Gypsy. So, I am making the point that you cannot postpone an election because of your incompetence. You cannot! This is an abuse of process and it is troubling—[*Inaudible*] I am coming to that just now—and it is mind-boggling, it is an abuse.

In fact, today we read in the newspapers that the Senators in another place—the Independent ones at least—said that they would not vote on this contemptuous document. People are asking today, where are the political cutlasses that you spoke about at Eddie Hart Grounds. Where are these cutlasses? Why you gave the people the impression that you would give them the right to vote and then less than one month after that is denied to them. Where are the cutlasses? Do you want a file to sharpen them?

Today is a sad day for me indeed. Today we are coming here to look at this Bill to extend the life of the corporations, four times. Councillors elected in 2003 would be in office until 2010, seven years. Not one of us here could do that. We have to have a second election. They have seven years in office, you have five. And this is democracy? Worse yet, they give them seven years without the incumbents getting a single vote and some of them do not even need a vote. *[Laughter]* But I will come to that again just now.

Mr. Speaker, I am saying to you this afternoon, this is absurd, this is nonsense and to come here and talk and reforms and to gloss over this—*[Holds up document]* and do not talk about this, it is doubly absurd. How can we sit in office and allow guys to be councillors, mayors and aldermen for as long a period as the people who put them there? How can we do this?

Hon. Member: You can call “Suruj”.

Mr. J. Warner: I do not care about “Suruj”, you know. You could call “Suruj” about my problem, “Suruj” is his problem. *[Laughter]* How can we sit here and allow these guys twice as long to be in office—

Mr. Speaker: Yes, it is a good time to have some tea. The sitting of the House is suspended for tea and we will resume at 5.00 p.m.

4.30 p.m.: *Sitting suspended.*

5.00 p.m.: *Sitting resumed.*

[MADAM DEPUTY SPEAKER *in the Chair*]

Mr. J. Warner: Thank you, Madam Deputy Speaker, and my colleague from Tabaquite. When we took the break half an hour ago, I was talking about the lack of franchise. The fact that the tenure of office for the councillors has been doubled without them getting a single vote, I said that was absurd. I ask the question, how can one sit in office for twice as long a period, than what the people elected them for? I said it is puzzling and troubling. What this Government is doing, the PNM government, with this Bill, is taking away my right and the people's right to vote and I made the point, they also took away the right to chose. Many of the local representatives are tried and tested failures. *[Interruption]*

Mr. Dumas: *[Inaudible]*

Mr. J. Warner: I am not talking about Tobago, I am talking about Trinidad. So you stick in your quarters and let me stick in mine. Yet—*[Interruption]*

Mr. Imbert: Call names.

Mr. J. Warner: Go Tabaguite, go Chaguanas, go any way you want to see it. Go Tabaguite—I am saying that they enjoy office without facing the people. What the PNM government has done and is doing, you have emasculated the franchise, which our forefathers took so long struggling for. Our forefathers fought for the franchise, and “abracadabra” overnight you have emasculated the franchise. Section 4(e) and (i) of the Constitution says and I quote:

“4. It is hereby recognized and declared that in Trinidad and...Tobago there have existed and shall continue to exist, without ...discrimination by reason of race, origin, colour, religion or sex, the...following fundamental human rights and freedoms, namely...

(e) the right to join political parties and to express political views;”

Mr. Imbert: I beg to move.

Mr. Warner: “(i) freedom of thought and expression.”

So what the Government has done or is doing, is to take away one's right to express one's political views through the ballot paper. With this Bill, one has been denied the right to express his or her views through the ballot paper, and secondly, this Government, with this Bill, has taken away one's right to expression by going to put an X next to the political party he or she supports. Therefore, what you have done with this Bill, you have interfered with the constitutional rights of the people, the citizens, and it makes this amendment illegal and unconstitutional.

The people must have the right to access their new representatives at local government. They must call on them on their performance and their failure, but that has now been taken away. So councillors are now in office for a term of office longer than we who are here in the House of Representatives. Madam Deputy Speaker, that is ridiculous.

Mr. Imbert: [*Inaudible*]

Mr. J. Warner: You will not get me off this afternoon. Not at all! I am saying that this is not good governance. In fact, this is governance at its very worst. On a scale of one to 10, this Bill gets minus two. One hopes—in fact, I should not put it this way. Well, I will say it— that this is not some kind of dress rehearsal for things to come. What next? Postpone the sittings of this House? What next? Postpone the annual budget? What next? Postpone general elections? Since this Government has been in office, the question that is always on everyone's mind is, what next? They will call you the “what next Government”.

Madam Deputy Speaker, I want to ask the other side to look at today's editorial in the *Guardian*—I will come to it a little later—and see what they have said. I did not write it. I wish I did. I come to my next point about referendum. Municipal corporations are enablers. They enabled central government to get its philosophy known, and practice. They put things in effect. They are service providers. Municipal corporations are responsible for such services as secondary roads, drains and municipal infrastructure, public health and sanitation services, municipal building and development control community services and facilities. Also, daily paid employment and the tendering from municipal projects.

By this extension, what they have denied us is the right to go to the public in an election campaign and to ask the public, why the Tunapuna Corporation spent \$2 million or more on a toilet in Curepe Junction, where you have to pay \$5 to go inside and they have two rooms? Two million dollars and they have to tell them so. [*Interruption*]

Hon. Manning: This is why we are here to change it.

Mr. J. Warner: Given the importance of the municipal corporations in providing these essential services, we must keep them well oiled and working. But, you cannot extend the lives of bodies that are over seven years old. As such, therefore, I am saying this Government should seek a national referendum on this matter. Go to the people; join the caravan for change on Wednesday. Go to the people and seek a national referendum on this, and if you come on Wednesday, you come for free. Take this issue to the people I am saying and see if the people support it. I am saying that they should call the local government election now. If they do not, they will not have any idea about the popular vote or what the people think about them.

Madam Deputy Speaker, last week Thursday or thereabouts, there was a rumour in the country that the Prime Minister was in Guyana and he had collapsed, and that he was being rushed to Cuba. That was the rumour. Cars passed honking their horns and waving and so on, and we were in grief. It was wrong, but they were happy. I did not spread the rumour. If I had spread the rumour, it would have been worse. When the Minister of Information, hon. Parsanlal announced that it was not true, if you hear steups. People are angry; they are vexed. What I am saying therefore, if you are popular, go to the people. But I will tell you this, Michael Jackson died last week and if this Bill is passed, democracy would have died this week.

You cannot deny people the right to vote. You could say what you want. I am saying today, do not call off the election on the basis of this reform package. On

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this package you call off the election? In England, the Government passed a White Paper on October 26, 2006 and it took one year for them, of course, to analyze, evaluate and so on, but the election was not postponed. They still moved the Mayor of London and put a new mayor, Borris or whatever his name is. It was not postponed. Furthermore—and this is for the Minister particularly—they say here in England, the current arrangement of local government is not the result of a single comprehensive policy, but a range of incremental measures which have their origins in the municipal reform of the 19th Century, and they go on and on and on. This package cannot be and will never be the be all and end all, but it has to be incremental and a range of measures—[*Interruption*]

Hon. Manning: If you read it, you will see that.

Mr. J. Warner: Do you want to help me? Go ahead.

Hon. Manning: That is implemental and if you read it, you will see that this is the foundation to build on. As a matter of fact, we started with the Municipal Act of 1990 and we are building. That is why I read out some of the history we are following through. So it is implemental.

Mr. J. Warner: Madam Minister, if it is, I will be the first to apologize. But if you gave me this at 7.30 p.m. on Friday and asked me to debate it, of course on Monday, I could not have read it. That is why I said to you that the joint select committee will do the functions for us. Because believe you, me, between this Bill on Friday at 7.30 p.m., and Gypsy over the weekend, I could not read it.

Hon. Manning: Madam Deputy Speaker, it is so much work. It is five years work in this document. You cannot get it in one and that is why we recommended that we go to a joint select committee like what we have been doing with the population. We will encourage the Parliament to sit with us as the population sat with us and let us work it through. That is what we wanted to do. [*Desk thumping*]

Mr. J. Warner: Very commendable. I wish you every success. [*Interruption*] Not yet, not yet. [*Laughter*] I get the impression that this is a Government by vaps, by inaction. So Friday at 7.30 p.m., come Monday 1.30 p.m., to discuss the reforms and to discuss of course, this amendment Bill. Government by vaps, by inaction.

Madam Deputy Speaker, it is this same inaction which has us today, having so many positions in Government unfilled. So for example, the DPP post, Carla Antoine, acting in action, Government by inaction, acting; the Commissioner of Police, James Philbert post, acting; the Solicitor General, Carol Hernandez post, acting the Chief Parliamentary Counsel, the person who has to do the drafting of

the Bills and so on, the post, vacant; Integrity Commission, all the members, vacant, and we can go on and on and on. Therefore, I am saying that this is a sad day for us and we should therefore, go to the polls to test the confidence of people on this Bill.

Instead of extending the life of this Bill or of these corporations so to speak, I think that there are other important matters that the Government should be dealing with. I want to say that there are two critical matters which the Government should be dealing with and for me which they have not, and I would like the Minister to advise me—I will give way—if those two measures are included in the reforms.

5.15 p.m.

The first measure is that we need a constitutional authority as the Tobago House of Assembly; the local bodies in Trinidad are established by the Municipal Corporations Act of 1990. There exists no constitutional provision which guarantees or safeguards their existence, none. There are no guarantees or safeguards, therefore, the municipal corporation bodies can be abolished by a simple majority in Parliament. That is right! Correct that, and I hope the reform deals with that.

Secondly, Madam Deputy Speaker, there needs to be a greater level of protection, in other words, in the same way our Constitution speaks about qualifications for Members of Parliament, we of course, should include in the Constitution a section dealing with those persons who are fit for local government. If the reform has those two measures, I commend you, but the fact is, they do not, and therefore for me, the mechanism falls short. [*Interruption*]

I hear someone on the other side saying, “I beg to move” and I repeat, you cannot of course force knowledge on people and if they do not want to listen and learn, so be it. But I am making the point that this is what should be done in this Bill.

So when, therefore, we have entrenched in the Constitution these two measures, you cannot come in a very flippant and frivolous way and call off an election. Do you think they can call off the Tobago House of Assembly election so flippantly, Member for Tobago East? They cannot do that because it is built into the Constitution and, therefore, they must do the same thing for the municipal corporations in Trinidad so that nobody can come here and flippantly dismiss them.

Madam Deputy Speaker, when the Minister was speaking, she said among the reforms is to extend the Borough of Port of Spain, to extend the Borough of

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Arima into Wallerfield, and to extend the Borough of Point Fortin into La Brea and so forth. When she was speaking, I asked myself, if they cannot take care of the existing borough as it is at the moment, how can you do it when you extend it? You cannot take care of it as it is, you want to extend it and make it bigger? Something is wrong here, and, therefore, if you can tell me when you are answering, I will be happy.

Madam Deputy Speaker, I want to raise just three or four more issues as they relate to the reforms. I believe that there are two reasons why the Government does not want election and opts for reforms. For me, one of the first reasons it does not want to have a by-election this year, is the fact that it is hosting the Commonwealth Heads of Government Meeting in November, and for them, an election will be a distraction, and the second point is that I do not believe they are finished tinkering with local government. I believe they have some tinkering to do still and, therefore, it is against that basis I cannot understand how the Minister of Local Government can talk about the provisions and how they will make people's life better when the fact is, that the reforms are designed to take local government away from the councillors and give it of course, to central government. I cannot understand it.

The current system, I admit is imperfect and the Member for Barataria/San Juan gave some examples why the system is imperfect. I have no problem with this. It is imperfect, but the fact is, I do not think the reforms will address the imperfections in the system, and I do not want to go into details as I said because the joint select committee will see about that. The point I am making to you is that you cannot or should not use the reforms as a reason, a *raison d'être*, so to speak, to deny the people the right to vote.

One of the changes, Madam Deputy Speaker, is that the Minister of Local Government has the authority to hire the chief executives and most senior personnel of the corporation and they will be on contract. That, Madam Deputy Speaker, raises two issues; the first case is what happens to those public servants who are not permanently employed in the local government system? And the second point is that the transparency and the independence of the new system remain in a cloud. And, therefore, it seems to me that those are areas you have to address in your reply. Because if a Cabinet Minister—and it does not have to be you, but someone who will be here after you, like "Gypsy"—can hand out contracts to employees, then the unwritten expectation is that the contractor is going to have to do the Minister's bidding and, therefore, I would like to ask you to address that in your reply.

When I was a student in primary school, they used to have a poem, I just changed a few words, but the lyrics almost remain the same. It goes this way; not a drum was heard, not a funeral note, as the corpse to our grave be hurried. It goes further and it says: And I put in these words; Manning to the right of them, Manning to the left of them as our hopes for democracy they plunder.

I say this to you, not of course to offend you, but to tell you that the people in this country are hurting, they do not believe anybody listens to them anymore, they do not believe that people are concerned about them anymore. We come here today and talk about reforms and have not tackled the issue of the people's right to vote. The guy in Felicity, Ashraf Road and Frederick Settlement it does not do this.

Madam Deputy Speaker, the reform does not give us hope. It is 12 months ago I asked the hon. Minister to give me a jogging track in La Paille ground, 12 months for a jogging track and I have not gotten it. Madam Deputy Speaker, there was dengue in Frederick Settlement, I asked the Minister of Health to give me 50 concrete inverts, I said I will buy 100, he called Pat Mejias from the Corporation and told her to give me 50, I have not received them yet. So I say I will buy my own and put the drains for the people, I was told that I cannot touch the Government's property. The drains belong to the Government. "Yuh think it easy?" People are hurting.

Madam Deputy Speaker, there is a ground in La Paille which has not been cut for 10 years, so I cut the ground and during the month I cut six grounds in the constituency. Would that improve? Will the reform improve that?

Hon. Manning: Yes, because they are right there in your area.

Mr. J. Warner: Madam, I just want to say to you today, and I want to give the Leader of Government Business his joy and pleasure. I want to conclude by saying that for me, this whole issue today is a travesty of the people's hopes and aspirations to participate in government.

Madam Minister, I want to say to you today that it is a paradox of our time that never before have so many persons hungered for democracy and never before have so many persons been denied by this Bill. Therefore, I ask you this afternoon in your wisdom to review this Bill and give the people the right to vote. At the end of the day, voting is fundamental whether it is a club or a political party, it is fundamental and we should in no way deny members of that right.

In conclusion therefore, having said so, let me commend you for having taken all this time and energy to bring this reform forward which I have not studied, but

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which the joint select committee will, and hopefully when we come here, we shall find the best system that will deal with the problems raised by the last speaker. But at the end of the day, these reforms must help us, you and us on this side to remove those elected representatives who, of course, have absolutely no role to play in the development of this country. If we do that together, hand in hand, you will have me on your side.

Thank you.

The Minister of Labour and Small and Micro Enterprise Development (Hon. Rennie Dumas): Madam Deputy Speaker, I know I have been warned by the Member for Chaguanas West to stay out of Trinidad business and stay in my corner, but he cannot mean that because I think he knows that there is a level of interdependency between Chaguanas and Charlotteville that he would not want to deny. And, therefore, in that context, I would take the opportunity to comment quite briefly on a number of things that were said.

Madam Deputy Speaker, I will start with the argument just about where the Member left off, and in developing his argument, the Member posited that the question that we are about today is a breach of our legal system that “It is a breach of our understanding of democracy and how it works,” and I just want to make the point because he went on to link it to the place in the Constitution.

I just want to remind the Member that we came into the Parliament 16 months or so ago on an agreement that this Parliament will together make laws for the best governance for Trinidad and Tobago. And section 39 of the Constitution lays out those responsibilities in quite a relatively short sentence given the length of speech that we have in making our laws. And it lays the responsibility for making law for good government on the Parliament and, therefore, once the Parliament agrees that this is best, there is no violation of the legal system of Trinidad and Tobago, there is no violation of the Constitution.

Part II, paragraph 53 lays out the question of the powers to make laws and section 54(1) tells us what our responsibilities are even if you are going to alter the Constitution. So I want to make the point that nothing that is happening today is in violation of the laws of Trinidad and Tobago. It is in fact one institution created by the Constitution playing its part in making laws.

5.30 p.m.

But you see, he raises this bogeyman of a dictator. You know, that is always the thing. If you do this, then you are a dictator. I want to suggest that there can be

no valid accusation that this administration has anything to do with dictatorship when the measures that we are treating with today arose out of consultations that are about the widest we have ever had in this country; the longest we have had in this country, that gave every single person an opportunity to discuss them and, in fact, have come to the Parliament today. The Government has said, we brought the measure in the Local Government Bill to the Parliament to give the Opposition a clear opportunity to continue that discussion and create the law, as it were, finalize the law with us at the joint select committee.

So I want to suggest to the Member for Chaguanas West, there can be no validity in his argument of a dictatorship. It does not stand up. We are saying that this is a caravan—not the caravan that they have monkeyed around the country in trying to create, what some people would say, some pressure on this matter of the vote. Because, you see, it seems as though this debate has a number of issues, but the relevant issue, the issue that the Government has brought to the Parliament, is not really the issue. The issue that arises for the Opposition is exactly how they marshal themselves to make a contribution to public policy and public law in Trinidad and Tobago rather than, maybe the little bit of tete á tete they have.

I thank the Member for identifying that maybe one of the conversations that could occur is exactly how local government fits into the Constitution, because there is a correctness in saying that the local government reform we have now is a continuance of the development of the governance system for Trinidad and Tobago and it, in fact, treats with the question of how we deepen the democracy in Trinidad and Tobago as we reach for the kind of country we want that we best define as the 2020 vision in terms of the governance of Trinidad and Tobago, and there is a consideration that must arise and which should be properly put in the joint select committee as to whether we want to, since the local government system as a creature of the Constitution; whether we want to place it in there and what are the dimensions that we could have in there.

We may have a similar one line; one sentence that we have in paragraph 39 saying that: “There shall be a Parliament and these shall be the things the Parliament can do.” As there is a statement of the Tobago House of Assembly, they may want to have a statement of the local government. But that question does not arise now. That question is one that you can possibly put and possibly carry into the joint select committee. I think that is where the problem may arise, because there is an urgency for this question of the vote and the question that may well arise—you know, one of the first speeches that the Member for Chaguanas West made in this House—I do not know if he would remember it, but he made

the point to us that our work must be relevant; that we must not waste time; that we must make sure that the legislative agenda is, in fact, a continuation of the public policy agenda and we should all know what it is and where we are going.

I want to suggest to you, this is one time the Government of Trinidad and Tobago is fulfilling all your dreams, but I think your dreams have diverged from when you came here. Because you see, when you came in, you came in with a lot of heat, with all your partners on both shoulders, having been a leader in what you thought was one of the most competent teams, only to find out that you have plenty feet of clay on your side and I could understand the problems you have. But those problems cannot be answered this evening.

It would be a waste for us to go to election without the changes. We have said it. We have gone up and down the country. It was said to us in different ways. You, yourself, were making a set of evaluations of the personnel in the system and you were saying to us—and you called some names; you said Tabaquite—you did not mean the Member for Tabaquite; you meant the local government practitioners in that area; you meant the local government practitioners in the other place.

Mr. Sharma: What did the MORI poll say?

Hon. R. Dumas: You know, the Member for Fyzabad wants me to do his homework for him. Do you know what it says? It says that the local government system has a number of problems: One, more that 60 per cent of the population does not know the local government representatives. It says that 69 per cent of the population does not believe they are getting value for money.

Mr. Sharma: What it says about the PNM?

Hon. R. Dumas: It says it is the greatest Government this country has ever seen. [*Desk thumping*] It is quite clear to all observers, professionals brought in, the population in the various councils, the general population, it says that the system is not delivering and that the country does not believe that the system is delivering, but it does say that the people trust the system of governance to recreate the desirable local government system. The people agree that there is an opportunity to do this and whether it was through the consultations or the surveys or whatever we had, the people of Trinidad and Tobago thought that we can build a system which could deliver the kind of benefits which we all desire.

We are saying to you, today we are at the place in which we have an explicit statement in terms of the Draft White Paper. This is a statement of policy. We have an explicit set of philosophies that we have drawn together; we have explicit

provisions in the Bill that speak to delivering on a performance-based system that we can say is the first one devised by us for us to manage our communities, to treat with the whole issue of sustainable development of our communities, to speak to the interdependence of our various communities; to speak to the question of developing cities in such a way that the hinterlands behind them have a real unity with them and have the possibility of maintaining these regions as we have them.

We have a reality that we are speaking to governance systems for local government that have a chance at success. It speaks to the question that here you have the local government body constituting a council that could be deliberative, that can treat with management of the people who are engaging it; that could manage the leadership of that community; that can lead to the election of an individual who they could define as their leader.

Then it says that this person who comes up by a democratic vote can, in fact, identify his co-partners. You know, it was almost ironic to hear the Member for Couva North say on what authority will he select his deputy. That is the system we have grown up in. That is the system we have all been exercising.

Mr. Sharma: Except in the House.

Hon. R. Dumas: The Member for Couva North appointed you.

Mr. Sharma: How is the Deputy Speaker appointed?

Hon. R. Dumas: Elected by us.

Mr. Sharma: Exactly.

Hon. R. Dumas: But we do not have to follow that.

Mr. Sharma: So.

Hon. R. Dumas: Why we have to follow that?

Mr. Sharma: That is the Westminster system.

Hon. R. Dumas: We say we do not agree with it. So why do we have to agree? We are suggesting to you that there is a difference between—and maybe, Member of Fyzabad, if you do not understand it, let us take the time. Sorry, sorry.

Mr. Sharma: Go right ahead, “nah man”; is comedy hour.

Hon. R. Dumas: We are speaking of an executive; we are not speaking of the chairmanship of the deliberative council, you know; we are speaking of the deputy of the executive council and, therefore, that deputy in the executive

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council is the second person to be leader of that executive. Then, of course, there must be somebody he trusts. Having been elected, he appoints somebody he trusts and having been elected, he appoints the people with the supposed competence to carry out those responsibilities that are in the secretariat. Nothing could be clearer. Nothing could be simpler. It is where our rules of governance could coincide with our rules of representation.

Mr. Sharma: So you agree the Speaker should select his deputy?

Hon. R. Dumas: Once again, he is clearly out of the water. We are making a distinction between the executive council and the deliberative chamber and you could choose how you want to choose. What we are suggesting is that we are not seeking a presiding officer, we are seeking an executive leader. That is an incidental option.

We are on the pathway of building a system that emerged out of consensus in the national community.

Mr. Sharma: The THA is different?

Hon. R. Dumas: One day when you understand Tobago, you would be able to comment on Tobago.

The THA is a model in this great experiment, if you wish, again it has emerged over time. One of the things we are clear about is that the system of governance in Tobago generated the greatest level of satisfaction you had over any local government system in Trinidad and Tobago. That is the reality. Therefore, the people said to you what they wanted the local government bodies to do and what they thought they were capable of doing. So out of that conversation came some clear suggestions about roles and responsibilities. Then we said that maybe local capacity cannot fix roads; local capacity cannot fix major drainage systems and there was an argument for greater efficiency where greater knowledge and greater expenditures are expected.

When you want to build, you want to treat with a watershed and management of a watershed, at the watershed crosses, the boundaries of the watershed are much larger than the boundaries of the local government system. You need to be able to collect the water, manage the water, run the drainage systems and, in turn, bridge and build over them with a complexity of infrastructure that no single one of the local government systems can deliver. Therefore it makes sense to create a unity in terms of creating measures and processes that are best able to bring satisfaction and efficiency in the system. [*Desk thumping*] That is what we are talking about.

Mr. Sharma: THA doing it.

Hon. R. Dumas: THA sees about the whole island.

Mr. Sharma: What is your point? THA is doing it.

Hon. R. Dumas: Madam Deputy Speaker, it requires an education in geography; it requires some understanding of engineering and it requires some understanding of how law is made to make the gentleman understand, and if he cannot combine all of them, I am sorry for him.

I want to suggest to you that you always do a cost benefit analysis. The cost of extending the life of the municipal corporations by a year is low because we are clear that you are not interfering with the concept of democracy; you are not interfering with the flow of authority and power. Do you know one of the things that we notice? And I will explain what I mean; I see you are looking quizzical. In this country, traditionally, we have had two groups facing each other in this Parliament and all the municipal organizations, all the people represented by the municipal organizations are represented in this Chamber. Therefore, the confidence, the needs, the drives, the hopes, the expressions, aspirations, of these people have been expressed in the voting for the 41 of us in this room.

5.45 p.m.

Mr. Warner: Thank you Member for Tobago East. If we carry your argument to its extent and completion, it could very well mean that we do not need the local government councillors because they are represented here and therefore, they become redundant. Am I correct?

Hon. R. Dumas: No. You are not correct because what I am suggesting is that a temporary abeyance of the exercise of that right is enclosed in all of us. If here the role as presently defined, we expect to change it, it can only be changed by Parliament. If Parliament is suggesting that at this point in time we have this massive change, this transformational process, therefore, laying in abeyance the vote, but leaving in place people who have been elected by them and the changed processes are in place and moving, being very visible, being exercised by this Chamber as we go to deliberations in the joint select committee in conjunction with central government and local government, with all your voices in this Parliament as vigilant as you are and as able as you are on the streets, then certainly, democracy is alive and dictatorship is a faint, very faint threat.

I suggest that we know that any threat of dictatorship is a bogeyman. It is not real. We are quite clear that democracy is alive and well in Trinidad and Tobago.

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There is no abuse of the law. We are treating with this matter in a way that is the best level, standards and quality of leadership that you can bring to it. We are suggesting that the only danger is that we could be too efficient. This party out of which this Government comes could be too efficient. That is the only danger because if we are able to bring this Bill and put the administration required into place—and the truth of what the Member for Chaguanas West is saying that most of the people in this country know that the people the UNC is likely to bring to governance or to attempt to run those corporations would be unable to run those corporations; the only place that you can find competent people is in the PNM—that level of efficiency would wipe out the UNC. That is the only danger. I know that the Member for Chaguanas West is hedging his bet. He is a good sport administrator following good strategy. He is running down the left wing but hoping for a pass backward. When he screams for the election, he is really saying that when the election comes that may be, "I'll be taking meh transfer fee." [Laughter] He is seeking to have us give him his transfer fee. Make him a free agent. I think that he would have to serve out his contract.

I heard a statement about the bureaucratic structures. I think that the Member was confusing a number of things. You cannot call a deliberative assembly that is being put in place as the council with the range of politics that would be available and the range of issues that could arise—The question of the creation of an executive inside a deliberative council being able to examine the people's concerns is a better funded, organized, resourced and structured organization as a bureaucracy it is not. It has the capacity to create committees to oversee each secretary. If you set up six executive agencies, you set up six executive capacities. Almost by definition you would have people shadowing those people. The deliberations, and questions that arise and the propositions from each elective area are going to create another forum inside each of these organizations.

When you take on board the whole question of what happens when an executive comes into place and that executive being Cabinet-like, it is not a bureaucracy because it is then charged with acting out its activities. That executive is full time and has responsibilities and accountability systems to the deliberative council. Therefore, taking all together, joining executive activity, deliberative activity with the open street politics does not lead to morbidity. It does not lead to the kind of stasis and death in a local government body that now emerges where nobody knows who voted for whom. Sixty-one per cent of the people do not even know their councillors. Some of them do not even remember

the councillor's name. They do not even know the representative for the region that they are in and so on. That is what you will remove when you make these things real, active and political. That is what is going to happen. We should credit the Minister with increasing the politics of this. [*Desk thumping*]

On the question of compelling, I know why the Member for Couva North would remember. One of the things that you have in the governance system like that is the possibility that unlike what the UNC was able to do—UNC was in power for six years and was able to allocate to Port of Spain, no dollars, not one single dollar to Port of Spain for the question of roads when the system was there for roads. Couva/Tabaquite/Talparo was given \$8.6 million one year. At one time Couva/Tabaquite/Talparo was the road-building corporation for all the other corporations. The records show it. They had no dollars for San Juan, Point Fortin and Diego Martin. That is real. It went on for five years. Nothing for Diego Martin, San Juan and Tunapuna/Piarco. [*Interruption*] That is true. The records show it. We had the road tax. Under the Member for Cumuto/Manzanilla that is what happened. That is the truth.

Worse than that, I am saying join that to the situation where the sum of \$24 million was spent and we could not find URP during the same time. People like to say URP and dis—We could not find the building, the organization or anything. We are saying that having examined those systems it requires that each local government body now has an individual in there with the authority to look for that, with a back-up committee and a deliberative council to whom they have to come. [*Interruption*] Your CEO was always superceding him. You see again, you do not know. You are talking what you do not know. You will have hopes but you do not know. I am not attempting to malign. I am trying to lay on the table what were the objective conditions, what the history says and how we move away from it.

We are saying that when we talk about the appointments you need to put a human resources system that treats with issues that arise. I think that the Member for Couva North raised the question of people coming to work 8 and leaving 10. Of course, that is not value for money. A daily-paid worker was working for \$56 maybe six or eight years ago. Today he is going home with nearly \$300 a day. [*Interruption*] I heard you talking a set of nonsense. You were only talking about numbers the other day. I did not take you on. You raised a question on numbers and people were getting paid and people are starving. You forget. I do not forget. When you do that you are able to say that that person is working effectively for \$150 a day.

The local government system cannot afford that and talk about efficiency. The question arises what system of accountability you will put in. The suggestion is a CEO. Let me tell you about the CEOs. We had the war. Do you know what happens with the war? Any time the council goes up against a CEO we stand up here and in the papers and say, "Yuh cyah do dat becuz yuh violating dis concept of de commission havin de right to interfere." Therefore, the council loses control of its professional officers as well as the daily-paid officers. The supervision system breaks down and the delivery goes out of whack. We are suggesting that to pull that back requires some substantial changes. Nobody wants to disenfranchise anybody. You certainly have to ask yourself: How do I do it right?

Dr. Gopeesingh: What do you propose about the CEO?

Hon. R. Dumas: Contracts. You cannot move a CEO because the CEO will tell you that his job is his right. You cannot move him. We are saying change the appointment system to allow you to move him. You will come here and ask the next Minister of Local Government why nothing is happening in "X" or "Y" corporation. He will have to give you the same answer. I know it is that person's problem but I cannot move the person. That is what our legal system has led us to. We have to go in the law and change it so that person would know that he is accountable to the six or seven persons who are hired by the rest of the population in the corporation.

The system of accountability and the review come in. The feedback to the regional corporation burgesses is there. Sorry, we have to treat with this thing. I heard somebody say what if you put your party hacks into the offices. I laugh. Somehow UNC does not have party hacks. Anybody who is hired or given a contract under the PNM is a party hack. UNC does not have that. UNC only have party people. I suggest that the system of employing people and giving contracts also needs review.

The Act says how people can be employed, how the contracts can be done and how they can be supervised. I suggest and the favourite whipping horses come up—URP, CEPEP and the Rural Development Company emerged simply because the organizations had fallen dead. The corporations were producing nothing. If we did not have URP and CEPEP maybe, all of us would be living in a mountain of filth. I think that people forget. Let me make this point here. I make this point with no value to it. It is just truth. I know about "catching" a plane, coming off the plane and driving into Port of Spain and the place stinks. You almost want to vomit when you breathe the air.

There are massive improvements. That massive improvement is CEPEP's improvement. That improvement is because you have taken hold of the system and made a change. I suggest let us make the change. The benefits are such [Interruption] It is not a bad word. It is a great word as long as the change is always for the better. This organization came into office on a vision that we are still rolling out. When we roll it out sometimes people get scared. We still have not changed. We are still talking about one pillar of the 2020 vision which is fixing the national government system and local government governance is one of those. The Tobago House of Assembly governance system will also come up for review.

Thank you. [Desk thumping]

6.00 p.m.

Mr. Subhas Panday (*Princes Town North*): Thank you, Madam Deputy Speaker. All this nonsense that has been stated by that Member is really a red herring to fool the population. I will show, during this debate, that this Bill is really “mamaguy” and has nothing or very little to add. It is a waste of time and money by this Government.

Before I go there, this first Bill to extend the life of local government is the greatest threat to our democracy. What happened to the Leader of the Opposition is that probably he has not been here long enough to remember the “skef” and scam of the PNM. I know you all better than he does. I know the scampishness of the PNM better than he does.

What is local government? It is exactly what it means—a government elected by the people at the local level. That forms a part of our democracy and this Government has been denying the people their democratic right to choose their councillors. We are saying that the PNM has been deliberately playing games with the public and this is the greatest travesty. [Interruption] You heard that already. You should feel ashamed. It is necessary to say it because this is not the first time that they have come here for an extension.

Tell me in which country in the world the local government has been postponed four times? Which country has been denied local government for such a long time? The Member for Barataria/San Juan talked about the length of time it took for local government election to take place in Denmark. He failed to say that the election continued during that time. You see the fallacy in his argument.

Mr. Ross: I do not think that is true. Denmark held their election in 2006.

Mr. S. Panday: I do not believe you. The question is why has the Government allowed this situation to fester up to this stage? In 2002, they indicated that they were taking a view to reform local government.

Hon. Manning: 2004.

Mr. S. Panday: No, in 2002. It formed a part of the election campaign. In 2004, you presented the Green Paper. It took about two years to be presented. This is a comprehensive document that went on to describe all the various areas you wanted to address—evaluation of the current system, legislative reform, human resource, productivity, method of financing; all that was included. Today, when you come before the Parliament and talk about setting up human resource as if it were something new you had just brought into the system, it is not so. *[Interruption]*

It is consistent. Thank you, Member for Diego Martin North/East. If it is, why did you wait so long to bring it? Why request four extensions without change? That is because you are consistently inconsistent. Infrastructure and public services, local government boundaries, unemployment, environment; if you check this Bill, it is exactly what was in the Green Paper.

There were extensive consultations on the Green Paper. The Prime Minister said that thousands of persons attended consultations. Local government election was due in 2006, so they came with the White Paper on Local Government Reform in 2006. It was brought by the Member for Diego Martin North/East. They fleshed out the Green Paper. They spoke about policy directives, policy objectives and they went on to discuss policy implementation performance, monitoring and evaluation. It is the same thing moving forward all the time. Why did you not move forward with the White Paper into legislation so that we could have election in 2006? *[Interruption]* Of course it was. It was in 2006.

Madam Deputy Speaker, one would have expected that the next stage was to have legislation. Had they brought legislation before this honourable House, then local government election could have been held on time. You will not say, because of your incompetence, that you wanted to extend the life of local government and deny the people their democratic right. The next stage they should have gone into was the White Paper. Lo and behold, that Member for Diego Martin North/East justified and praised this White Paper. One would have thought that the next step would have been back to—Lo and behold, the Prime Minister removed him from the Ministry and put Sen. the Hon. Hazel Manning as the Minister. Instead of that Minister moving forward with the White Paper, she went backwards to a Green Paper.

Hon. Manning: Could I explain? Thank you very much for giving way. The document said that when the consultant presented the information on the first White Paper, there was a wide area left out on rules and responsibilities. So we had to go back and get the information and add that to the document.

Mr. S. Panday: You are saying that he was incompetent. [*Desk thumping*] According to what you are saying, he left it out. In any event, what did you do? You took that little area out. Assuming you had to do it, that you wanted to go with the Green Paper on the rules and responsibilities of local government bodies, why did you take such a long time on consultation? Why did you not expedite it? It is only a small aspect of local government reform. Do not tell me you could not rush it. If you could not rush it and you were keeping back—you knew that you were incompetent and you could not rush it, why did you not call the local government election?

This Government sat under the pretext of local government reform and allowed a whole term to pass. They came every year and asked for an extension on the pretext of local government reform. If you knew that local government reform could not have been completed on time, why allow the local government election to go on? That is what we are asking and that is what the public is asking.

Further, after the full life of the council has gone, they have come here to this House to ask for another year and they talk about competence. Are you competent? You ask for four extensions for the life of local government—more than a term of the life of local government—and you say you want to get it right. After you have wasted so much time and money, you have not got it right as yet?

Mrs. Gopee-Scoon: What suggestion do you have?

Mr. S. Panday: I will come to it in a minute. I know you do not know the foolishness you have done.

We are saying, like the population, that the Government is trifling with the democracy of the people. Tonight, we are asking of our colleagues in the other place, on behalf of the population, not to support the extension for local government. We are asking the Independent Senators and the UNC Senators not to support this Bill because to support this would be a travesty and we would be giving the PNM an opportunity to embark on a course of dictatorship.

You cannot ask for a further extension at this stage. Shame should prevent you from asking for a fourth year postponement. We are asking those in the Senate, if

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you do not vote for this, you will be sending a message to the PNM that they cannot do as they like.

Here you may have the majority and may be able to outvote us, but if those people, as they have indicated, will not permit the PNM further to continue this undemocratic action, then you will be forced to act.

That is why we say, on the other Bill that you are sending to the joint select committee, the life of the council comes to an end on July 14. The law says that you have three months to call the election. If you send the second Bill to the joint select committee, you must give the committee a deadline to come back within three or four weeks. If so, then the Government will have sufficient time. If it comes out even 35 days prior to the 90 days we have, the Government will have sufficient time to call local government election.

6.15 p.m.

So, even at this late stage, we are not going to permit the PNM to continue in their ways. They come here and pontificate about local government reform. Imagine the hon. Minister said that the reform process was held up for a while. If I am not speaking the truth, please tell me. Why was it held up for a while? It was because of the summit. You are denying the people the right to exercise their democratic right.

Hon. Manning: Madam Deputy Speaker, I never said that. I do not know where that came from.

Mr. S. Panday: Is it the first time you are denying this?

Hon. Manning: I never said that.

Mr. S. Panday: Madam Deputy Speaker, I am going to find where the Minister indicated—

Mr. Imbert: Hurry up!

Mr. S. Panday: That is the way you intend to deal with the people. That is the way you have been treating the electorate. Hurry up! Shut up! You are telling the electorate to “shut up, you cannot vote and you cannot do us anything”. That is the arrogance of the PNM undemocratic way.

Madam Deputy Speaker, whenever they come for an extension of time, they will say that they want nine months to complete it. In 2006, they came and said that the reform process will be completed in a very short time. [*Interruption*]

Miss Panday: Mind your business! This is national business.

Mr. S. Panday: Madam Deputy Speaker, did the hon. Minister not say that the Bill would have been in the House by the end of May and in time for it to be debated? If they had brought the Bill at the end of May, we would have had sufficient time for it to go to a joint select committee before the term of local government expires.

Hon. Manning: In my presentation, I said that we were not able to make it, because we had to collaborate with many agencies. We were speaking to a number Ministries like the Ministry of Works and Transport, the Ministry of National Security and the Ministry of Social Development, et cetera and it took us some time to get it and, therefore, we did not get it in time.

Mr. S. Panday: So, you were not competent to get it in time. Did you not say that local government election will be coming and there will be no further extension of the life of the regional corporations?

Madam Deputy Speaker, I quote now from the *Newsday* dated May 27, 2009.

Hon. Manning: Check the *Hansard*!

Mr. S. Panday: You said that local government election is coming and there will be no further extension of the life of local government and city corporations. It says that Local Government Minister Hazel Manning hinted yesterday that the local government reform legislation will be laid in Parliament in June.

You said that there will be no request for an extension of time. What did the Prime Minister say at the Eddie Hart Grounds? Did he not whet the people's appetite and say that local government election will be on time? He also said in the Parliament that there will be no extension in the life of local government. The PNM has been saying that all the time. He said that as soon as the reform legislation process is passed in Parliament, local government election which is constitutionally due by July 12, 2009 will be held. Did he not go to the Eddie Hart Grounds and say that he had the date and he is going to pull it out? So, why are you coming here today to ask for an extension at this time?

As a matter of fact, on June 01, 2007 there is a headline by Leiselle Maraj in the *Newsday* and it says:

“Put your house in order

‘Make sure and put your house in order!’ Prime Minister Patrick Manning yesterday cautioned the Opposition UNC while hinting that local government elections may be close at hand.

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Manning went as far as to reach into his back pockets..."

I do not know what he thinks he has in there.

"but did not pull out the date for the local elections, teasing supporters at the PNM Sports and Family Day at the Eddie Hart Grounds in Tacarigua."

He went on with his bravado and wajang-type behaviour and said:

"'They are all calling for elections. They should be careful what they wish for.' he said before rummaging through his pocket."

So, there is really no need to ask for an extension, because as you said, all the consultations have taken place and it is for the Bill to go to the committee stage. Why do you want an extension for a year? Why do you want to deny the people the opportunity to exercise their democracy? You have no excuse.

Madam Deputy Speaker, we are asking the Government today to withdraw the Bill to extend the life of local government election and with respect to the other Bill, we are willing to go to the joint select committee and work as fast as we can and as diligent as we can to come out in two or three weeks' time so that election can be held. We are willing to assist so that the legislation could be passed as soon as possible. There is no need for any extension of time. Hon. Minister, what do you have to say about that?

What is the true motive for the postponement? Many people are saying—do you remember what happened in Tobago earlier this year?—that the Government needs time. Madam Deputy Speaker, it is also felt that the Government thinks that it is so unpopular at this time, especially as it relates to crime, so they want to wait. They want to stretch it out and then the Prime Minister will jump on a platform and say: "They are talking about crime and crime has gone down and they have nothing to say now." They are playing politics to get an adjournment.

The more frightening aspect of this is that having regard to the function of the Executive Council—under this Bill they are going to take away the infrastructural works of the regional corporations and roads will go to the Roads Authority and PSL will do the infrastructure which was done by local government. They are hoping to put the election in 2010. If they are pressured in 2010, then they will bring the election. If you give them a chance, they will go on to 2011 or 2012 and hold general election.

Assuming that they will hold election in 2010, they will have a transitional period, and they will give the workers a sort of comfort that they will be taken

care of, and the moment the 2012 election comes around, they are going to fire people left, right and centre.

Hon. Member: Which clause are you on?

Mr. S. Panday: You all are laughing; you all are dangerous; you all are sly and you all have no credibility. People cannot trust you all. We are merely putting the population on guard that this undemocratic process which you are embarking upon today is to destroy workers, the employees of the regional corporations.

If the Minister looks at section 112 of the Municipal Corporations Act of 1990, they could use the funds for the laying and repairing of drains, lighting streets, footways, squares and other public places vested in the corporation.

It goes on to say that in the case of the City of Port of Spain, the maintenance of pitch walks, rails, benches around the Queen's Park Savannah, management of markets, slaughter houses, parks, pastures, recreation grounds and the maintenance of property and matters incidental to public health; the Public Health Ordinance.

In section 112, the corporation fund could also be used for the libraries and other public institutions, any public institution situated in the municipality, direction and maintenance of monuments and improvement of the municipality. All these are functions they perform now. When one looks at the new Bill, all those functions have been taken away. Who will be given those jobs? It will be the special purpose companies. Who are these special purpose companies accountable to? They are accountable to the Minister, and the Minister will tell them where they should go and do the work, and the corporation will have no say, because the corporation will just be monitoring.

They are eating well and they are happy. They are eating fat, but we are saying that in 2012 or 2013 for the latest, you all will be destroying the lives of the poor people; the workers of the corporation. That is why you ought to let the people know why at this time you are denying them their democratic right.

6.30 p.m.

Under section 23(2), the provision, maintenance and control of all public corporations, home for the aged, child care centres. Who would be taking up those now?

Hon. Manning: Social Development.

Mr. S. Panday: You see, Social Development. What about the workers of the regional corporation, when you take that work away from them? [*Interruption*]

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Tell us what work you would give them? Now, you have another authority taking over the construction and maintenance of all drains and watercourses. [Interruption] They are doing that now. [Interruption] Yes, but the law gives them the power. You are going to take away that power and give it to your friends. Those special purpose companies are the most corrupted organization you have. There is no procurement process.

When the Prime Minister said, some time ago, that they are going to create small businessmen; those small businessmen were PNM hacks. He spoke about UNC people; PNM hacks. The process that takes place now in those special purpose companies is that you have to be a PNM to get a contract. The people who get those contracts to build drains and things, do not know the difference between a wheelbarrow and a spade. They give them lucrative contracts.

For example, in Cumuto, they build 100 metres of drain at the cost of \$1.2 million. [Interruption] Hold on, hold on. No, what we are saying is, this is the way the special purpose companies are working and you would never give us the undertaking that when the Bill is passed, that these companies would be disbanded. They would be competing and they would be usurping the function of regional corporations. I will tell you how the corruption takes place in those special purpose companies. They pay them lucratively; they give them plenty money for very small contracts. You know what they do? They then subcontract to somebody and cream; another PNM, they subcontract and they cream again. At the end of the day, the person who gets the final subcontract is being paid such small sums that the work is of an inferior quality.

So, all the work which is being done by the special purpose companies is inferior work at high cost. Who would pay for that? You know who would be paying for that? The poor workers; the working people. That is why when one looks at the legislation, one would see that it has a plan, it has a vision and that is to destroy workers.

Madam Deputy Speaker, the provision, maintenance and control of parks and recreation grounds, promotion of development within municipalities. In the new Bill, hear what they said, maintain state buildings, which are not under the control of any Ministry. But in the former Act, the Act under the present Act, 21 of 1990: maintenance of state property, enumerate it and specify it. Now, what are they doing? They are creating a situation which is so nebulous, that you would not know what you are doing. The maintenance of state property including such police stations, health centres, post offices and other Government buildings, as the Minister who is responsible for construction, maintenance, may by order, determine.

They speak here in the new Bill—[*Interruption*] [*Laughter*] I have to go to a meeting, Madam Deputy Speaker, in Barrackpore, so I shall not be on the circus caravan on Wednesday. The disposal of garbage is a function which they have to perform, and you are speaking now about waste management. What do you mean by waste management, when it is specified in this Act 20? What is your function?

As we see, the purpose of this extension; the purpose of denying the people the right to vote is because the PNM has an agenda, which is hidden. All these nice arguments which you are using here today, is really a camouflage to cover that serious situation.

Let us go back to the Bill before the House today. The Bill states in the process of extending the life of the corporation, we ask the Minister here today, last year when you came for the extension, what was the amendment? The amendment was that the life of the Council be extended. There is an amendment which I have asked the Clerk to circulate and that amendment is in exact terms as the 2008 amendment. This amendment before the House today, is exactly like the amendment in 2006, which states that:

“The term of office of each Councillor shall continue for twelve months from the date of the expiry of the existing term of office, as though each councillor has been elected for an additional period of one year.”

In 2006 it was stated, subject to sections 12(6) and 15(2):

"The term of office of each Mayor, Deputy Mayor and Alderman shall expire at the end of the existing term and Councillors shall elect Aldermen for the term of twelve months in accordance with section 15."

It went on to say:

"Councillors and Aldermen shall elect a Mayor and Deputy Mayor of the Corporation for a term of twelve months in accordance with section 14."

At that time, the hon. Member for Arouca North, Mr. Jarrette Narine, was the Minister of Local Government, and he told us when we said: Why did you not extend the life of whole council? He said, "But ent all yuh want to get rid of those fellas too?" What the PNM did at that time; the PNM used the Parliament; the PNM used the legislature for political party purposes. After that Bill was passed, lo and behold, when the aldermen were reappointed, Atherly went.

Having done that, when they came back in 2007/2008, the Government came back with the exact terms of that amendment, which is being circulated. We ask

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them here today, why do you now revert to 2006 when there were amendments in 2007 and 2008? Why are you not using those amendments?

Mr. Imbert: That is obvious. You are asking answers.

Mr. S. Panday: Why? Pardon? [*Interruption*] You want to make changes. So, there again, I heard they want to get rid of the chairman of Diego Martin and bring back the Attorney General. I want to tell her, the former President of the Senate still waiting for a phone call and she "ain't" get it yet; and ask the former Attorney General, Bridgid Annisette-George, do not expect anything from them.

We also heard that they want to get rid of the chairman of Tunapuna Piarco and Laventille, and that is why they are bringing this. Tell us now if that is the clandestine motive of this Government.

Mr. Imbert: No, it is not.

Mr. S. Panday: No. So, therefore if that is not the case, why do we not go with the old amendment or leave the council as it is; leave the mayors as they are? Do you have another reason? If there is another reason, tell us. I am telling you what this Government is attempting to do here today is to try and huff or thief a UNC corporation.

Mr. Imbert: How?

Mr. S. Panday: I will show you how. You want the opportunity to be able to huff a corporation from the UNC. So, when you dissolve the council—as it is, PNM has three councillors in Rio Claro/Mayaro, UNC has three. When you get rid of the aldermen and you have to select aldermen, how do you select it? They take all the names, put it in a bowl and pull lots, so any number could play.

Having done that, to get the chairman now, again you get a bowl and you throw all the names in and you pull it by lot. So, you do not have the corporation, and you are creating a situation where you could thief the corporation, where you could huff the corporation, and that is not fair to the UNC; that is not fair to the people. [*Desk thumping*] You are attempting to get a corporation without going to the elections. That is not fair.

Mr. Parsanlal: That is how you all won it?

Mr. S. Panday: Pardon?

Mr. Parsanlal: That is how you all won it?

Mr. S. Panday: In 2006? No we were there before. When they were 3-3 that was the procedure used, and the UNC having obtained the corporation, you are trying to reintroduce procedure hoping that the lots would go different.

Mr. Imbert: That is only fair.

Mr. S. Panday: How that is fair? You are extending life and you have no reason to extend the life. There is no reason for you to extend the life of the local government. You extend the life purposely this way, in order to get into that system, where you get a corporation by default. That is untenable. I am alerting the nation; I am alerting the population.

Mr. Imbert: We rigging the bowl?

Mr. S. Panday: Pardon?

Mr. Imbert: We rigging the bowl?

Mr. S. Panday: No, not rigging the bowl. You are foolish enough to say anything. That was short and foolish. Madam Deputy Speaker, we are saying, why are you passing the law to maintain the status quo? You do not want to have election; to have a new configuration in the regional corporation, so you want to maintain the status quo. If you want to maintain the status quo, why do you not maintain the status quo in its entirety? Why you want to maintain it halfway? Why? You must have ulterior motives.

In fairness, even in this stage, where we are saying that we are not supporting it, we hope that the other place does not support it. Having regard to the configuration of the Parliament as it stands today, I have filed an amendment. You know they laugh at that, they skin and they grin at such important issues. It says delete subsection 2 (a) and (b):

“Insert in its place...

‘The term of office of Mayors, Aldermen and Councillors holding office in a Corporation of the 14th July, 2009 is hereby extended for a period of one year from the date of expiration of such term’.”

Even in these bad situations, I humbly submit decency demands that this House accept this, [*Interruption*] Pardon? [*Interruption*] For the amendment.

Thank you very much, Madam Deputy Speaker, and see you in Barrackpore. I am gone.

Thank you.

6.45 p.m.

Mr. Ramesh Lawrence Maharaj SC (*Tabaquite*): Madam Deputy Speaker, I, as a parliamentarian, have a duty to intervene in this debate, because I think it is

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probably one of the most decisive moments in the history of the Parliament of Trinidad and Tobago for it to demonstrate whether it would be prepared to act as a check against the abuse by this Government of the law to come to this Parliament again for the fourth time to ask for this extension of the life of regional corporations and other local government bodies.

This is a very serious matter and it should not be taken lightly. What the Government has done, is that we have a law which is contained in the Municipal Corporations Act which contains mandatory provisions which the Bill seeks to extend the life of the councillors is attempting to nullify or to amend. The Bill, an act to amend the Municipal Corporations Act says:

“Notwithstanding, section 11(4) and (4A)...—and some other sections.

Section 11(4) of the Municipal Corporations Act states that:

"The term of office of Councillors shall be three years, and they shall retire together on the last day of every triennial period, the first of which shall be deemed to have begun on the day on which Councillors were elected to office."

So it is a mandatory provision of the law that councillors—and there are other sections that deal with aldermen, et cetera. It is a mandatory provision of the law the life of the council should be for three years.

What the Government has done, from 2003 when the elections were last held, the Government has come to the Parliament under the basis that they were doing reforms—and some of colleagues have gone through those contributions, I have them here but it would be repetition to do that—for local government and because of those reforms—and they are not completed—we want you to extend the life of the corporations. Now I would agree that there may be situations in which the Government or a government could find itself in and would want to postpone local government election for a year and probably six months, but to come to this Parliament after three extensions—three years—and to come for a fourth time with the same reason is unacceptable. Totally unacceptable! [*Desk thumping*]

This is not only the right to vote, because I do not think that my colleagues—if I may say so—on the other side are understanding what local government is about. Local government is about government of the elected representatives of the local people to govern to promote development for them. So when elections are postponed the people who are being imposed upon them are people whom they did not vote for another three years. So that the effect of this measure to extend is

to compel the people in the country to accept a representative whom they may not want to vote for.

Hon. Member: For seven years.

Mr. R. L. Maharaj SC: For seven years. Now, it is no answer to say that the UNC and the PNM are represented in this Parliament. That is not an answer. The fact of the matter is people are entitled to choose, to elect their representative. That is the representative democracy that we are talking about it.

If it is that the Government could not complete its exercise, then come and say, well, we would want to have elections but we will have the term of office for this time only for one year. Why is it that the Government does not want to have local government election to give the people the opportunity to choose their own representative? That is the bedrock of democracy. That is the pillar of democracy, the right to choose your representative. We cannot support this! This cannot be supported by—in my respectful view—any reasonable Member of Parliament. [*Desk thumping*]

This is why I say this is the decisive time in the history of this Parliament because the Parliament would have the power—not only this House but the other House—to show that the people are more important than any agenda of any government.

[MR. SPEAKER *in the Chair*]

Mr. Speaker, in the same way that the law says that the councillors shall occupy office for three years and there shall be elections and the Government wants to amend it to take away that mandatory provision of the law, to say to postpone election and they have postponed it three times already, why is it the Government cannot amend this law—if they think they want an extra year—and say let us have the election, but the life of the council would only be for one year? Why it cannot do that? When you look at the scale, when you want to balance it, it is disproportionate to take away the right to vote because you want to complete an exercise.

You cannot do that! As a matter of fact, that is not what this process was intended to do. That is why the Member for Chaguanas West and other Members of the Opposition stated, this is an abuse, because there is no doubt that you have the power. You have the power! You have the majority in this House, but the question is, is it that you are using that power for the purpose for which it was intended? If you are using it for a purpose for which it was not intended, you are abusing that power and I do not think that you would want to go down the road to

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make it appear—because it may be that you have the most honourable intention and I have to presume that, but I do not think if this has to be analyzed by any objective person, you can pass the test of saying that you are not abusing the power. It is not one time; it is not two times; it not three times; it is four times. Well, let us assume that there is no fifth time, but it is four times and it is the same reason.

Now, I am not disputing that there may be need for reforms. As a matter of fact, the argument is whether there should be reform or no reform. But what got me more scared in this House today is that I heard the Member for Tobago East said, “Until the staff is appointed we should not have elections”. So, are you telling this House that not only you want to pass the law but you have to put every member of staff—and you are taking this thing so lightly. No big thing, come to the Parliament, get another year. The Member for Diego Martin North/East knows because he is also versed in law. *[Interruption]* He knows! *[Inaudible]* He knows that if a public authority has the power but he or she abuses that power, misuse it for a purpose for which it was not intended, it is an abuse—*prima facie*—of power.

So I want to know what is the bona fide of the Government if the Government wants to do this reform. If the Government wants to complete these reforms; I want the Ministers to say why it is that it cannot do a different amendment? Allow the local government election to be held in the same way as you are trying to take away the rights of the people to vote—go a different route, say that election of councillors and of the corporations would be only for one year. So they know that after a year their term of office is up and by then you have your reforms after it is fleshed out and people would enjoy their rights to vote.

You see, the right to vote does not only involve the right of a person to choose his or her elected representative. The right to vote also involves for an election, for persons in the local communities to offer themselves as candidates to be leaders, to be councillors, so what you are doing you are not only trespassing, or infringing, or undermining or contravening the rights of people to vote, but you are also contravening the right of people to be elected representatives or at least to offer themselves to be elected representatives.

So people who want to be local government representatives are being denied the rights because of the Government doing reforms and it is not completed and it is suspending—because basically what you are doing, you are extinguishing the rights of people during this period of time to choose a representative and also to offer themselves as candidates and be elected. The right to participate in elections,

whether voter or candidate is a central principle of an effective political democracy, it is of prime importance in a country which is committed to accountable and parliamentary democracy.

So the Government has to make a choice. On the one hand it has these reforms that it wants to effect, and a Government is entitled to say our policy is this, we want to flesh it out and we would like to change the whole concept of local government. But on the other hand you have the most important ingredient of democracy, the people. On one side is the Government, but you have the people and the people have rights and these rights are regarded as fundamental to democracy.

The question which the Government has to answer—because it will have to face the population on this issue—whatever happens here it will have to face the population on this issue. Is the Government in its agenda to effect these reforms prepared to take away the rights of people to vote at the time when the law says that they should vote, having taken away those rights for years already? Is the Government prepared, in addition to that, having taken away the rights of people to offer themselves as candidates and to be elected representatives, to deny them that right for another year?

If the Government looks at this on a political scale, no matter how you examine it, any objective person with the people's interest at heart would say that if you go ahead with this you are putting the scale against the people. It is in that context that we have to understand what we are doing here. Local government is just not an abstract, as the hon. Minister would know. As a matter of fact, the whole role of local government is for development of people.

7.00 p.m.

The whole role of local government is for development of people, and the function of the local government bodies is to administer the services which are given to people. So we start off on the basis that every day of the year a person without the local government representative of his choice or with an imposed local government council, can be adversely affected in everyday life, but he or she has to accept that no matter what his feelings are.

Mr. Speaker, I want to say something here today, and I am not confining this to the Couva/Tabaquite/Talparo Corporation, but it also involves Couva/Tabaquite/Talparo Corporation. People in Trinidad and Tobago, as the poll showed, a lot of them do not even know if there is a local government representative. People in Trinidad and Tobago, even if there is a local government representative, do not see that

local government representative for three years. In the corporation, I am a Member of Parliament in the Couva/Tabaquite/Talparo, since I became an MP, there is a particular councillor who does not come; he does not see anyone; he does not do anything; but he is getting money. But that is not only happening in the Couva/Tabaquite/Talparo Corporation. When I attempt to contact him—although he gets gangs that he is responsible for; materials that he is responsible for, people have drainage problems, their homes are being eroded and he does not attend to them. But that is not only in Couva/Tabaquite/Talparo, it is happening throughout.

As a matter of fact, I have gone into PNM and UNC areas, and some people voted COP, and some people did not vote at all, and they are getting no redress. As a matter of fact—I am not going to call the area—but someone from Port of Spain came to see me in San Fernando and it is a problem; people from all over the country. So what you are doing by doing this you are telling people, no matter where they live—because this is not a UNC thing or a PNM thing—and they are dissatisfied, and you have no functioning councillor, or you have human bodies, but they do not exist in reality, you have to take them because the Prime Minister and the Minister of Local Government are doing reforms, and the reforms will improve your life in the future. [*Interruption*]

Mr. Imbert: It will do.

Mr. R. L. Maharaj SC: Does that help them? Is that not unfair to them? Is that not unjust to them? Does that not strike at the root of undemocratic behaviour?

Mr. Speaker, I see constituents in my Gasparillo office on a Saturday. Last Saturday—I just want to give you some examples—people have their problems with drains. Drains cannot be fixed or would not be fixed. Since I became the MP, I have been begging for the drains to be fixed. I went to the councillor, I went to the CEO, I went to the corporation, I went to the Chairman of the corporation; no money, no material, nothing. People are fed up. Now I am making the point, that it is not only in Couva/Tabaquite/Talparo because Jack Warner and I and I am sure my colleagues go around the place. So are you telling me to vote for this, when I know that there are councillors who are not seeking the interest of people? Where the water is a breeding ground for mosquitoes; where the water is undermining the foundation of their homes; where there are no box drains and nobody attempting to put them; where the roads are in a bad condition; where there are landslips, where there are no agricultural access roads; garbage cannot be picked up; people cannot get water; and they cannot see their councillors and cannot get help. Some MPs have to be councillors.

As a matter of fact, the last time I announced there was road—do you know what I have to do now? I have to buy cylinders and culverts to fix drains. As the matter of fact, I am going to the private sector begging to get donations to fix drains. I have to take my money from my pocket to buy culvert to fix drain, and the councillor, I am told—you do not see the councillor. So how could I take this thing like this? Because it is no sense—[*Interruption*] but I am saying it is not only in Couva/Tabaquite/Talarpo, it is throughout the country.

Hon. Member: [*Inaudible*]

Mr. R. L. Maharaj SC: Yes, but your plan is going to make things worse for them. As a matter of fact, if you give them an opportunity to choose their councillor, they may get better representation. They would be able to get people who will attend to their problems. What you are doing is that you are agreeing that this problem. You are agreeing that this is a problem, but instead of trying to give them a chance to change it for a year, you want it to remain like that and impose that. So when someone in those areas with their home being flooded, their foundations being undermined, commits suicide, you are responsible. People are so fed up. Their homes—[*Interruption*] Come on? They have not gone to Tabaquite. They do not know. Come on? Do not tell me come on here.

As a matter of fact, the hon. Minister of Local Government stood up in Mc Bean—I wrote to you. I told you how people are suffering with roads, landslip and everything else. You got up and made a commitment. You said in a few months we are going to fix all the roads, and not one road has been fixed. Thanks to some officials of the Ministry of Works and Transport who obviously saw the landslip. People could not even pass, and you want me today, to say—I am sure the Minister of Works and Transport would not know about that—that I have confidence in the Minister of Local Government, whoever that Minister of Local Government would be, and for this thing to be postponed so people would not have any rights for another year. If a Member of Parliament cannot get the Minister of Local Government to fix one road, not even one road, you expect the Minister to do anything for these people for the next year? More suffering, more torture.

Mr. Warner: Not one jogging track.

Mr. R. L. Maharaj SC: No, this is not right. This is not right.

Mr. Dumas: You never had a jogging track for eight years.

Mr. Warner: Do not worry; people would jog your memory for you.

Mr. R. L. Maharaj SC: But the facts of this matter, unfortunately, can show a certain story. The facts of this matter show that elections were due in July 2006. The consultations in July 2006 and 2004 onward—elections were postponed—and the consultations and the gallery were part of the general election campaign for 2007. Yes, it is a fact. All of the consultations, et cetera, were occurring at a time when the country was preparing for general election. That is a fact. The local government election was due in July 2006. According to your statement, all the consultations were being held—not in 2004, 2005 and 2006. *[Interruption]*

Mr. Dumas: That is why I object.

Mr. R. L. Maharaj SC: But what has happened? In 2007, general election, after that no local elections. None in 2008—*[Interruption]*

Hon. Manning: Yes, there was *[Inaudible]*

Mr. R. L. Maharaj SC: No, you had election in 2008? No, consultation and you want to continue consultations. *[Interruption]*

Hon. Manning: In Parliament.

Mr. R. L. Maharaj SC: Go across the country; continue the consultations—*[Interruption]*

Mr. Imbert: But we are doing that.

Mr. R. L. Maharaj SC: But you are not interested because from what you are saying, you are not interested in getting—*[Interruption]*

Hon. Manning: Mr. Speaker, I think the hon. Member on the other side has it wrong because we have had no elections in the year 2008. We had 14 consultations in the year 2008, to be able to get this information and to be able to present that document. He seems to think that we are going to continue having consultations. The consultation that we are going to have is with the Parliament. We want to sit with you in the joint select committee and as we have heard this evening from other Members what are the things that we need to fix, and then we go with it. That is the consultation we have with you.

Mr. R. L. Maharaj SC: No, no. Even if you say that, the fact of the matter is, we had a general election in 2007, after you had consultations. There is no guarantee you are saying, that we are going to have local government elections because you could come back. You said it the last time and you could come back again, and say it another time. So the fact of the matter is that all these consultations and all these joint select committees would not make any sense, if

the Government decides that it wants to go ahead with this, instead of giving the people the right to vote and have the council last for a year. What objection do you have for that? To give the people the right to vote; the council is for a year and you do whatever reforms you want to do; and we have enough time to talk about it.

The reason is that you do not—[*Interruption*]

Mr. Imbert: I thank the Member for giving way. I do not find your suggestion to be practical, because if we follow it, we would have two elections over the next 12 months. What is the point of that?

Mr. R. L. Maharaj SC: What I cannot understand, my only consolation is that the people of this country would understand it. I cannot understand the contempt which this Government has for the right of people to choose their elected representatives. I cannot understand this policy, of the Government which is cast in stone, that takes away those rights, denies them, and lets them suffer while we take our time for a year to finish this exercise. I cannot understand it. I think that you are heading for a collision course with this, and what you are doing, is that you are undermining democracy.

The Member for Chaguanas West and the Member for Princes Town North and other speakers were telling that. You are really undermining and subverting democracy.

Mr. Dumas: The Member for Couva North?

Mr. R. L. Maharaj SC: Yes, and the Member for Couva North. Mr. Speaker, I want to pass on to the second Bill for a few minutes. I have looked at this Bill and I have heard the Minister say in a statement, “our reform programme has been guided by the following: Vision 2020 mandate of good governance.”

Well, it cannot be good governance if you do what you are doing to extend the life. And secondly, it cannot be governance if you do not make some changes to this Local Government Bill because although you are saying it is to give autonomy to the people and participatory democracy, I have not found any clause. Probably you could help me, and we still have the joint select committee which says that the people have any say in making any decisions.

7.15 p.m.

You also said that it is based on the Commonwealth principle of good practices for local democracy and good governance. That is what your reform is underpinned by. You also spoke about local and regional areas of planning and development as the platform for promoting sustainable local communities and

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robust participatory local democracy. What is participatory local democracy? Participatory local democracy would mean the citizens at the local level participating in the making of the decisions of the local government body and of the policy of the government. It would mean that it is not going to be a situation where the policies of the Central Government are given to the local government body, which, through the Minister, ipso facto, has to be implemented. If you are doing that, then that is not participatory democracy. If you are doing that, you are merely directing what the policy is.

Participatory democracy means that the people would have a say in the development projects and the people would be able to say what their priorities are. I want you to show me which section in this Bill says that the people in the communities would have a say, a right to be consulted, and that they would have a right to be able to talk about money allocation. I want you to show me. It may be there, I have not seen it. You will tell me that. If it is that you are going to have a policy in which the citizens would not be empowered, in that you are not going to give the citizen at the local level, the opportunity to make meaningful contributions to have a say, then it is not autonomy.

One of the important matters which occur at the local level or the ground level, is that the corporation would probably embark upon a project which is not pressing, but there are other projects which are more pressing. The community does not have a say in the decision as to what is a priority project. As a matter of fact, I have seen in several corporations, on the ground and people have shown me, where there is a particular road or drain that is fixed. When you go, you would see in that road or drain just a few people are affected, but there would be hundreds of people in another area and the drain is bad like hell and nothing is happening. The people do not have a voice. I am not talking only of the voice of the councillor, because we are on a system where you can elect a councillor and after the councillor is elected, in the same way that you elect an MP, he goes back after five years.

As I understand it, I heard the Minister of Local Government referred to it, there is a gentleman, Dr. Bishnu Ragoonauth, who wrote a paper on the Challenges for Local Government in the Caribbean. This was compiled by Prof. Selwyn Ryan and Dr. Ann Marie Bissessar in a book *Governance in the Caribbean*. In that article he analyzed local government, not only in Trinidad and Tobago, but in the Caribbean. He said:

“It was recognized since 1945 since the West Indian Royal Commission, 1945 and all the reports onwards, the major problem of local government representation

and policy and administration is the citizens do not have a right, a vote, a voice in the formulation and in the implementation of policies and programmes which affect their lives at the ground level.”

In this book, which is very helpful, you would see that there is another article, *Public Participation in Local Government in Jamaica*, written by Jimmy Tindigarukayo. I hope I pronounced the name correctly. There again, in all these studies, I am sure the Minister knows this, it says that we must have reform. The reform would be totally useless unless it is clear in black and white, what the powers of the public would be, what their rights would be and when the public body gets the representation, what it is going to do with it. They do not have to accept it, but they should have a situation where they show that they consider it and if they are rejecting it, give reasons for rejecting.

At the present time, I want to subscribe to the fact that I would concede. Local government representation needs overhauling. I have no problem with that. It needs overhauling and it needs overhauling to meet our particular needs. That is no excuse for us to take away the right of people to vote another time. There is a way that the Government can solve this problem and satisfy the two ends, which is, as I have suggested, to have the amendment done, in which the council would have a life of a further year, which will facilitate people to have their right to vote. They will choose a representative of their choice. Therefore, councillors, chairmen, mayors and those who were not performing and have not performed would have to face the people and the people would have satisfaction in exercising their right to have their elected representatives.

The alternative to that is that the year should be deleted and the extension should only be for three months, but I cannot support this measure, because if I support this measure as it is, I will be compromising the principles of democracy, the right to vote, the right of persons to be elected as councillors and I would be compromising the future of democracy in Trinidad and Tobago. More importantly, I would be sending a signal that we are prepared to support a government, when it comes to Parliament and nakedly abuses its power, with respect to the law. We are not prepared to support a measure like that.

Thank you very much, Mr. Speaker.

Mr. Speaker: Before I call on the hon. Member for Cumuto/Manzanilla, perhaps the Leader of Government Business may want at this stage, to move a Procedural Motion.

PROCEDURAL MOTION

The Minister of Works and Transport (Hon. Colm Imbert): Mr. Speaker, I wish I could move a Motion to reduce the speaking time of Members opposite.

In accordance with Standing Order 10, I beg to move that the House continue with the two Bills at hand until completion of its business, which I hope will be long before 9 o'clock.

Question put and agreed to.

LOCAL GOVERNMENT BILL

Mr. Harry Partap (Cumuto/Manzanilla): Thank you, Mr. Speaker. I would not be long, I assure you. I have a few points I want to make. One of the points is that I hope the Government will not scoff at some of the complaints that they have heard from this side. If it means that you are going to extend the life of the council for another year, it means that the people of some of our areas will be suffering badly for another year. They will be disenfranchised. I hope the complaints that you hear on this side from both the Front Bench and Back Bench, you would not scoff at them and not take them for granted, please.

I have had the problem where I took a delegation of residents from St. Marie Emmanuel Road, Cumuto to the Minister of Local Government. As I said in the House at some time, she had been very gracious. She did receive us and even gave us some refreshments. The fact is she made promises which, up till now, have not been kept.

Sometimes we blame the councillors, but sometimes they are not to be blamed because they do not get the resources to do the work. I have been told that the Minister of Local Government had instructed the various councils not to repair or fix any roads. *[Interruption]* If you want to deny it you can, but this is what I am being told. That really is putting pressure on the population. I know that there are some Members opposite who have interests in the Cumuto/Manzanilla constituency, particularly the Cumuto/Tamana electoral district. I am sure they would use their influence to ask the Minister of Local Government and the Minister of Works and Transport to see what they can do to assist, please.

I too am a little worried that the life of councils has been extended. What I am more worried about is the fact that when the life of the council was extended in 2006, the amendment to that Act had allowed the chairmen, mayors and aldermen to be re-elected from among the councilors, but not in 2007 and 2008. I am wondering why you are not doing the same now. You may have your reasons and

we think we know what those reasons are. The amendment that is before you, we will support it on this side because we feel that the entire council should be given the extension, if at all.

Mr. Speaker, as I have said earlier, do not ignore the complaints. The MORI Poll, on which you based your reform and pushed you into reform, told you that the people are not satisfied. Even though we do not have a poll now, we would use the MORI Poll. There are Members on the other side who have witnessed the wrath of the people—I am speaking about the Members for La Brea and Point Fortin. I am told that they had to use a decoy to get out from a situation in their constituency earlier this month. It would get worse if we do not go to the polls. This is just a warning. I believe that you can still do your reform and hold election. I think that we can go along with that. I hope that the Members opposite will take note.

I have two points I want to raise on the Bill itself. I would like to get an explanation on clause 17(1) which says:

“The term of office of all Members of the first Council elected under this Act shall expire on the last day of the period of four years from the date of the primary election and the term of office of all Members of a subsequent Council shall expire on the last day of the period of three years from the date of the primary election.”

7.30 p.m.

The Minister did not explain to us why she wanted to do this, I am sure she has good reasons and whatever they are, it may be necessary for her to explain to us why she is giving one council four years and the other three years. I hope the Minister will answer this in due course.

Mr. Speaker, allow me to spend a few minutes to give some comments on another section of the Bill, and that is Part II, clause 5(1)(f) which speaks of:

“seven other Municipalities as the President may, by Order subject to affirmative resolution of Parliament...”

It is clear from the bundle of papers given to us last Friday along with the Local Government (Amdt.) Bill, 2009 and the Municipal Corporations (Amdt.) Bill, 2009, the report of the Draft White Paper on Local Government Boundaries Review Exercise, and on page 10 of that report we are told that the options were identified through what they refer to as consultations with the various Government agencies and the steering committees.

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That report also stated that the preferred option is Option Three. And, of course, I am not surprised because Option Three really achieves the aim of the Government and that is to reduce the number of municipal corporations in the country from 14 to 12. So this is why I guess you are going with Option 3.

While Option 3 may fit the Government's Bill, it does not work in the interest of the people of our communities, and I have always said that any reform must never put people at a disadvantage, it must always help people to better their lives. Option 3 was developed, to my mind without people in mind and those who arranged it did not think about people.

Let us examine what it states, this option gives the 12 corporations which you will find in the White Paper and I am not going to read them. Among them I want to examine two, the Sangre Grande Regional Corporation and the Tabaquite/Talporo/Cocal Regional Corporation, this is a new one that is being put forward.

You are removing from Sangre Grande: Cumuto Howsen Village, Four Roads Tamana, Carmichael, Coryal and Guatapaharo. So you are moving from Sangre Grande, Cumuto Howsen Village, Four Roads Tamana, Carmichael, Coryal and Guatapaharo, those five communities from Sangre Grande and placing them in the Tabaquite/Talparo/Cocal Regional Corporation.

I do not know what was the rationale, I cannot see any and I will explain to you. Cumuto Howsen Village, Four Roads Tamana, Carmichael, Coryal and Guatapaharo fall within the natural boundaries of Sangre Grande and if they do, why are you moving them and putting them into Tabaquite/Talparo/Cocal?

Mr. Speaker, you have put Wallerfield with Sangre Grande. That is good, but Cumuto is next to Wallerfield so I cannot understand why you are making this change. Assuming that the Administrative Centre for Tabaquite/Talparo Cocal is located in Tabaquite, that seems to be central and maybe it is there. You are not going to Couva because Couva will have its own. So let us assume that the Administrative Centre is in Tabaquite, this is what happens.

The alignment affects people, but you have to bear in mind that those five communities in the northern side, there are over 30 miles of forest between Four Roads Tamana which is the edge and Tabaquite. So people wanting to do business at your Administrative Centre cannot go through the forest and they cannot go as the crow flies because that is not how people operate in Trinidad, we do not fly.

So it means a person living in Cumuto, Coryal, Carmichael, Four Roads Tamana, or Guatapaharo, if they want their cesspit cleaned— you have to go to

your Administrative Centre to pay for the cleaning of your cesspit—the person has to travel from Cumuto to Sangre Grande to get to Tabaquite, and they are removed from the Sangre Grande Administrative Centre, they are no longer there. They now take a maxi or whatever and go to Arima; from Arima they go to Curepe; from Curepe they go to San Fernando; and from San Fernando they have to travel to Tabaquite. We have estimated that in transport for a person to get to Tabaquite to pay \$200 or so for the cleaning of their cesspit and get transport to get back home to Cumuto, they will spend \$70. That is a little too expensive, difficult and oppressive and, of course, you lose an entire day. So I ask you to see what you can do about that.

The second thing is they have also taken Cushe, Navet, Biche, Canque, Charuma and Cocal and put them in the Tabaquite/Talparo/Cocal region. Now, it means that you are bringing people from one end of Trinidad, the eastern end and they have to travel all the way to Tabaquite to conduct business. They spend \$10 less. Let us say somebody from Kernaham will have to get first to Mayaro, then Rio Claro, then Princes Town, San Fernando and then back to Tabaquite. This will cost about \$60.

Mr. Speaker, I do not know what is the rationale because it does not fit with what the Minister said last Friday when she spoke in Parliament. She said:

“...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, region and urban migration trends, a new settlement pattern and industrial and commercial activity;”

And secondly; “to coordinate and to standardize all boundaries and administrative regions in Trinidad and Tobago;”

Mr. Speaker, it has been done without any reference to people and that is bad to change boundaries like that. You are doing so without thinking about where people live. You are aligning communities and pulling them out of areas to which they are accustomed, and not only accustomed to, but when they have to do any administrative work they are forced to spend a lot of money and waste a lot of time they should not be wasting at all. There has been a lot of inconvenience.

Therefore, what we are saying is if the Minister—as she said earlier today, that she intended to get this thing right. I think she said so, and if she wants to get this right, we are saying to take a second look at option 3. It will appear to me that what the planners did, they took a ruler and just marked off areas without knowing—

Mr. Dumas: Those are old tools, we do not use those tools again.

Hon. Manning: Mr. Speaker, I really would not like what is being said here to go down in the *Hansard*. We at the Ministry of Local Government have in place the GIS system. We have been working with the experts at the University of the West Indies putting in place layer by layer the access roads, the economy, the sociology, the topography, so to say that we take a ruler and draw a line is totally not right and, therefore—well, he did not come to the consultation so maybe he would not know. I really would like you to withdraw that statement, I think it is not fair to the hard working staff of the Ministry of Local Government. [*Desk thumping*]

Mr. H. Partap: Mr. Speaker, I do not want to offend anybody, but it appears to me that is exactly what they did. How could you ignore 30-miles of forest? The GIS did not locate that?

Hon. Member: GPS.

Mr. H. Partap: GPS, or whatever it is. I understand they can pick up even an ant on the ground, so they could not pick up the forest? I do not want to offend anybody.

Hon. Manning: Again I want to tell you that we are using the new technology and they are putting in place a kiosk maybe very close to where the people are so you do not have to physically drive to get there. You can maybe use the virtual Town Hall, access the computer, or go to a kiosk that is close to you.

Mr. H. Partap: I understand what you are saying, Minister. It will take a year for you to put this in place, I understand, and then it may take another two years, so while people's cesspits are overflowing they will wait until they get computer. I am asking you to rethink this because I think those communities will fall naturally into Sangre Grande.

Mr. Speaker, with these few remarks, I thank you very much.

Miss Penelope Beckles (Arima): Mr. Speaker, I join this debate on the Bill to amend the Municipal Corporations Act, Chap. 25:04 and the Local Government (Amdt.) Bill.

Mr. Speaker, there were some very passionate contributions from some of my colleagues on the other side and I do not mean it in a negative sense, I mean it in that clearly, it is a matter that a number of them have been giving considerable thought to. I refer specifically to the Member for Tabaquite, the Member for

Chaguanas West and the Member for Princes Town North. The Member of Parliament for Couva North was not his usual fiery self today, I am not sure why but nonetheless he gave some interesting recommendations.

Now I would like to say at the outset that I understand and share the concerns raised by several speakers as they relate to the concerns surrounding the postponement of local government election, and I think the Members for Chaguanas West and Tabaquite developed the point substantially. I understand those concerns and they are very valid, but I understand the Minister of Local Government to be saying that the documents that have been laid before the Parliament have, in a large measure, finalized consultations with all the cities, boroughs and regional corporations, there is a certain measure of comfort that finally we should be in a position to get local government reform right.

7.45 p.m.

Having said that, I think it is important to acknowledge that in getting this piece of legislation right, we all acknowledge that there are several pieces of legislation that have passed through this honourable House where mistakes have been made, where we have subsequently found difficulty in implementing legislation, and the process suggested by the Minister of Local Government which is, having completed the 14 consultations and now having the documents sent to the joint select committee, I think there should be a greater measure or of satisfaction that we are likely to come up with a piece of legislation with which we should all be comfortable.

I have had the good fortune; I have been an elected member of the Arima Borough Council. I was elected in 1992 and I had the good fortune to participate in two of the 14 consultations referred to by the hon. Minister of Local Government and that is because the constituency of Arima is affected by both the Arima Borough Corporation and the Tunapuna/Piarco Regional Corporation. That is why I was very interested in the contribution of the Member of Parliament for Couva North who had some concerns about the marrying of an industrialized part of the constituency and a rural part.

I am of the view that that, actually, is quite a good marriage simply because—and I know that most of us, if not all of us, have travelled extensively in many parts of the world and you would recognize that there are many towns, cities and boroughs where you have industrialized married with rural communities. That is because sometimes the development, historically, of the whole industrialized process would have caused certain parts to become industrialized and other parts to remain rural.

The constituency of Arima is such a constituency where, for example, you have the borough, you have the heart of Arima, but then the constituency goes all the way to the North Coast, starting in the Las Cuevas forest, going to Blanchisseuse, La Fillette, Morne La Croix, Paria and most people are not aware that you have a part of your constituency that is extremely rural and then you have a part that is a borough.

Mr. Sharma: You must invite us.

Miss P. Beckles: You are welcome, Member for Fyzabad. So that I am not of the view that the marriage between Point Lisas and Tabaquite is necessarily a bad one, but I would share the concern about some of the inequities that at times exist between the rural and urban communities and I think that is why he may have raised that concern. Because very often, in terms of distribution of resources, you do find that some of the urban areas, for many reasons, some access to services are much easier than persons from the rural communities.

That is why, in my contributions during those two consultations, I made that point and it is a matter that I think we will all be concerned with because there are a number of us; some of us represent almost exclusively rural communities, for example Tabaquite, Cumuto/Manzanilla, Princes Town South. There are a number of Members of Parliament who have to straggle and who have that genuine challenge that when your constituents come before you for certain things—and I want to use the roads as an example—they would come to you and you have major roads, minor roads, primary roads, secondary roads, oil roads, access roads, orphan roads, and you may write to the Ministry of Works and Transport and they totally disassociate themselves from any knowledge of the road. As my colleague is saying, it is not our roads. We write to local government and they also claim that they have no knowledge of the road, then you write to the Ministry of Agriculture, Land and Marine Resources and they say that they have no knowledge of the roads. Then you have some roads that nobody has any knowledge of at all.

That is why I think that this issue of reform is so important, because when your constituents come to you, there is very little information at times for even you as an MP, to be very clear on where those roads fall. A lot of people may not be happy with the formation of the Roads Authority which would now have responsibility for all roads: oil roads, access roads, primary roads, secondary roads. The reason I am relieved about it, with the expectation, of course, that it will deliver with some measure of equity to both rural and urban communities, is that you would no longer have to be writing to all of these different ministries and many roads becoming orphans.

Dr. Gopeesingh: Thank you, Member and Deputy Speaker. We are now discussing legislation on this issue of local government and we are putting all roads under the Roads Authority, but we do not have a Roads Authority Bill. You are envisaging that you are going to have a Roads Authority Bill and then you would bring it to Parliament. So if we move ahead with this Bill; we pass the Bill and then there is no Roads Authority that is not formed until another six months, nine, months, what is going to happen?

Hon. Manning: That is why we are trying to put all of that in place.

Miss P. Beckles: Hon. Member for Caroni East, I have been reliably informed by the hon. Minister of Works and Transport that that Bill should be before the Parliament within a 12-month period. But I think it is important for us, as I said, who have these challenges in constituencies, to pursue them aggressively to ensure that the only way that this Bill would work effectively is if that other piece of legislation is in place. Similarly, there are issues of drains that were mentioned by the Member of Parliament for—I am advised that the Authority will be called the National Road and Drainage Authority.

I also want to speak about the issue again of drainage which is identical to the issue of roads, because there are many of the councils who, again, the information that they would give to you would result in a lot of drains also being orphans. So if it is that there would be this establishment of the Authority dealing with both drainage and roads, I think we can look forward to a final amalgamation and the removal of these, certainly, orphan roads and drains for which many of us as MPs cannot, in many instances, give to our constituents any sort of hope that these matters could be dealt with.

Mr. Sharma: A brilliant contribution.

Dr. Gopeesingh: A very good contribution.

Miss P. Beckles: The other issue raised by the Member of Parliament for Chaguanas West, which I am sure we all share, is the maintenance of parks and open spaces. I do not want the impression to be left that those are only issues that are in the Opposition constituencies, because you have the dichotomy again with the corporation and with the council and the fact that—the point made by the Member of Parliament for Tabaquite that you go and ask for a ground to be cut, you know, they would tell you the equipment is not working; they have not had one for the last 10 years, and we all know what those criticisms are, and it happens in almost all the corporations.

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[MISS P. BECKLES]

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Again, the Member of Parliament for Tabaquite, visiting and making representations and being told that there are no funds to do the projects. Hon. Member, what I find very interesting is if we were to look at the moneys returned over the last couple years from several corporations, you would be surprised that at the close of the fiscal year there are many corporations, on both sides, both on the PNM and on the UNC side, who have not spent their money. I want you to go and check it, because it is an issue that could be used when we are dealing with the joint select committee, because therein lies, in my mind, very often that they have the power to vire funds but yet still sometimes they wait until—

Dr. Gopeesingh: You cannot transfer the funds.

Miss P. Beckles: You can.

Dr. Gopeesingh: You have to get the Minister's permission to transfer funds.

Miss P. Beckles: I mean, okay.

Hon. Manning: Every day I sign it off.

Miss P. Beckles: If that is a matter that has to be addressed then we have to address it, but the point I am making is that you would see the evidence is clear that very often moneys are returned and that has been the case.

The point that the Member of Parliament for Caroni East is raising as it relates to writing of the Minister, but we must then examine the question: Have there been instances when councils have written to the Minister for transfer of funds and she has refused? I am not aware that that has happened. What I know is that if a council cannot establish that moneys have been released to you and you have not spent that money, then if you come to the Minister and ask for funds to be vired, I think that is where the Minister is going to say to you: "If you have moneys released in the first and the second quarter and you have not spent it, how could you ask me then to give you additional funds?"

I welcome the fact that we are going to a joint select committee. I think the contributions made by most of the speakers mean that people are very much aware of the challenges and I really believe that it is going to be very, very helpful.

In terms of the Member of Parliament for Cumuto/Manzanilla, well, some of his concerns again, in relation roads and other things, I think I have dealt with that. But I also want to say to him that his concerns as they relate to distances, now we all have that problem. When a constituent of mine has to leave Paria to come all the way to Arima, the fact is you do not even have the public transport to

get there. I know in the case of my colleague from Mayaro or anyone, you have people at the extremities, whether it is from Marac; we all know the challenges to get there, and therefore, it is incumbent, as we do the local government reform, that greater emphasis is put on ensuring that the disadvantages that those communities face, that we treat with them.

I want to say again that in listening to the Minister of Local Government's contribution during her 14 consultations, I want to compliment her for making that effort [*Desk thumping*] because I think it would have put her in a position to understand the challenges that are faced, particularly by people living in rural communities. I am sorry that I have to stress that, because that is one of my biggest challenges for a lot of my constituents and having found a way to treat with these particular issues in terms of roads and drains, I also raised the point of transportation.

I mean, it is not one of the issues that I have seen here, but that is probably as equal a point as many others. I am happy to see that they have put into the legislation the issue of water trucking and giving to the corporations the power to be able to deal with that. What we have a responsibility to do is to make sure that the moneys are in place and the proper assessments are there so that when they submit their budgets, particularly during the dry season, that we can look at it and ensure that we eradicate the corruption that has existed in that particular area in many constituencies.

8.00 p.m.

Whilst in some instances the argument is very valid that many of the constituencies are not given sufficient money for water trucking, many of us know and have experienced, particularly constituencies as Caroni Central, Mayaro, Cumuto/Manzanilla, Fyzabad and Oropouche West, that some people genuinely implement their contracts and there are some people—I have grown up and known very well what it is for everybody to get a barrel of water and that is all the trucks give you. But how many years later, in many constituencies that still happens.

Those are the things that I am very happy that the reform of the legislation would in a large measure treat with some of the things that have been outstanding for a long time. I will give full support to ensure that there are measures, checks and balances which are what I think we should look at when we sit in the joint select committee to ensure the legislation will work in the best interest of all the constituents.

Thank you.

Mr. Chandresh Sharma (Fyzabad): Mr. Speaker, let me thank all colleagues for staying back to hear my contribution.

Mr. Speaker: I am hearing groans from the Government Benches. I can assure you that the Member will make a sterling and precise contribution. *[Laughter]* Please, just be quiet and listen to the hon. Member.

Mr. C. Sharma: Mr. Speaker, maybe they are groaning because it is close to dinner. Can you say what time dinner will be served?

Mr. Speaker: Go ahead.

Mr. C. Sharma: That is why they are making noise. "Dey hungry." Being a government minister they are well fed. It is 8 o'clock. It is past their dinner time. They have made very little contribution in the House and they must be very disappointed to discover that there is no dinner. That is how the PNM treats people.

I listened to Members opposite me and I could not understand why this level of deceit and attempting to fool people. The last day we met in Parliament the Government brought legislation to increase pension for two or three citizens. Today, they have brought legislation that benefits no one. In fact, it is punishing the national community of Trinidad and Tobago. On the last day, they treated with three or four citizens and today, they are treating with 1.2 million people and punishing them. All the stories told by Ministers here, are they not aware of what is happening? Do they not do their work?

A special report was laid in this Parliament on regional corporations. A committee was established as early as 2002. That committee had Members from both sides. As you know the way the system is designed, there are always more of the government Members and the PNM makes sure that they take full advantage of it. The practice that was established under the UNC administration was that the committee would be chaired oftentimes by an Independent Senator and/or a Member of the Opposition. As soon as the PNM got into office, almost all committees are chaired by the PNM where they have a built-in majority. *[Interruption]* The Leader of Government Business is confirming it. Thank you. The reason this is done is that the work of the country will not go on. More than that, the reports will not reflect exactly what happens.

I heard my good friend, the Member for Arima who oftentimes appears to be a gold coin rather than a penny, talking about funds. Every corporation in this country cries out for funding. Numerous letters have been communicated to the current Minister and when the Member for Tobago East was the Minister of Local

Government. It is no secret. The committee found that in every single corporation it met with and I suggest that more than 50 per cent of the corporations were met. Every one indicated its inability to obtain funding from the Ministry of Local Government. In this Parliament, I have raised and produced the documentary evidence where corporations were getting as little as five cents to maintain a recreation ground and for water trucking less than 2 cents.

This is what this Government is doing. They pretend that this reform is going to benefit the people. What is going to happen in the meantime? It is like a couple who got married. The husband says, "Honey, I am going to get a job on the port." It is \$500 a day and the job will come next year, March. In the meantime what do you do? No food in the house, no services, no bills to be paid. *[Interruption]* The Member for Tobago East suggests that I find another example. He is very conversant with that.

This is how the Government runs this country. There is no concerted effort. Many thinkers outside there say that this PNM knows how to hold office but they have no intelligence. They seem to have no care for people. One cannot come here and argue that reform is the key to it. What does reform have to do with water-trucking to the communities without water? What does reform have to do with the maintenance of the playgrounds? Some corporations have 58 playgrounds and they are not getting funding. I will tell you what happens by the way.

Look at the projects done in every corporation. I start with Siparia which is a good balance because Siparia is controlled by the PNM with UNC councillors as well. The PNM councils get the most money and resources. If you look under the lighting up of recreations grounds, look at the PNM grounds. Lights whole night. Yesterday there was a function at San Fernando City Corporation. I went to ride bicycle there 5 o'clock this morning and the lights were on. What a waste of money.

That level of discrimination obtains under this PNM. The reform has nothing to do with stopping the discrimination. Truck-borne water, is reform required for that? No. The maintenance of corporation buildings, is reform required for that? No. Child care centres established by the corporations, none established by the corporations under this PNM. What does reform have to do with that? The construction and maintenance of all drains and watercourses, except drains, watercourses and drains along the main road and highways, the corporations are not delivering. Under the PNM to give their party hacks and friends money, they established 14 multi purpose companies. All of them have money to spend unlimited; poor quality work throughout the country.

Under the ministry there is the IRID Programme. Do you know how they do an IRID Programme? Some party supporter lives in the middle of John Public Trace or Street and he wants the drain in front of his house done, they give a contract to do 100 feet of drain in front that house. What does reform have to do with that?

The provision, maintenance and control of such parks, recreation grounds, beaches and other public spaces, what does reform have to do with that? This Government is misleading the national community.

The coordination of local and regional trade fairs, sport events and cultural displays, when you look at the funding from those regional corporations, it is oftentimes held in the PNM electoral districts. Building plans, delay. Completion certificates, delay. What does reform have to do this with? Provide advice on land development and building construction to the public. They are breaking the law as often as possible. In areas governed by the Penal/Debe Regional Corporation, they do not go to the corporations to get the permission. Grant provisional approval for land development, in this area there is a high level of discrimination. Families that are asking for land development for their relatives do not get it oftentimes.

Supply of food badges. Grant or financial assistance for charitable and needy cases from chairman's fund. I would like the hon. Minister, and I had requested this on the last occasion, to do a small assessment and see where the funding is going.

Lifeguard services. What does reform have to do with this? Does it mean that our children have to go the beach while the hon. Minister swims with security officers present and our children do not have security lifeguards? Is that the reform? Is that a peeping Tom? Are you not concerned and that is what you are hiding behind? I am so ashamed.

Hon. Manning: At the same beach.

Mr. C. Sharma: Imagine the Member for Tobago East surrounded by water talking about peeping Tom. You are not concerned about the children going to the beaches for the summer vacation and there are no lifeguards. I am very sad.

Removal of old vehicles. When the UNC was in government we removed all the old vehicles. Do you need reform for that today?

Hon. Manning: Yes.

Mr. C. Sharma: "You don't." Absolutely not. Policing. The Minister told us today that it will come under the Commissioner of Police. But look at the track record of the Commissioner of Police. That is not needed. The Member for Tobago East was making the comparison and going all over the world. It is a

dangerous thing when you are a minister and you get free money to travel. You want to impress your friends and family and go all over the place, but you learn absolutely nothing. Nearby Miami is controlled like a corporation and they do everything. In Toronto they do everything. The Minister was arguing against that. My friend behind asked me if I travel. They will appoint you minister soon. You will get to travel.

This is what we are facing. The supply of goods and services that the citizens are supposed to enjoy is on hold while the ministry is doing reform for the last number of years. We are asked to come and support this kind of—I almost said nonsense.

I want to show you the discrimination. Training Programme for SEA students, Palo Seco, PNM area. Recreation ground, Delhi Road, PNM area. Pluck Road, under the watch of the Siparia Regional Corporation. Some of the best cricketers come from that area. No work done on that recreation ground. Why? Spiting. No other reason.

Mr. Dumas: You have to run your campaign in Fyzabad not Port of Spain.

Mr. C. Sharma: It works. Under the IRID programme the selection of these contractors are often friends. It cannot be accidental that when you look at the contractors they are always members of the PNM, like CEPEP. The selection of the projects under the IRID as well cannot be oftentimes the last majority in PNM districts. You cannot fool anyone by saying it cannot be. Show us the evidence. You come to Parliament and bring all the projects and we would be able to take it off.

Let us go further. Levels of authority. Local government is required to work with a number of agencies as Town and Country Planning Act, Public Health Ordinance, Land Acquisition Act, Highways Act, Central Tenders Board, burial grounds, et cetera. They are disbanding the Central Tenders Board very slowly to get away from rules and regulations. There is money for everything else in this country except for local government and they hide behind reform. You cannot do it anymore. The national community is aware.

I have argued in Parliament that local government is the most important ministry in the Government of Trinidad and Tobago. I thought that the appointment of the hon. Senator was in keeping with that thinking. Minister, you have had many letters asking for funding. Do not come to tell the national community at the end of the financial year there are a few dollars left there. What is the big deal? \$100,000 or \$200,000. The money comes late and you have to spend it before a particular time. If the contracts are not awarded properly it cannot be done. The game they play to give their contractor friends, the 14 multipurpose companies, you are seeing a corporation getting \$57 million to pay wages and salaries, but \$5 million and \$6 million for the purchase of goods and services.

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So you have \$58 million—I always argue and I agree with those who argue that the Government does not have intelligence. How can you have \$58 million servicing \$4 million and \$5 million in the purchase of material? You have people who have come from local government like my good friend the Member for San Fernando West. He seems to have learned nothing, or at least brought nothing in here. I do not understand it.

When we come to this Parliament, we must not fear to do what is right. I am not here to be promoted as a UNC member, you know. When I come through that door, I come as a Member of Parliament and I expect my colleagues opposite to be Members of Parliament, having taken the oath of office to serve without fear or favour.

Mr. Speaker, at the end of the financial year, we expect every corporation to have a few dollars. We have bank accounts; we have fixed deposits, so moneys must be there. What is the PNM telling the corporations? Run the corporations bankrupt; do not have some savings?

Act 21 of 1990 came during the NAR period. The PNM came into government the year after and did everything to make sure it did not work. For instance, I heard the Member for Baratavia/San Juan boasting to the country that he was a qualified auditor and what I saw in 1970, I see in 2009. That shows that the PNM made no improvements because Act No. 21 of 1990 asked for an accountant, an attorney-at-law, a medical practitioner, and the PNM did everything and continues so to do to make sure that those officers are not appointed. That is the law of the land. [*Interruption*]

I love that argument. He says we have it in San Fernando. That is PNM. They do not make it available elsewhere. In this country, if you are PNM, expect goods and services and expect a lot of money for it. When we look at government expenditure under this PNM administration, they have purchased nothing within budget. They have not delivered a single project under budget, including the poll.

The Member for Tobago East was quoting from the MORI poll. Mr. Speaker, I do not know if you were given a copy. There is none in the library. It is close to 100 pages, but they have doctored everything, so there are only six pages here.

National issues were done. This took place in April 2008; local area, attitude to local government body and this Minister—and consider that there are Members opposite who come from local government—was arguing that the MORI poll

found that people did not know their councillors. One reason they did not know their councillors is that they did not have the resources to do their job.

The UNC argued, the Association of Local Government argued and it was carried, that all local government practitioners should have an office funded by the State. They are providing services. We agreed to make available tax-free cars for our local government practitioners because they are basically on call 24/7 and operate from their homes. Do we need reform for that? The answer is no. It seems that this is a hate relationship. We hate the citizens of Trinidad and Tobago and I hate the local government practitioners.

We cause to be introduced at the University of the West Indies a certificate in local government and you can leave with a bachelor's degree. Some people are doing it. Do we need local government reform for that? We do not.

What else is there about the MORI poll? It demonstrates without a doubt that the lack of funding is the critical issue in local government funding. It also found that manpower is critical because the PNM has destroyed all the local government corporations. When you look at the manpower, some started off with 2,000. Today, they are under 1,000. How can you get delivery? You cannot blame the local government corporations. So what do you do? You create CEPEP.

I was very pleased—the Member for Arima is someone that I have come to love very much because oftentimes she speaks from her heart. The point is that she indicated the challenges she faces and that is because everybody is a Minister of Government and they look after each other.

The very distinguished Member for Diego Martin North/East treats Members on this side with contempt; not a single letter is responded to, but we will live. He cannot do me anything; he can do the people. When you look at Ministers opposite, outside of the reform, the Minister of Local Government has been to many areas. The best reception she got was in Fyzabad. I hope you kept those beautiful flowers I presented you.

They use the services of one another to support one another, which is not a bad thing, but it has to go. When you look at the Ministry of Works and Transport, which is a huge Ministry, he has not visited Fyzabad in the last seven years. At one time he was the Minister of Health and even when he was Minister of Health, very few visits were made to the Opposition side.

When you look at the distribution of resources within the corporation—we talk about employment—how is it done? What were the findings of the MORI poll? The MORI poll also found out that crime was a concern—84 per cent. Each

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regional corporation has the power to establish policing within the community, but there are no resources for it. The Mayor of Chaguanas has indicated that he has been waiting for police officers. What has reform to do with that? Absolutely nothing! It is really punishment to the Chaguanas Borough Corporation. He indicated that they needed riders for the motor cycles. What does reform have to do with that? Absolutely nothing! So, it is calculated to punish people; it is not about adding value, but about punishing people.

It talked about housing. Which regional corporation has been able to give out housing? It is all controlled by the central government. Again, there is no fairness in the distribution. You are asked to fill out the forms there, but it is not treated with at all. Can the Siparia Regional Corporation say that it has made recommendations based on the applications that came in and that 10 people got houses? No. Mr. Speaker, you must be concerned, like every other citizen in this country, how the distribution of any resources held by the State reaches the people.

If we look at scholarships, I just got a report out of Grenada that 318 scholarships were granted over the last few years, but there was not a single advertisement. When you look at the student population, it does not represent the population mix of Trinidad and Tobago.

Mr. Swaratsingh: Mr. Speaker, I cannot let that statement stand on the record. The scholarships offered by the Government of Trinidad and Tobago are all advertised by the Ministry of Public Administration. That is not true.

Mr. C. Sharma: Are you saying that the 318 medical scholarships were advertised?

Mr. Swaratsingh: There are not 318 medical students in Grenada on scholarship. There are several scholarships being offered in St. Georges, Grenada. One is between St. Georges and the Government of Trinidad and Tobago; 50 per cent by the university and 50 per cent by the Government. The other one is 50 per cent offered by the Government and 50 per cent paid for by the parent.

Mr. C. Sharma: Tell me the total issued by the Government of Trinidad and Tobago as far as you are aware.

Mr. Swaratsingh: As far as I am aware, the Government of Trinidad and Tobago has offered in total 150 or 160 scholarships. There are students in St. Georges who are not under scholarship. To say that scholarships are not advertised is an untruth and not reflective of the policy of the Ministry.

Mr. C. Sharma: The Minister is confirming that between 150 and 160 scholarships were given by the Government of Trinidad and Tobago.

Mr. Imbert: All advertised.

Mr. C. Sharma: I say two things: a number of those scholarships were not advertised in the first place. You can say anything you want. Secondly, it cannot be by accident that the vast majority of scholarships always seem to be going to one group.

Mr. Speaker: Before we leave the tracks, we need to get back on. [*Crosstalk*] Hon. Member, I think you need to move away from education and scholarships and come back to what is before us.

Mr. C. Sharma: All I am saying is that if these scholarship forms were made available at the regional corporations, there would be a fairer distribution. According to the MORI poll, which touched on local government, it talked about education, national issues, attitude to local government bodies and local government services. The services they talked about include every service that is available to the citizen of Trinidad and Tobago and forms must be at the local government offices as well.

I would like to answer the Member for Tobago East; he asked the group to which I am referring. If you pretend and continue to pretend that you do not know the group about which I speak, we will be in big trouble. We will face a Honduras.

Over the years, one of the false strengths of the PNM was to say, when we raise national issues, that we may be contaminated with the racist brand. I do not fear that the least bit. When we grant scholarships, it does not reflect the pot-pourri that is Trinidad and Tobago. When you look at the distribution of houses, when you look at the distribution of CEPEP contracts, the employment practices, the MUST programme; all the programmes; when you look at promotion, it does not represent Trinidad and Tobago.

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

Mr. Speaker: The hon. Member for Diego Martin North/East has raised Standing Order 36(1). I am not accepting it on this occasion, but come back to what is before us.

Mr. C. Sharma: Remind me what 36(1) is. When truth is spoken in this Parliament, there is a Standing Order to prevent truth. I make a point of Siparia Regional Corporation that when you look at the spread of resources, it cannot be that the eight electoral districts in this corporation—again the corporation indicated that the Act requires an outfit of officers—a treasurer, who has to be a qualified accountant and the corporate secretary who has to be a lawyer and a medical officer. It cannot be that the majority of corporations are lacking the officers and reform has nothing to do with that.

Mr. Speaker: [*Inaudible*]

8.30 p.m.

What is the point you are making? Let us move on. It is unfortunate that the PNM cannot find people. They cannot find persons of East Indian origin who are applying for housing. They cannot find persons of East Indian origin to become CEPEP contractors. They cannot find them in so many other places; the same way they cannot find lawyers today. When it comes to scholarships it is the same story. [*Interruption*] Let us continue.

Part of the drive at the corporations is sport tourism activities. I saw the Ministry of Sport and Youth Affairs had an advertisement. I wrote the Ministry and two things happened. After they sent a letter asking us to get involved at the local government level, I communicated it to the local government practitioners and they communicated it to the Ministry and the officer who responded on the telephone said that it was closed. Do you know what they did? They sent the letter after they selected the persons. That is how this Government operates. [*Interruption*]

Mr. Hunt: Selected for what?

Mr. C. Sharma: He does not know. It is over here. Where is the thing that was circulated today?

Mrs. Gopee-Scoon: Find it. [*Interruption*]

Mr. C. Sharma: I will bring it home by you, even if I do not have it now, but I will bring it. The point is that it is available here.

Mr. Speaker: No, you are debasing. Do not go there. I promised the Members that you will be crisp and make an intelligent contribution, but you are disappointing—and your last comment about—

Mr. C. Sharma: Sending it home?

Mr. Speaker: I do not expect that from you or any other hon. Member.

Mr. C. Sharma: This is the document I am talking about. I ask why this was not available at the local government offices. There is National Youth Month from July 01—31. Members on this side received this after July.

Miss M. Panday: Today. [*Interruption*]

Mr. C. Sharma: More than that, the selection of it took some time before this. It is effective from July 01—31. The dream of business.

Let me tell you the short story. I would make it very short and precise. This is for the PNM. They have been advertising it without shame. The history goes on and on. *[Interruption]*

Mr. Hunt: Can I explain?

Mr. C. Sharma: Sure.

Mr. Hunt: Mr. Speaker, clearly the Member knows nothing about—I just want to clarify for the Member’s knowledge on the process. Clearly, he knows nothing of what is going on with youth month. The process you referred to is an elector youth programme we have and that was advertized on the national newspaper. Information is available on Facebook, Twitter and on our website.

Thank you.

Mr. C. Sharma: That is exactly the point I am making. It is advertized all over the place, but only PNM people get through. Every one of the Ministers opposite has somebody representing their office. On this side, the same does not obtain. These things always happen by accident. This is a Government that is favourable to itself.

I want to refer you to the report ending September. Here they are talking about the Tunapuna/Piarco Regional Corporation under the watch of the PNM.

“Development programme receipts. It was seen that amounts totalling \$343,173 were received for expenditure in development programme projects. In addition, an amount of \$170,000 was seen to have been transferred from the Infrastructure Development Fund account to the Development Programme. However, these amounts totalling \$513,173 have not been reflected as receipts on the standard of receipts and payments.”

Reform has nothing to do with this accountability. The UNC was in government and the NAR was in government and this did not obtain.

I go further:

“Retirement benefits receipts, \$409,429. The figure of \$409,429 does not include the sum of two cheques totalling \$95,829.31 received from the Ministry of Local Government for the payment of retirement benefits. The reason for this omission was not known.”

The list goes on. The Government cannot come and hide behind reform. *[Interruption]*

Mr. Ross: Your child got a scholarship?

Mr. C. Sharma: You said my daughter? I would tell you why my daughter, after. You want to know about my son too? I would tell you about them too. In

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the interest of time, the Member for Barataria/San Juan wants to know how my daughter got a scholarship. He also wants to know how my son got one. I am not aware that my daughter got one as yet. Is she getting one? You see how the PNM sits and decides? They decided “We better give Sharma daughter ah scholarship, so he eh go talk.” I will not fall for that my friend. Do not try that at all.

With respect to public health and the environment, in every one of the corporations there were concerns about public health and the environment. We interviewed the persons, business houses and experts and one indicated that reform had nothing to do with proper public health. The country has very good doctors. The country has people who have their MPH and they work in these areas.

With respect to public sanitation, to pick up garbage, the Ministry always complains that people put their garbage and it falls into rivers and drains. Do you need reform to send a truck to pick it up and take it to the dump? I do not think so.

In many of the corporations—in fact the Office of the Ombudsman of Trinidad and Tobago report shows that the complaints to the regional corporations were not treated with. You do not need reform for that. If someone says that the drains at the front of their house are clogged, what does reform have to do with sending manpower?

When you look at the associations with CEPEP, URP and the regional corporations, in the PNM corporations there is a beautiful working relationship. The same does not obtain in the UNC-held corporations. Can you tell me a word I can use except discrimination to describe that? I cannot think of another word. I would stick to discrimination.

This Parliament, soon if the PNM has its way, will not be a place where we can come and speak the truth and present the facts. We will spare what the PNM will do. They would hold back and threaten your children’s education, but not this Member for Fyzabad, especially coming from the Member for Barataria/San Juan.

Human Resource Development—what does reform have to do with that? The Member for Tobago East and others have argued about the chief executive officer coming from the private sector. It is the dream of every public servant to go through the ranks. Under the PNM, that is going to be a thing of the past. Why is that so? Why can an officer entering the public service, reading for a degree and advancing himself, stay in the public service and become a CEO under the PNM? Do you know why they believe in this contract thing? It is for control purposes. That is what the Government is interested in; total control. There must be no other

way. There are acting appointments such as the DPP, Solicitor General and God knows what else; every other post I can think of.

The lack of sufficient funding was the main concern expressed by corporations in the fourth report. Does the Minister have this report? When was this presented? I cannot see the date now. Are the corporations telling half-truths? Was this report hidden from the Minister? The former Minister was not aware of this? The lack of sufficient funding was the main concern by corporations. The committee heard that despite requests for increased funding, the corporation continues to receive less than what is requested and is therefore unable to fulfill its responsibility and discharge its duties in all the areas. What does reform have to do with this? The limited funds that are located must then be channelled to vital infrastructure maintenance and engineering products throughout the corporations. That has nothing to do with reform.

Another concern that the committee discovered was the inability of the corporation to attract qualified people. Why was this so? *[Interruption]* Do you want to say something? Not about my daughter and son. *[Interruption]*

Mr. Ross: I think it is wrong for the Member to be saying that the Government is discriminating with respect to funding. Every government must have a programme. Funds are limited and they must have priorities. In addition, he is making a statement that we have not been providing the kind of funds that they have been requesting, giving the impression that the corporations, particularly the UNC-controlled corporations, are underfunded. That is not true. The records show that under the PNM, funding for Development Programmes doubled over the years and Recurrent Expenditure trebled. I can go through the figure. I think you are misleading us.

Mr. C. Sharma: Maybe the Member for Barataria/San Juan is suffering from newness. The difficulty with Ministers—I was there too. I would make sure the public servants would assist us in compiling our reports, but they could not write our speeches. That is the mistake you are making. I have just demonstrated to you that I am reading the Fourth Report of the Parliament of the Republic of Trinidad and Tobago. Can I get the camera to show this so that citizens would see what we have to put up with? It is the Fourth Report of the Joint Select Committee of Parliament appointed to enquire into and report to the Parliament on Corporations and Service Commissions. I am not saying this. I am reading from page 8, under “Finance and Funding Constraints”. The lack of sufficient funding was the main concern expressed by corporations. I am not saying this. I am surprised. This is a committee that, I think, you appointed, Mr. Speaker. It came under the Speaker in this instance.

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Another concern of the committee was that the corporation was unable—you have medical doctors and lawyers. You can second them to any organization you want within the State. We do that. If there is a doctor and he works at a health centre, that doctor can be so advised. They do not have a good relationship with the doctors. Remember what the Member for Diego Martin North/East said. Those doctors in MPATT and elsewhere are UNC. He is confirming it. It is the same thing he said about the lawyers last week. They are prepared to starve the corporations of money and human resources. They want to contract out everything.

They argue about accountability. I was looking at television when I saw my friend, the Member for Barataria/San Juan jumping all over the place about the Chaguanas Borough Corporation. I just read the report of the Siparia Regional Corporation. I highlighted Tunapuna. What the Member did not say is that the best run corporation in Trinidad and Tobago is the Chaguanas Borough Corporation. *[Interruption]*

Mr. Imbert: Who said that? It is the worst.

Mr. C. Sharma: I was waiting for that. Who said it? They have conducted surveys and they have spent large sums of money. That is their finding.

With respect to the Siparia Regional Corporation, what were some of the findings there? They found that in the distribution of projects, the priority was always in the PNM held electoral districts. It cannot be and it must not be that in every instance that we have discovered thus far, the vast majority of projects are in the PNM-controlled areas. It cannot be everywhere. It cannot be that the CEPEP projects—they said that there is a working relationship with the regional corporations in the PNM areas.

When I took the oath of office, it is the same oath of office my friends took opposite; to represent the people and to add value to their lives. How is it that a PNM can get a corporation to respond and a Member on this side cannot get the corporation to respond. Why is that so?

8.45 p.m.

When a school is hosting a sport day, oftentimes they will write to the corporation, but how is it that the PNM areas get those things very easily? Why that must continue? What must we do? Should we come here and pretend that all is right? Mr. Speaker, how much time do I have before the extension? *[Interruption]* If I do not get it, so be it. The work continues and Monday night I will speak.

With respect to street lighting, we have written to the corporations. The hon. Prime Minister told us to direct the letters to T&TEC. Again, you do not see that equal distribution of treatment. We have applied for minor watercourses under the watch of the corporation, and it is the same story, they do not have resources.

Mr. Speaker, you drive around Trinidad from time to time, and you will see how untidy some of the cemeteries are. Do we need reform to cut the grass, to fence and to build an area where people can go and conduct a service? With respect to the cleaning of public spaces, do we need reform for that?

With respect to disaster management, every corporation that we have interviewed had a difficulty, because there were no funding and no clear-cut approach. In fact, if you hear about a disaster—disasters do not give you much warning—by the time you assemble the persons who are involved and responsible, the disaster would come and go. Of course, when disasters hit certain areas, we see how corporations have responded. We saw in the East-West Corridor where people in the Tunapuna area were walking with mattresses on their backs distributing them. When that happened in the Siparia area—do you know in the electoral district held by UNC councillors, we did not get that same response? I draw this to the Minister's attention, because when it happened in Erin, hampers were available the same night and mattresses were available the next day. I really cannot understand why this level of discrimination continues. I intend to highlight this matter on every occasion with the hope that it will be corrected.

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.
[*Mr. H. Partap*]

Question put and negatived.

Mr. Speaker: Unfortunately, the noes have it. Are there any other speakers?

Miss Mickela Panday (*Oropouche West*): Mr. Speaker, I rise to join this debate as a duly elected Member for the constituency of Oropouche West, with the full intention of hoping to influence the vote of Members present here today.

Mr. Speaker, after reading the newspaper reports yesterday, many persons would have been shocked, as we in the Opposition were last Friday, when the Government, through the Minister of Local Government, quite craftily laid before this unsuspecting House, the Draft White Paper on Local Government Reform, the Local Government Boundary Review Report, the Local Government Bill, 2009 and then stealthily later that same night laid the Municipal Corporations

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(Amdt.) Bill, 2009 to start the process to postpone the local government election for yet another year. The latter of which was to be debated two days later, regardless of the shortness of time.

I have to say, as a new Member of this House, not yet immune to the nonchalant treatment of important matters, I did wonder how any government, with the well-being of the people of Trinidad and Tobago in mind, could treat the passing of such legislation with such derision.

On reading the documents laid as a package and not in a piecemeal fashion as it was cunningly laid in this honourable House, it soon became very clear to me why these two pieces of legislation were laid together. You see, when one reads these pieces of legislation in detail—quite contrary to what the hon. Minister said—it is flagrantly obvious that the passing of these pieces of legislation has nothing do with empowering people in communities to manage governmental affairs in accordance with accepted democratic principles.

In fact, on close examination of these Bills, the rationale for laying these Bills in reality is quite the opposite. Mr. Speaker, this exercise here today is nothing but yet another move by this Government to achieve the underlying ultimate goal of the Member for San Fernando East of slowly eroding our democracy until we are left with nothing, but a dictatorship that we can no longer remove. [*Desk thumping*]

Mr. Speaker, in light of what my colleagues have said today, and the various reasons why we in the Opposition and so many others believe that the life of local government corporations should not be extended for yet another year, we intend to demonstrate that these Bills are being used as nothing more than a tool to advance the creeping dictatorship we all in this country have been facing for the last seven years under this PNM Government.

Hon. Manning: Mr. Speaker, on a point of order. The Member is imputing improper motives.

Mr. Speaker: The hon. Minister has raised a point of order implying that you are imputing improper motives by referring to some sort of creeping dictatorship. I do not think that it is really a valid point of order but, perhaps, you will want to get into the meat of the thing.

Miss S. Panday: I was going to do that, but the hon. Minister preempted me. The legislation before us, like so many that we have been subjected to in the past, has the sole purpose of legalizing the PNM's open gerrymandering; that is to say,

by unfairly manipulating electoral areas by altering its boundaries for political advantage in order to ensure that the PNM wins both the next local and general elections.

Hon. Manning: Mr. Speaker, Standing Order 36(1).

Mr. Speaker: Again, it is not valid. The Member is saying that the Government is gerrymandering. It is a fair comment. It is not that the Government is doing it. Be careful of how you interpret what I am saying. She is not really breaching the Standing Order.

Miss S. Panday: Mr. Speaker, if the hon. Minister will give me a chance to speak—I know I am probably hitting home and making her slightly uncomfortable, but I was simply saying that this is being done because they have not had the popular vote for some time. In fact, they won the last general election with a minority of votes and that is why they need the time. Of course, part of that gerrymandering process includes the completion of the housing projects, which we all know was conceptualized to strengthen the areas the PNM currently control and to gain control of those areas referred to as “marginals”. It is crystal clear, and I will show—if the hon. Minister will give me the opportunity—examples in the Penal/Debe area to illustrate same.

It all starts with the slow killing of local government. If only they would put such effort of planning and foresight into solving the real problems that people are facing in this country today, again, that would be much to ask. It comes as no surprise today, we have had to sit and listen to the other side—like good salespeople—sell outrageous reasons why we on this side should support this Bill and why in the long term it is the best solution for Trinidad.

Before we got off the starting blocks, when this Bill was laid by the hon. Minister—whether intentionally or not—the Minister started on the premise of misrepresenting the reality of the so-called local government consultations that took place. She stated that during the extensive public consultations of the 14 municipalities that took place from June—October, in 2008, CBOs and NGOs, village councils, faith-based organizations, political parties and other associations were represented.

I say that is a misrepresentation, perhaps not intended by the Minister, but I say so because I have personal knowledge and can safely say, that having attended the consultation with my colleagues and constituents from Oropouche West, that of those people who attended, very few who filled the halls were legitimate, interested parties. This may be no fault of the Minister.

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More importantly, I again say that I speak for the Penal/Debe area. I am not saying that this was the case throughout the country. I am saying that such groups as the farmers and the NGOs who support the youth in my constituency, sport and cultural organizations and numerous small business owners that were present were unable to participate effectively in the workshops, because the halls were flooded earlier by those who appeared to be mandated to do so for a certain time, and that was my experience.

You see, you cannot have genuine consultation requesting suggestions and opinions by others when you already know what you are going to do. Those who thought that the Government was coming with clean hands, soon realized that the exercise of consultation and engaging of consultancy services were bogus and nothing but a farce to justify, as is being done in this House today, the complete emasculation of local government in favour of central government of which the Prime Minister has complete control.

Mr. Speaker, I say categorically that was purely an exercise conducted by this Government to disguise yet another undemocratic act as a democratic one. We in the Opposition say that this reform or change, as some would prefer to call it, is not being proposed for the purpose or aim of local government reform programme to contribute to the realization of Vision 2000 by promoting meaningful decentralization of significant aspects of the local government system to improve efficiency, while building sustainable communities with a participative local democratic framework. That is the Ministry of Local Government White Paper.

9.00 p.m.

Mr. Speaker, I say, its purpose is solely—it is not based on what is stated in the White Paper—to advance the dictatorial craving and complete erosion of the democratic right by the Prime Minister. Before you get up, Madam, I would like to tell you why I say so. I say so—

Mr. Hunt: You are not supposed to read.

Miss M. Panday: Then you would never speak in this Parliament, Port of Spain North. [*Desk thumping*] Forgive me, Mr. Speaker. These are my reasons submitted:

1. unfairly manipulating all electoral areas in such a way as to give the PNM an unfair advantage in an election, the process of which includes completing their so-called housing project; and by
2. destroying local government, by the use of special purpose companies to gain an unfair advantage in local government elections, by the unfair

distribution of resources—and as you know, Mr. Speaker, as is the norm with road paving before the elections—and to assist in further advancing their housing project.

Dealing first with gerrymandering, because they may not have understood what I have just said. We need to look at the Act itself. If we look at Part II of the Act which deals with municipalities, municipal corporations and municipal councils—Mr. Speaker, I am going into explaining to them why I have made such statements, so they would not jump up.

If we look at Part II of the Act, which deals with municipalities, in particular, clause 5(1) states:

“For the purposes of local government, the island of Trinidad shall be divided into the following twelve Municipalities:

- (a) the City of Port of Spain;
- (b) the City of San Fernando;
- (c) the City of Arima;
- (d) the City of Chaguanas;
- (e) the Borough of Point Fortin; and”

Then it goes on to 5(f) to say:

“such seven other Municipalities as the President may, by Order subject to affirmative resolution of Parliament, specify.”

It is here that the real motive of this so-called reform really begins to unveil itself. Immediately, you can see from the Act that they intend to get rid of two corporations, moving from 14 to 12: the Penal/Debe Regional Corporation and the Rio Claro/Mayaro Regional Corporation as specified in the Report on the Draft White Paper on the Local Government Boundaries Review Exercise.

Mr. Speaker, that is not all. They are not only getting rid of the two UNC corporations; the Act goes further to give the President—that is the Prime Minister—according to clause 5(2)(a) the power to specify—and this is the catch here. You name them and then you specify the boundaries of a municipality. This means, in effect, they have absolute control over these boundaries. Perfect foundation laid by law, for gerrymandering, because this provision would give the Government the unfettered opportunity to manipulate the boundaries in whatever way they see fit in the now seven corporations.

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I ask the hon. Minister, through you, Madam, why are the descriptions of the boundaries not specified in the Act? When exactly is this going to be done? Is a framework going to be specified and adhered to? Or does this all depend on when the housing projects are completed? So, it follows, Mr. Speaker, keeping in mind the basis on which this so-called reform is taking place. It does not take a genius to put the pieces together to see, once these boundaries are drawn in a manner most favourable to the PNM for the local government elections, which, no doubt will be a test run for the general elections, next year, when the EBC Report is due, their work would have already been done.

Why else would this Government allow the continuous breaches in the existing regulations which clearly state that it is the responsibility of PDRC—I am speaking again for the Penal/Debe Regional Corporation (PDRC) with which I am most familiar—to give final approval regarding the Local Health Authority, WASA, fire, town and country and drainage.

Mr. Speaker, today I put it to the Minister to tell this honourable House, of all housing projects that have been carded for the Penal/Debe area, how many have received final approval from the PDRC? If she is honest, she will tell this honourable House that not one housing project—all of which have already commenced—in that area has final approval from the PDRC.

Housing projects have begun—in case the Minister is unaware—in the Woodland area, Picton 1, 2 and 3, Wellington Road and the M2 Ring Road, where altogether, thousands of new housing developments are springing up, but without valid planning permission, yet the Government chooses to turn a blind eye to the breach that is taking place of these regulations, because it suits, like I said to you before, Mr. Speaker, their ultimate goal of gerrymandering.

Nothing else but shameless gerrymandering, without giving a second thought to the practicality of what they are doing. If the government chooses to deny this—because I heard the hon. Minister saying wonderful things about all these systems—I challenge them, with all the new advanced technology that they boast that they have invested in, according to the hon. Minister, GPS, GIS, et cetera, to rebut this allegation of gerrymandering/ by digitally superimposing where all these Government housing projects fall on the newly proposed boundaries, as outlined in the Draft White Paper. I think we would see that they are not as forthcoming as we would like them to be for obvious reasons.

Two blatant examples—before they jump up again—are the Golconda Housing project and the M2 Ring Road Housing project. In the Golconda area, have they realized that there is no space for recreation, nor any space allocated for

commercial vending? Have they considered the traffic implications and/or noted there is no lay-by present for the traffic to filter either onto the main road and/or onto the Uriah Butler Highway? Have they considered the dangers of this?

In the La Romaine area, where 902 lots are currently allocated and work has started to build houses, this Government has only located five acres of land for a recreation ground where 11,000 people live. Currently there is only one recreation ground—Mr. Speaker, I know you are from the La Romaine area, from the south area—located at Lucky Street.

The reason why I stress this issue in particular, Mr. Speaker, is because in the constituency of Oropouche West, the La Romaine area is one of the highest crime hot spots, because there is nothing there for the youths to do to constructively occupy their time. Yet they want to talk about youth development and Vision 2020. This really takes me back to the initial so-called local government consultations that took place. When asked by the Ministry what new boundaries or changes in boundaries the PDRC wanted, the response was, none. What was needed was improvement, as my hon. colleague for Fyzabad said, on what was already there, and this was based on the principle of subsidiarity.

Mr. Speaker, this is a principle which holds, that nothing should be done by a larger and more complex organization, which can be done just as well by a smaller and simpler one. In other words, any activity which can be performed by a more decentralized entity should be. It is this principle that is the bulwark of limited government and personal freedom, which conflicts with the obsession for centralization and bureaucracy, which we all know is the main characteristic of this PNM Government.

That is crystal clear today, because of the hon. Minister's decision to remove functioning roles that previously fell under the purview of local government without valid and/or convincing reason. It is this behaviour that makes one question the rationale behind these somewhat shifty manoeuvres by this Government. It really does not take very long to figure it out, that in fact, like everything else with this Government, all you have to do is look back in retrospect and you would see that the removal of many of the vital powers, roles and responsibilities of local government started taking place sometime ago in favour of the notorious special purpose companies, taking away the autonomy of the local government bodies and more importantly, community input.

It is at that point we are able to map what can be described as the beginning of the emasculation of local government and the implementation of this Government's plan to ensure that the PNM gets back into power during the next

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general election at any cost. Let me explain what I mean with an example from my area—the Penal/Debe area—and let us not forget I bring it up and relate it because that is one of the two UNC corporations that they are getting rid of.

Mr. Speaker, under Act 21 of 1990, you will recall that of the many roles and responsibilities carried out by local government, in particular the maintaining of roads, and the building and maintaining of bridges were included. However, since 2005/2006, approximately three years ago, road paving and the maintaining and building of bridges, which are important and relevant to the south region, as we have the worst roads, drainage and flooding problems in the country; since then these functions have been taken away and they are no longer the responsibility of local government.

Now, that would not be a problem if both those functions did not now fall under the jurisdiction of the well-known artillery referred to as the special purpose companies, of which we know much has been said about because of their lack of accountability through direct reporting to the Minister, which completely flies in the face of transparency.

To date, there is no justifiable reason for this because of all the corporations, only the five UNC run, complete all their projects, and we are not the ones in government. Yet, this Government that uses every opportunity to talk about prudent management, did not use the passage of this proposed Local Government Bill to strengthen the mechanisms that are currently in place, to improve efficient and autonomous functioning of local government.

Instead, they chose to use this legislation to further control, manipulate and discriminate by adding another layer of bureaucracy, which in fact—they talk about doubling up—is really performing the same function that the local government previously did. [*Desk thumping*]

9.15 p.m.

Now, Mr. Speaker, so as we are not misunderstood and/or misquoted, as we so often are, it is not that we in the Opposition are against change; what we are against is exchange which takes us 10 steps backward from the two progressive steps that we have taken forward. In fact, we believe it is necessary to be pragmatic in this ever-changing world. However, what we are against is change that is self-serving and not for the betterment of the people of Trinidad and Tobago. And trust me, people are not stupid, they can see it from a mile away, and again, so I am not misquoted and I relate it, I say so in the context, Mr. Speaker, for example, by the manner in which the procedure in relation—as my

colleagues have spoken about—to accessing state funds has been conducted in the past. Namely, and again I speak for the UNC-run corporations and in particular, the Penal/Debe Regional Corporation which as you know Oropouche West falls within.

Mr. Speaker, the Penal/Debe Regional Corporation, like all other UNC-run corporations, generally follows the following process as the hon. Minister is aware of:

1. submits quarterly agenda/plan of projects that they intend to undergo for that period and it is sent to the ministry;
2. someone from the ministry is then sent to inspect the jobs that are proposed, and sadly this can take up to two weeks to one month;
3. after than an application is then made for the funds. Really, just my humble suggestion which in the interest of efficiency, the municipal corporation could really request that it is done at the time when you are submitting the jobs that you are proposing;
4. tenders are then invited; and
5. the money is then released, I believe, on a monthly basis.

Now Mr. Speaker, whilst I am sure that mechanisms could be put in place to perhaps speed up this process and make it more efficient by giving local government more autonomy, it begs belief how instead of approaching reform in this manner, this Government quite unjustifiably chose to place important projects such as the paving of the roads and the building of bridges in the hands of special purposes companies such as the Rural Development Company, PSAEL, CISL and UDeCott, which, I must mention, have their own boards, their own budget and supposedly their own tendering process—if they have any—and which most of all are not subject to any form of accountability.

My question to the Government is why do that? It makes no sense to the rational thinking person. However, it makes a lot of sense to those who ensured its transition. Because, Mr. Speaker, it was never about the efficient allocation of resources, it was never about the effective functioning of the relevant local government bodies; it was about providing jobs for their friends and families and enabling massive corruption through lack of supervision. [*Desk thumping*]

I say this again, because in the Penal/Debe area, of the 10 bridges that were listed to be built by these special purposes companies, none has been built and we were just recently informed that none will be built in the near future, if at all, as promised.

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In Palmiste, again, an area in Oropouche West, where for years the residents have suffered from an untreated sewer problem, when we approached the special purpose company called CISL, now responsible for dealing with this problem, we are now being told that there will be no addressing of this problem at least until next year.

And the evidence continues to build. There has been raw, naked politics being practised by the PSAEL in Oropouche West and I should say in the entire Penal/Debe area in determining which roads are to be paved and I say so without any blame being apportioned to the hon. Minister as she may not, herself know what is happening within these companies. This is my report to the House.

Mr. Speaker, after touring the constituencies in that area, the Members of Parliament together, Fyzabad, Siparia, Naparima, Oropouche East, we submitted a list of priority roads that desperately needed paving because children cannot go to school if it rains, people's cars are being mashed up, taxis are not coming in, they have got a crime problem. So we decided—although there are many roads in our respective constituencies that need to be paved—we would submit a priority list. Let it be known to this House that the PNM party groups in the said area which I am familiar with, also submitted a list of their roads which were located in the solid PNM areas of Penal. Lo and behold, to no one's surprise, guess which list took priority?

Hon. Member: The PNM list.

Miss M. Panday: It is an absolute sham that the roads that were paved, were not roads that the PDRC and the residents were desperately asking for because they had become impassable. It is not a favour people are asking for—and they paved roads that did not require an iota amount of work that were paved by these special purpose companies and we have pictures of it.

You can understand therefore, why we in the Opposition would be wary of clauses such as clause 26—just briefly—where it says, and we have said it before:

“The Minister may give general or specific directions to any Executive Council in relation to Government policy, touching or concerning any matter, and it shall be the duty of the Executive Council to govern its action in accordance with any such direction.”

It is not only that clause and I do not want to go into it because my colleagues have done so. They have dealt with it in more details. We also face the wrath of clause 60. Clause 60, which they have also alluded to:

“The Permanent Secretary of the Ministry shall, with the approval of the Minister appoint, a Chief Executive officer on contract for each Corporation.”

Of course, the only part missing, and as such will be, “behold on to the Minister and ultimately the Prime Minister”, but that only deals with the CEO.

The Bill further goes on to say in clause 63:

“The staff of a corporation shall include such other officers as appointed on contract by the Permanent Secretary of the Ministry or the Corporation, such as legal officers, accountants, engineers, public health officers and such other officers and employees as may be required...”—and it goes on—“provided that the establishment of the Corporation shall be subject to the approval of the Minister.”

And as if things could not get worse, we go on to clause 64 which then stipulates that your employment contract—after they decide who they should employ—“shall be subject to the guidelines prescribed by the Government...”—

So there really is no way out. All the doors have been locked.

The Government after the passage of these Bills will be in absolute and complete control. What else could this clause be interpreted as? What else could this clause be interpreted as because—and I am trying to really cut things down because I know the Member for Diego Martin North/East is close to tears.

Mr. Imbert: I will cry if you want.

Miss M. Panday: Do not cry, do not cry. I just want to say this, again just another example of the Prime Minister legislating to legitimize complete control over every institution and person in this society. What else could it be? And it is for this reason I cannot in good conscience support the Bill before this honourable House, as to do so for me would be to condone and support the continuing and insidious attempts by the Member for San Fernando East to further impose his dictatorial control over my fellow citizens and our institutions.

Mr. Speaker, I thank you.

Dr. Hamza Rafeeq (*Caroni Central*): I just rise to make a very brief contribution because most of the issues have been dealt with by my colleagues already but there are a couple of issues that I want to raise—as I said I will be brief.

What the Local Government Bill seeks to do is to reorganize the governance structure of the regional corporation. Basically, we have no great difficulty with that in principle. The difficulty however, is that we can reorganize and re-arrange

the governance structure as much as we want, we will be able to eke out more efficiency from the system if we do that, but if we do not deal with one fundamental problem then we will achieve very little and that is the problem of resources for the local government bodies.

Mr. Speaker, in the Tobago House of Assembly Act, there is a defined formula by which the Tobago House of Assembly (THA) gets its funds. [Interruption] The thing is, in this Bill there are some guidelines but they are very subjective and they are not as clearly defined as we have in the Tobago House of Assembly Act. I remember some years ago when the UNC was in Government, there was a problem of funding for the THA and they invoked another provision [Interruption] which I think the Member for Couva North mentioned this afternoon and that is the dispute resolution mechanism which we do not have in this Bill. And the Member for Couva North was alluding to that and that is if the corporations feel they have not been properly treated with respect to funding and any other thing, they can go to the dispute resolution mechanism. The THA invoked that mechanism and it was decided in favour of the THA.

Mr. Dumas: That was a political truce. We forced that out of you.

Dr. H. Rafeeq: Everybody benefited from that provision. The point I am making is that unless we deal comprehensively and properly with the issue of funding for the regional corporations, all the governance structure that we are trying to put in place will have very little effect.

If you walk in the constituencies and you ask people their problems and so on, more than 75 per cent of them will tell you that the problems relate to services that are provided by the local government bodies: bridges; roads drainage; things like those and when you talk to the local government councillors the single excuse or single reason you get all the time for not fixing these is that they do not have funding. They do not have funds, that is the single excuse or single reason that you get all the time for not providing the services. I am saying in my own constituency there is a road called Arena Road and I had asked a question here about six months ago and the Minister of Works and Transport addressed the answer to the question and he said that is a local government issue. Fine, that is true; when you go to the local government bodies, no funding. I raised a matter on the adjournment, again the Minister of Works and Transport addressed it and he said it was a local government issue, again the local government bodies are saying that there is no funding.

So, the point is that somebody earlier today raised the issue of moneys that have been allocated and not used are going back to the Government. There are

two sides to that story and that needs to be investigated a little more because the whole issue of how funds are actually allocated is one thing. None of us knows how funds are allocated. Now, something has been put in the draft Bill here and as I said it is very qualitative, subjective and so on, but none of us knows at this point in time how moneys are allocated to the different regional corporations. I am not talking about Couva/Tabaquite/Talparo Regional Corporation, I am talking about all the corporations because I am sure all of the councillors have this problem. If you ask all of them they will tell you their problem is the same.

So we are not sure how funds are allocated to the different regional corporations. As I said, there is an attempt here to deal with that but I feel it needs to be strengthened. This really does not satisfy the needs and I feel that after the reform process has taken place this problem will not be solved by what we have here.

9.30 p.m.

So, Mr. Speaker, that is the first issue I wanted to deal with. If the issue of funding is not dealt with, then this reform process will achieve very little. I am saying even though we may not want to go the way of Tobago where there is a definitive formula, but something like that should be considered.

The other issue that I just wanted to briefly mention is that some time ago, I think it was two or three weeks, when we dealt with a report from the Elections and Boundaries Commission in this House here, I mentioned that local government should be enshrined in the Constitution. The Prime Minister got up and said that they will do that, but I do not know in what way, in what form and in what fashion it will be enshrined. I am saying that it should be enshrined in such a way, in such a manner, that no simple majority should be able to postpone local government election. [*Desk thumping*] I am saying that I agree. I agree with that for many reasons that sometimes you may need to postpone local government election. Again, as was mentioned before, for a year, for six months, for three months, you may need to postpone the election, but the thing is, let it be done by a specified majority. Let it be done by a three-fifths or two-thirds majority, whatever you want to put. Let it be done by a specified majority, so that a simple majority should not be able to postpone election over, and over, and over, and over, again. That is not right. That cannot be right.

Mr. Speaker, I will tell you something. Earlier on, I think the Minister mentioned that aldermen may not want to continue to serve and one of clauses in the Bill gives the corporation the prerogative to reappoint or appoint new

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aldermen and so on. Well in the same way, Mr. Speaker, through you, there are councillors also, who do not want to serve anymore; there are councillors who are fed up of serving; there are councillors who want to move on with their lives. They do not want to resign, but they want to move on with their lives and because of that, they are not really providing the kind of service they should. Some of them have even moved on to other political parties and so on. The whole configuration has changed.

Hon. Member: You lost some?

Dr. H. Rafeeq: No, we got some from the PNM and so on. So I am saying, the configuration has changed and it is time to regularize that. I am saying that local government should be enshrined in the Constitution and enshrined in such a way, that a simple majority should not be able to postpone local government elections.

Mr. Speaker, there are two other little points that I want to raise and that is the issue of policing. Now, we know that we have a big problem of crime in the country and we know that the local government bodies can play a part, can play a role on the issue of crime. I know the Couva/Tabaquite/Talparo Regional Corporation and the Chaguanas Borough Corporation can play a part in fighting crime if they get the resources. I am saying in this Bill here the issue of policing is mentioned in this Bill, but what difference will it make from now till then? What is the difference? What is the difference in the policing that is being recommended here, to what there is at present? I do not know that there is any big difference. The only difference again, is resources.

If the corporations are as they are right now, empowered to have a police service and to fight crime and so on, and they do not get the resources to have the requisite cadre of policemen and so on, when the new Act comes into force and they do not get the resources, what difference would it make? Right now the Chaguanas Borough Corporation I think has an establishment of 50 policemen and they have about 10 warm bodies right now. So there are about 40 policemen short, what difference is this going to make; what difference is this reform process going to make if they do not have the resources to hire the policemen? That is the other issue I wanted to deal with.

The final issue I want to deal with—it was mentioned again, the issue of human resources. I want to tell the Minister, we have had the experience of the Regional Health Authorities. The Regional Health Authorities were established with a board of directors, a CEO and so on, and below them you had employees who were employed by the Chief Personnel Officer, Permanent Secretary and so on, but you had no connection between the Chief Executive Officer, the board and

the workers. You had no authority. The Chief Executive Officer and the board had no authority over those workers. If you do not correct that situation within the local government bodies, you are then going to end up in serious trouble.

I am saying, we have lost about six, seven or eight years in the Health Sector Reform Programme dealing with just that one problem because the workers would tell you that you cannot give them any instructions because they were not hired by you and things like that. So we have lost about seven or eight years in the Health Sector Reform Programme just dealing with that. So, I am sounding that out as a warning and that needs to be dealt with. The Member for Couva North mentioned that the regional corporations should be given the authority to hire and fire, and transfer whatever it is, with of course, proper procedures.

Mr. Speaker, before I take my seat, do you know there are several demarcations of boundaries in this country? You have local government boundaries; you have the constituencies that are for the general election; you have the Regional Health Authorities and they have their own boundaries; you have public health and they have their own boundaries; and you have magisterial districts and they have their own boundaries. When we were in office, we had started the process—we had not completed—of regularizing these boundaries and I think that is something the relevant Minister needs to look at, and to regularize these boundaries rather than having seven or eight different kinds of boundaries.

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

Mr. Dumas: You understand the thing.

The Minister of Local Government (Sen. The Hon. Hazel Manning): Thank you very much, Mr. Speaker. This has been really a very enjoyable debate and a very enjoyable day. I thought that we would have been in and out very quickly, but I realized that Members, especially on the other side, thought it was very interesting that they should participate in this debate. I must say, I want to thank them very much for joining us on this side to participate in this debate, the Local Government Bill, 2009 and the Municipal Corporations (Amdt.) Bill, 2009.

I want to start at the top. The Opposition Leader, the Member for Couva North, asked a very important question. His question is: What is the mischief that this particular Bill is trying to remedy? That is how we started at the Ministry of Local Government because that is the question we asked ourselves, what are the problems, what are the challenges, what are the issues, what is the mischief? We sat and identified the needs; we did : the research; we collected the data; and then we started from there.

The Member for Tobago East, who was the Minister of Local Government before I was there, said exactly what we picked up, because we used the MORI polls. Those polls said to us, these are the things that our citizens, our burgesses are concerned about. They were concerned about physical infrastructure and the fact that it took so long for the physical infrastructure to be put in place, that roads and drainage were top priority, and the fact that it was so difficult to fix your roads, fix your drains, fix the irritants that you found in the neighbourhood that you live. There were concerns about play fields and play parks, and the fact that young people did not have an area in which to congregate, to have discussions, to meet and to deal with each other.

Mr. Speaker, they were also very concerned about how slow local government moved; that you make a request for something to be done; there was an irritant in the area; you were being harassed, worried, bogged down, and then they would make the report; they will come and ask; and it would take so long. People would lose files, things just would not happen, they would not have the funding to do it, et cetera, and it is in that kind of scenario that the system started to roll-out. How could we solve these challenges? The first thing we looked at was the structure. What was wrong with the structure that existed in the regional corporations, that hindered the speedy delivery of goods. Because at the end of the day, when we listened to the people speaking, as we went out on the consultations, what we realized is that service delivery, especially quality service delivery just was not taking place. So we looked at putting a structure in place.

We are looking at the roles and the responsibilities, who will do what; the Ministry of Local Government will do what; the municipal corporations will do what: and then how will they interconnect? We thought that the Ministry of Local Government would just be an agency that will look into policy development. That is what we have done here today, to look into the management of municipal corporations, monitoring and evaluating and reviewing, and then moving on again and ensuring that things were happening in the proper way. We looked at the fact that maybe we need to integrate what we are doing, to coordinate what was happening on the outside there because we actually asked the Minister in the Ministry of Finance, Sen. The Hon. Mariano Browne to work with us, and the Ministry of Finance discovered that there were 42 agencies outside there.

Forty-two agencies tripping over each other to do the same task. As I said before, we did the beautification programme for the Summit and discovered that there were over 20 agencies working together to clean up the area. You had CEPEP, URP, Ministry of Works and Transport, Ministry of Agriculture, Land and Marine Affairs, the Ministry of Local Government and the EMA, a number of agencies all working together to do the same thing.

Mr. Speaker, bearing in mind , that was our concern, how do we fix what is happening outside there to make sure that we have a system that can deliver easily, that can deliver quality service? So, it would appear that we are all on the same page. Exactly what the Members of Parliament for Tabagite, Chaguanas West, Oropouche West and Caroni Central were saying is the same thing that we are saying here. That we do not deliver services well, we do not deliver services quickly, we are not efficient, and therefore, the “mischief” as the Member for Couva North said, we identified the “mischief” and we started to put things in place to ensure that we can make a difference.

We looked at the other “mischief” of inequity and inequality, and the fact we tend to treat each other differently, I was a bit taken aback with the Member for Fyzabad—[*Interruption*]

Hon. Members: We all were.

Sen. The Hon. H. Manning:—and I was amazed at that, that—well, I have concerns and we are attempting as much as we could—[*Interruption*]

Hon. Members: [*Inaudible*]

Sen. The Hon. H. Manning: Thank you—to make sure that inequity of treatment, inequality is dealt with.

The formula for the allocation of funding is one of the ways that we would like to go. I am hearing the Member for Caroni Central saying that maybe we need to tighten it up a bit. Again, when we go to the joint select committee, it is something that we can sit and work out the details. But we did look at the Tobago House of Assembly Act and we looked at what they did, looked at the problems that they were having in implementing that Act and thought that we needed to do it differently. But again, we could work that out as we move on to the joint select committee.

We feel that if people are aware that the problems that we have outside there, would become less, and it is for that reason that we are really very big in the Ministry of Local Government on training—very big on developing capacity and institutional strengthening.

9.45 p.m.

And with that in mind we have done a number of things, we have gone to the University of the West Indies, sat with them and actually negotiated an approach that would help all of us from the politicians to the CEO, permanent secretaries, members of the Ministry of Local Government, the councillors and members in the regional corporations.

So we have been negotiating with them to put courses in place, certificate courses, a degree programme and even the vacation programmes to assist our staff to understand what is going on, because we feel if you have the knowledge that many of the problems that are taking place now would be much less. So training has been another area where we have been putting in place the institutional strengthening to make sure that the mischief is dealt with.

We looked at standards across the board and realized that there were none and what one particular corporation would be doing, another corporation would be doing something completely different. We have been talking to the Ministry of Works and Transport and looking at the standards they use and we are starting to implement that across the board.

More importantly, we have been looking at the ISO 9001 standards in 2008. We feel that if we put that in place also, and use that to monitor, evaluate and review, that would also put a platform in place to make sure that things happen well. As I have said before, we have introduced the Prince 2 Programme, an ICT programme to ensure that monitoring, evaluation and review take place.

Mr. Speaker, we believe that if we are able to change the structure and produce one that is more flexible and easy to respond to what is happening on the ground, we would have a corporation that will become even more efficient and, therefore, with that in mind we decided that the executive council was the way to go. The council would be set up and coming out of it you would have a mayor who would be an executive mayor and six councillors who will become secretaries and these councillors will be in charge of their particular divisions which will work as a Cabinet does, reporting in a team to the council at the end of the day so that there is transparency, accountability and that they can report.

So with that in mind, we thought if we put that in place, following a bit with what Tobago is doing, that we would have that quick response to what is happening on the ground, that we will be more in tune with the grassroots and be able to respond to them and ensure there is collaboration and coordination as the various projects get underway.

I listened to Members on the other side talking about the fact that there was no participation. There was a concern that there was no participatory democracy and our take on that was that if we got the local area and the regional planning properly in place, then we will be able to put in place the participatory democracy.

At this point in time we have 20 firms and individuals out in the regions talking with people and collecting data to develop local area and regional plans. The way it operates is that our consultants are outside speaking to stakeholders, and the average man-in-the-street to get a clear sense of what is happening.

I am a little appalled to hear that the Member for Oropouche West announced that she was at a consultation—and I am really sorry I did not see her at the consultation when we were in Oropouche West. I heard her say San Fernando, and I heard her say Penal.

Mr. Imbert: I think she is telling fibs.

Sen. The Hon. H. Manning: It is a pity that I did not see her at that particular consultation.

Miss Panday: I am short, you would not see me.

Hon. Member: She forgot that she was not there.

Hon. H. Manning: I would have said to her that the people she thought—and I was a little concerned about her description of them—actually walked off the streets and came to the consultation. There were people who lived and worked in the area—and I got the same feedback from the Chairman of that particular region and I said to him if he had a concern that these people were not there at that particular point in time, the consultations would keep going on, we not stopping them, and I gave the example of Sangre Grande.

After we did that big consultation in Sangre Grande, Sangre Grande took its plans and visited over 40 communities. [*Desk thumping*] So I would like to suggest to the Member for Oropouche West to take the plan and the documents we have and go ahead and provide your—because that is what we want. [*Interruption*]

Miss Panday: You want me to lie to the people?

Sen. The Hon. H. Manning: I did not say that. Because that is what I do in Princes Town, we actually go around, talk and listen to the people; once a week we hear what they have to say. [*Interruption*] What resources?

Mr. Dumas: It is personal will.

Sen. The Hon. H. Manning: It is under somebody's house, we put some benches and sit and talk the issues. What are your plans? What are the problems? What are the things that are bothering you and how can we help? It is in that way they are able to say we need more of this in Princes Town, we need less of this, and you need to put more of that.

Maybe I can suggest to you that you can use the documents we are giving you, talk to your people in your constituency and give us the feedback. There is a consultant attached to your regional corporation. If you speak to your Chairman, he will tell you who the consultants are.

Miss Panday: He is the one who told me...*[Inaudible]* which he said he mentioned to you.

Hon. Member: “Dey misleading yuh”.

Sen. The Hon. H. Manning: Yes, and I told him to go and talk to his people; even if they do not want to come, go meet them where they are, and in that way you could help develop all the farmers and all the other people you are talking about.

Dr. Gopeesingh: Thank you, Madam Minister. In one of the presentations that the hon. Prime Minister made on local government, he indicated that a consultant from Jamaica—and he had five books where he indicated that they were consultations done by the Jamaican consultant, and he promised to lay copies of this in Parliament.

Would you be kind enough to give us an idea of what has happened to them and if we would be privileged to see them?

Sen. The Hon. H. Manning: Yes. That was Hamilton; the consultant from Jamaica hired by the UNDP and had been working with us for a period of time. He submitted the reports, we did an assessment of them and that is why we went back out. As I was saying to the Member for Princes Town North, that is why we went back out because when we realized that there were some gaps in the report we had presented in the Green Paper and the second Green Paper, we went back out to be able to identify what the roles and responsibilities were. *[Interruption]* I will look and report to you.

Dr. Gopeesingh: You would have to guide us a little more.

Sen. The Hon. H. Manning: Okay. I was talking about the fact that the executive councils and the councillors who became secretaries and heads of divisions, one of the things the local area region planned and what they had been doing for us was giving us the big picture. So when you look at your particular area, there is a clear sense of the profile of your area; like how many persons are in the area. This is what they do. It shows what the area looks like, the topography of the area, what the geology of the area is like, and therefore, this is how the area should be developed, what the economy looks like and the social aspects of the area.

One of the things that happen now which concerns us greatly, is the fact that the councillors keep asking to fix their little area, so when the funding comes to the region—and there are 12 councillors—each councillor would be given funding to do

his little road and drain. There is no big plan, no picture of how one should go about this. So I will get 10 little roads and the next councillor, five roads, et cetera, sometimes, as was suggested on the other side, where the boundaries do not even meet. And if they do meet, there is four-foot drain flowing into a two foot-drain, et cetera. So they need to make sure that there is collaboration and order put into place with the use of the local area plans and the regional area planning.

We have been told that the Bill did not really say what it needed to say and the Member for Couva North was not so very sure that we had addressed the mischief of the Bill. I want to say to you that the mere title of the Bill showed that the mischief was addressed because the title of the last one spoke to the fact that it was a Municipal Corporations Act, 1990 and it really spoke to an Act to provide for the continuation of the City and Borough Corporations, for the erection of certain other municipal corporations and for the consolidation and the reform of laws affecting local government. That was the title.

We understood that we had more to do and the long title of this Bill which highlights the major aspects of the Bill tells you that we are addressing the mischief. It talks about an Act to reform and modernise local government in Trinidad, to provide for certain municipalities the delineation of their boundaries, their classification as cities, boroughs and regions, to provide for the continuation of certain municipal corporations, the establishment of new municipal corporations, to : provide for municipal council and executive council, uniformed departments for each municipal corporation, to specify the responsibilities of municipal corporations, the municipal councils, the executive councils, the departments and the role of the Government in relation to the municipal corporations. To establish central administrative districts, central administrative district coordinating committees, to repeal and replace the Municipal Corporation Act, Chap. 25:04, and to provide for related matters. Almost line by line identifying all the challenges that we have and dealing with fixing them. Therefore, it is an Act that is embracing and dealing with challenges that we have in place. [*Interruption*]

Well, they had their chance, I thank you because I listened and I think I need to respond. How do you take care of collusion, corruption and wrongdoing?

Mr. Speaker, I think this is important enough for us to go through the details of this. I really think that it is because you are on record as saying all the wrong things, and I think it is important that we put the record right. [*Desk thumping*]

Mr. Speaker, I do not think they should say all that they say and then go home telling me that I must hustle up. No way! Because I too, believe that I have to explain to you why we are doing this, Mr. Speaker. [*Crosstalk*] [*Interruption*]

Local Government Bill
[SEN. THE HON. MANNING]

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One of the things we talked about is the fact that we would be able to put in place that central administrative district to coordinate the activities of the corporations, and those regional committees will then work and make sure that there is collaboration, coordination, and to make sure that we avoid many of the problems that exist at this point in time.

10.00 p.m.

I was really and truly amazed when we had a Member on the other side saying—virtually what he was saying—and that is the Member for Fyzabad, was that we should leave this situation. After all his colleagues on that side spoke about how bad the situation was; the Members for Tabaquite and Chaguanas West, saying that they could never get a road fixed; they could never get a drain fixed, the Member for Fyzabad was saying to leave it as it is—whatever he was saying there, he ended up saying, “Leave it as it is. There is no need for reform. Leave it as it is.”

Dr. Goopeesingh: He said the reform will not improve the problem.

Sen. The Hon. H. Manning: Therefore that is why I disagree with him. We are saying that the reform will improve it. [*Interruption*] That is not what he said. He said, leave it, because the reform will not improve it. I want to say to you that we on this side fervently believe that the reform would improve it. Therefore, when the Members for Tabaquite and Chaguanas West joined with the Member for Fyzabad to say the same thing, I got concerned.

There is a sense that democracy is really very important and that no way should we pause the reform but that we should have the election. We are saying, give it some time; just give us a few more months to put the system in place and then we would move forward to election. The sense is that we should go now and do it now and then we should come back and do it a second time.

Mr. Bharath: What about the political cutlasses? You put them away for now, or what?

Sen. The Hon. H. Manning: We believe that one of the things that we have to do in the reform that we are doing, is that the executive council is expected to report to the council. We need transparency; we need to put in place accountability; we need to ensure that an audit committee is put in place so that, again, when you talk about the collusion, these are the things that we cannot and would not, leave as is. The reform has to make the difference and we fervently believe that would happen.

Again, I go back to the Member for Couva North. I am still with the first speaker. The Member spoke to the fact, again, about collusion. I want to tell everybody here on both sides of the House, especially on the other side, that we have included in the legislation reference to the integrity legislation and the corruption Act, because I was being asked: What are the consequences? We are saying that the minute we find that people are not doing what they should do, or if we have a concern, the integrity legislation and the corruption Act are instruments embedded within this particular Bill. Hopefully, we would not have to use those instruments very often.

Dr. Gopeesingh: Would the Members of the executive council be subjected to the Integrity Act or is it the municipal council alone?

Sen. The Hon. H. Manning: Everybody; the council and the management team.

Dr. Gopeesingh: Just one more question. The secretaries of these executive councils, would they comprise councillors or would they be councillors alone, or would they be appointed from outside?

Sen. The Hon. H. Manning: The councillors and aldermen.

Dr. Gopeesingh: Okay, thank you.

Sen. The Hon. H. Manning: Mr. Speaker, I heard clearly the representative for Chaguanas West talking about the voting rights of our people and I really want to agree with him that as a people, we have voting rights. It is really something that is sacred and something that we should not take away from our people. Maybe what has happened was that we have bitten off more than we can chew, because in 2004 we thought we had it right; we thought we were going to be able to finish it as quickly as we could as we began the reform, but we have not been able to do it.

In the history that I read, I realized that the NAR took about three years to get their reform going right and somehow it collapsed. We have taken from 2004 to now, approximately five years and we have gone one step beyond what the NAR did. Not only are we now putting in place the legislation, we have done a comprehensive policy document; we have done a comprehensive boundary document; we are doing comprehensive documents on structure; we are training our staff; we have put in place a project management board.

So while we have the approvals taking place here, we are also putting in place, almost side by side, an implementation or project management team to be able to start rolling it out. So we are not just going to write the policy and write the

legislation and bring it here and get it approved, almost simultaneously, we are starting to roll out the reform as we move forward.

So I really want to apologize for the fact that we are taking away the voting rights, but, really, this is just for a short time. It has taken us a long time to get to this. It would appear as though reform is a long and difficult task for us to pull together and move forward, and we have been collaborating, doing it the right way and that, maybe, is what has made it slow; that we have been collaborating with the various ministries; we have been holding discussions with Ministries of Works and Transport, Health, National Security, et cetera, as we pull together almost every piece of the programme as we move forward.

We have also been talking to the trade unions and I heard someone on the other side talking about the fact that the workers are going to be sent home. We have been negotiating with the trade unions, asking them to present us with a proposal as to how to engage our workers as we move from doing certain jobs to others. We are saying that the emphasis is no longer on roads and drains; that the emphasis now would be on six other things and we have identified distinctly what the six new items are. The emphasis is on waste management as we create an industry out of waste; the emphasis is on disaster preparedness and management, as we move deeply into dealing with that particular programme, because we have one of the frontline ministries dealing with disaster preparedness. So as we change emphasis from doing roads and drains to things that we can do better, we now need to deal with it differently.

We cannot find engineers to work in our areas, especially in those very rural areas. I got a question from the Member for Mayaro about the number of landslips to be repaired in the Mayaro area. We identified over 40 landslips and not one of those landslips has been repaired, simply because we do not have the capacity; we do not have the capabilities in the local government system to do the job well. They put baskets and by the end of a few months—a year maybe—those baskets start to slip, because in those areas the lands slip; there are faults on the land and there is much more than putting baskets to hold up slipping land. We do not have the capacity; we do not have the capability to fix those landslips throughout the southwestern part of the country.

I have heard them complain—and every time I come to the House I am sure they are going to complain about the inability to deliver the roads, the drains and landslips. Therefore, we have to reform. In our clean-up campaign earlier this year, we had to work with the Ministry of Works and Transport. We do not have

the vehicles that they have. We have little bob carts, et cetera. They have the huge excavators and we had to join as a team and it really showed us the fact that we just did not have the capability. Therefore, we have got to do things differently. Therefore the reform becomes really very important for us.

We are concerned about the fact that people are not being allowed to vote, as the Members for Tabaquite and Chaguanas West presented. I want to say that for the local government election, only about 30 per cent, a third of this population vote at local government election. That could not be right and there must be a reason that is so low, and there must be something that we can do to encourage more of our citizens to go out there and vote. Something is wrong. If it is that we are only catering for one-third of the population, I think it is not right and we have to encourage more people to understand that voting is their right, as the two representatives said. We have got to make it more attractive so that they will understand that, “You know something, if I can vote and put this particular councillor in place, then maybe I would be able to get my irritants resolved.”

At this point in time we have to look at how we select councillors also. How are councillors selected? Because the councillors that they are talking about who are not performing, were selected by those same people so many years ago, and those councillors, maybe as they are saying, never performed.

: So what are they asking us to do? Put those councillors back? That is what they are asking us to do. Hold an election under the same system that would have thrown up those councillors? It is more than the people who are not performing well; it is the system that is not performing well. [*Desk thumping*] So we change the councillors and put new councillors in the old system—and did I hear somebody talk about wine and the fact that it does not taste well in old skins? That is what we want to change.

I have here some comments from—

Hon. Member: Fyzabad?

Sen. The Hon. H. Manning: I have not reached the Member for Fyzabad, I am now at Princes Town North who said that the Ministry of Local Government will take away physical infrastructure and send all these things to the Ministry of Works and Transport, and that is what we want to do. We feel that a lot of the capacity, knowledge and skills lie in the Ministry of Works and Transport and that if we have a central authority looking after all the roads and drains in the country, that they would be able to do it better, because that is where the engineers are; that is where the skills are; that is where the machinery is. We are saying build

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that out and make it much more comprehensive and much more ready to perform than having it spread all over the place.

There are no engineers in half of our regional corporations. The skills do not exist and, therefore, we cannot perform well. We have seen the difference with T&TEC. T&TEC has become national in scope. Almost two years T&TEC has planned for the country and has electrified the whole country. We are hoping to see the difference in WASA, where I am sure as soon as WASA's master plan gets up and running, you would see the same thing happening around the country.

So where physical infrastructure is concerned, we are saying that maybe we need to go national for physical infrastructure, make sure that all the skills and equipment are in one central authority and let that authority run the programmes.

The Member for Princes Town North spoke about the fact that the Home for the Aged—we are just taking things away from the regional corporations.

10.15 p.m.

Could I say to you that there was only one home for the aged in Port of Spain and one home for children and that was in Point Fortin. *[Interruption]* Because they do not have the skills. We are saying that these homes should go to the Ministry of Social Development that has a whole department for the aged and maybe to the Ministry of Education where they are now putting in place early childhood centres. When you do it that way it would become more efficient and you can coordinate better and get more value for money.

Much was said about participatory local democracy. I said it before and I will say it again, that in the way we are doing business we would be talking to all the people from the grassroots who will come and talk to us. When the Member for Oropouche West spoke about the fact that there was only a certain kind of people in that consultation that we had, we had advertisements in the newspapers for months. It was not closed. In the way that we do business we invite all, including the Member for Oropouche West. *[Desk thumping]* She is welcome.

I heard the Members for Cumuto/Manzanilla and Caroni Central speak about boundaries. We have gone about our boundary demarcation in a very professional way. We did not take a ruler and draw a line. We had very knowledgeable experts. That is how the Ministry of Local Government is very professional in the way it does its business and we would have done all that we needed to do, to put in place the new system. With the use of the new technology, the GIS and the new programme and the fact that there are layers of information that you put together

to build a story, that is what we had used. In doing that, we have been able to come up with a comprehensive approach to boundary demarcation.

I suggest that the Members for Cumuto/Manzanilla and Caroni Central talk to us if they have challenges and we can explain to them the way we are doing business. We can ask them to guide us in some of the areas as we deal with a clear sense as to how we move. One of the things that I have been told is that in your particular area which you described, there are only about 50,000 people. We can deal with the 50,000 people in a particular way; put the services there and encourage you to build the community so that even in that little area, that small population, you would be able to encourage the people to become more economically viable. Then, a social network would gather and we could then help you to develop a very vibrant village in that area so we can provide efficient service delivery.

I come to the Member for Fyzabad and the recurring: What does reform have to do with it? Over and over, what does reform have to do with it? My answer is everything. [*Desk thumping*] With the same system we will not be able to make a difference. When the systems stay the same we have more of the same. Same old, same old, same old. Same old Fyzabad. We are talking about Vision 2020 and First World status.

Mr. Sharma: Repeat what you were saying. I missed what you were saying.

Sen. The Hon. H. Manning: I was just answering, “What does reform have to do with it?” and I am saying everything. [*Desk thumping*] We have no intentions of keeping it as it is.

Mr. Sharma: Keep something for the Joint Select Committee.

Sen. The Hon. H. Manning: Mr. Speaker, I have to put on record that they spent the whole afternoon up to late tonight saying all the wrong things of which they can think.

I heard a long report about Tidco and that special purpose companies were doing many things in the local government arena. Not one special purpose company is as vibrant as Tidco was a few years ago. We do not have our special purpose companies doing what Tidco did a few years ago. It would never get to that point.

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

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

Mr. Speaker: No. That is against the Standing Orders.

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

Question put and agreed to.

Sen. The Hon. H. Manning: [*Desk thumping*] Mr. Speaker, I will take only about five minutes to wrap up. Thank you very much. We are in full agreement with the Joint Select Committee. I am pleased that Members on the other side gave us such good suggestions long before we got to the Joint Select Committee. They believe that they can work with us in that committee to make governance good for our country. They have given us good suggestions to take to that Joint Select Committee.

We will consider the need for the constitutional guarantees that they have asked for, the constitutional provision and the safeguards. We will consider the identification and selection of staff as have been asked for. We will consider the establishment of a human resource department. As we discuss, these are things that we would put on the table for consideration. We need to put more systems in place to ensure that there is transparency.

I have one here about the protection of those persons who are fit for local government. We will consider that and most importantly, the rights and needs of the citizens to ensure that that is included in the legislation. We will consider a right to recall.

It gives me great pleasure once more to visit this honourable House. I beg to move. [*Desk thumping*]

Question put and agreed to.

Sen. The Hon. H. Manning: Mr. Speaker, I beg to move that the Local Government Bill, 2009 be referred to a Joint Select Committee comprising six Members of this House namely, Mr. Joseph Ross, Mr. Rennie Dumas, Miss Penelope Beckles, Mr. Anthony Roberts, Mr. Subhas Panday, Mr. Chandresh Sharma, and an equal number from the Senate. That this committee be empowered to consider the general merits and principles of the Bill along with its details as well as the Draft White Paper on Local Government Reform and that this committee report back to the House within three months from today's date.

Question put and agreed to.

Bill referred to a joint select committee.

MUNICIPAL CORPORATIONS (AMDT.) BILL**10.30 p.m.***Order for second reading read.**Question proposed.**Question put and agreed to.**Bill accordingly read a second time.**Bill committed to a committee of the whole House**House in committee.**Clause 1 ordered to stand part of the Bill.**Clause 2.**Question proposed, That clause 2 stand part of the Bill.*

Dr. Rafeeq: Mr. Chairman, the Member for Princes Town North had circulated an amendment which we would like to have considered.

Mr. Chairman: Do you want to explain it?

Dr. Rafeeq: The idea of the amendment is to have the life of the entire council, that is the alderman, mayor and chairman, extended rather than only the councillors.

Mr. Imbert: Regrettably, we wish to give everyone the flexibility to either return all the mayors and chairmen as is or to make whatever changes required because persons may no longer wish to serve.

Dr. Rafeeq: It is the same thing with councillors. Councillors may not want to serve as well. Why are you imposing service on councillors and you are giving aldermen—?

Mr. Imbert: This does not require an election.

Dr. Rafeeq: The principle of it is that you are giving an opportunity to aldermen if they do not want to serve, but you are not giving councillors that opportunity.

Mr. Imbert: As you know, if we were to give the councillors that opportunity, we would have to hold an election. We do not think it appropriate. It is too traumatic to have two elections so close together.

Dr. Rafeeq: What is the problem? We had done it for the last two years to allow the aldermen, chairmen and mayor to continue?

Mr. Imbert: Quite often the chairman and mayor are drawn from persons who are not elected and they may want to go back to their private practice. Many of them are professional people.

Dr. Rafeeq: Those who do not want to resign have an option to continue.

Mr. Imbert: This is the better way to do it.

Dr. Rafeeq: We do not think so.

Dr. Gopeesingh: In one year you removed the mayors and you allowed that option, then two years everybody could have stayed. Why this year, the fourth time? There is some other motive. You are not being fair to us. Is there a hidden agenda to this?

Mr. Imbert: Our motives are very honourable, you know that. We are very honourable in this matter.

Dr. Gopeesingh: I do not accept that.

Mr. Imbert: Okay. I am sorry we cannot accept your amendment.

Dr. Gopeesingh: You may be proposing to change some of your mayors and chairmen.

Mr. Imbert: Some of them no longer wish to serve.

Dr. Gopeesingh: But they can resign.

Mr. Imbert: It is okay. We prefer it this way.

Mr. Chairman: I get the impression that the Government is against the amendment.

Mr. Imbert: We are not minded to accept your amendment.

Question put and agreed to.

Clause 2 ordered to stand part of the Bill.

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

House resumed.

Bill reported, without amendment, read the third time and passed.

LOCAL GOVERNMENT BILL

Mr. Speaker: Hon. Members, there was a procedural mistake made earlier in considering the Local Government Bill, in that the Members to serve on the committee are not to be named at this moment. It is to be done after the Senate agrees to the Motion.

I would just like to point out that there was an incorrect procedure followed. Some Members may think this may be an opportunity to reconsider one of the Members.

ADJOURNMENT

The Minister of Works and Transport (Hon. Colm Imbert): Mr. Speaker, I beg to move that the House do now adjourn to Friday, July 10, 2009 at 1.30 p.m. We shall be doing Bill No. 6 on the Order Paper, under Bills Second Reading, a

Bill to provide protection to investors from unfair, improper or fraudulent practices; foster fair and efficient capital markets and confidence in the capital markets, et cetera, also known as the Securities Bill.

Mr. Speaker: By agreement, the matters on the adjournment have been put off for Friday of this week.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 10.37 p.m.