

HOUSE OF REPRESENTATIVES*Friday, February 05, 2010*

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. Ramesh Lawrence Maharaj SC, Member of Parliament for Tabaquite, requesting leave of absence from today's sitting of the House. I have also received communication from the hon. Vasant Bharath, Member of Parliament for St. Augustine, requesting leave of absence during the period, February 05 to February 12, 2010. The leave which these Members seek is granted.

PAPERS LAID

1. Audited financial statements of the Caribbean Airlines Limited for the financial year ended December 31, 2007. [*The Minister of Finance (Hon. Karen Nunez-Tesheira)*]
 2. Audited financial statements of the Caribbean Airlines Limited for the financial year ended December 31, 2008. [*Hon. K. Nunez-Tesheira*]
- Papers 1 and 2 to be referred to the Public Accounts (Enterprises) Committee.*
3. Report of the Auditor General of the Republic of Trinidad and Tobago on the financial statements of the Land Settlement Agency for the year ended December 31, 2002. [*Hon. K. Nunez-Tesheira*]

To be referred to the Public Accounts Committee.

SECURITIES BILL**Joint Select Committee****(Appointment of Members)**

Mr. Speaker: Hon. Members, I have also received communication from Sen. The Hon. Danny Montano, President of the Senate, dated February 02, 2010, and it is addressed to myself. It concerns the appointment of Members to joint select committees and I will read his letter.

"Your letter dated February 02, 2010, on the subject at caption refers.

Joint Select Committee

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I wish to advise that at a sitting of the Senate held on Tuesday, February 02, 2010, the Senate agreed to the under-mentioned resolutions:

'Be it resolved that a Bill entitled, 'An Act to provide protection to investors from unfair, improper or fraudulent practices, foster fair and efficient capital markets and confidence in the capital markets in Trinidad and Tobago, and to reduce systemic risk; to co-operate with other jurisdictions in the development of fair and efficient capital markets, and for other related matters be referred to a Joint Select Committee comprising of six (6) Members of the House together with an equal number from the Senate; and that this Committee be empowered to discuss the general principles and merits of the Bill along with its details and be mandated to report by April 01, 2010.'

'Be it resolved that the Senate appoint the following six (6) Senators to serve with an equal number from the House of Representatives on a Joint Select Committee to consider a Bill entitled, 'An Act to provide protection to investors from unfair, improper or fraudulent practices; foster fair and efficient capital markets and confidence in the capital markets in Trinidad and Tobago and to reduce systemic risk; to co-operate with other jurisdictions in the development of fair and efficient capital markets and for other related matters.'

Mr. Conrad Enill

Mr. John Jeremie SC

Mr. Mariano Browne

Mr. Wade Mark

Dr. Sharon-ann Gopaul-McNicol

Mr. Subhas Ramkhelawan

Accordingly, I respectfully request that you cause this matter to be placed before the House of Representatives at its earliest convenience.

Respectfully,

Sen. The Hon. Danny Montano

President of the Senate"

**SESSIONAL SELECT COMMITTEES
(APPOINTMENT OF)**

Mr. Speaker: Hon. Members, in accordance with Standing Order 71(2), I hereby appoint the Sessional Select Committees of the House of Representatives for the Third Session 2010.

Standing Orders Committee

Mr. Barendra Sinanan	Chairman
Ms. Christine Kangaloo	Member
Mr. Colm Imbert	Member
Miss Donna Cox	Member
Mr. Harry Partap	Member
Miss Mickela Panday	Member
Mr. Nizam Baksh	Member

House Committee

Mr. Colm Imbert	Chairman
Ms. Penelope Beckles	Member
Mr. Roger Joseph	Member
Mr. Junia Regrello	Member
Mrs. Kamla Persad-Bissessar	Member
Mr. Chandresh Sharma	Member

Committee of Privileges

Mr. Barendra Sinanan	Chairman
Ms. Penelope Beckles	Member
Mr. Colm Imbert	Member
Mrs. Christine Kangaloo	Member
Mr. Stanford Callender	Member
Mrs. Kamla Persad-Bissessar	Member
Dr. Roodial Moonilal	Member
Dr. Tim Gopeesingh	Member

Regulations Committee

Mr. Barendra Sinanan	Chairman
Mr. Mustapha Abdul-Hamid	Member
Mr. Rennie Dumas	Member
Mrs. Indra Sinanan Ojah-Maharaj	Member
Mr. Chandresh Sharma	Member
Mr. Winston Peters	Member

SUPREME COURT OF JUDICATURE (AMDT.) BILL

A Bill to amend the Supreme Court of Judicature Act, Chap. 4:01, brought from the Senate [*The Attorney General*]; read the first time.

ORAL ANSWERS TO QUESTIONS

The Minister of Works and Transport (Hon. Colm Imbert): Mr. Speaker, the Minister of Planning, Housing and the Environment is unavoidably absent; she is under the weather. However, I will answer all three questions on her behalf.

Housing Development Corporation (Engagement of EVOLVE Partners LLC)

1. Dr. Keith Rowley asked the hon. Minister of Planning, Housing and the Environment:

With respect to the engagement of the consulting firm, EVOLVE Partners LLC, to provide change management services, would the Minister state:-

- (a) When was this firm first introduced to and engaged by the Housing Development Corporation (HDC)?
- (b) What is the date of the first signed contract with this firm and when did they commence work for the HDC?
- (c) What are the details of the procurement process which was involved in the sourcing and contracting of this company?

The Minister of Works and Transport (Hon. Colm Imbert): Mr. Speaker, regrettably, I will not be able to answer supplementals.

In November 2007, with the advent of the Ministry of Planning, Housing and the Environment, it became clear that while during the transition from the National

Housing Authority (NHA) to the Housing Development Corporation (HDC), some progress had been made, the HDC still faced some of the challenges that had plagued the NHA, including project cost and time overruns. In addition, it was realized that the HDC's strategic plan developed from a previous consultancy was yet to be implemented.

In December 2008, the EVOLVE Partners LLC was engaged by the HDC to provide change management services intended to facilitate the following:

- enhancing performance levels,
- building and improving the image of HDC,
- operation efficiency,
- cost effectiveness.

with the ultimate objective being the transformation of the HDC into a performance driven organization, delivering consistently on its mandate, as articulated in Vision 2020.

The first contract with EVOLVE was signed on December 03, 2008. EVOLVE commenced work for the HDC two days later on December 05, 2008. This first contract period was the foundation phase and ended in April 2009.

The Minister is advised that the HDC invited Mr. Kirk Wellington of the Arthur Lok Jack Graduate School of Business and EVOLVE Partners LLC to submit proposals to the HDC to provide change management services. These two parties have proven track records in implementing successful change management plans in organizations in Trinidad and Tobago. Interviews were conducted based on the proposals submitted and the selection made based on which plan best met the needs of the HDC.

**EVOLVE Partners LLC
(Work to be Done)**

2. Dr. Keith Rowley asked the hon. Minister of Planning, Housing and the Environment:

With respect to the EVOLVE Partners LLC, could the Minister state:

- (a) What were the terms of reference of the work to be done by this company;
- (b) What is the cost of the contract, how much money has been paid as at December 31st 2009 and what amounts are still outstanding; and

- (c) What specific results have been produced from the award of this contract?

The Minister of Works and Transport (Hon. Colm Imbert): The terms of the EVOLVE team was to help the HDC address its performance issues in a way that assures the achievement of the business targets in the short term, and to coach the HDC staff through implementation of new processes and practices to build new skills to lead and manage performance.

The Change Programme was planned to be delivered in two phases, including an initial foundation phase. This involves the engagement of the HDC's staff to perform a deep diagnostic analysis to identify process gaps, areas of core processes to the delivery of adequate and affordable housing, and whether these core areas were properly resourced. This phase also includeS the identification of opportunities for improvement and the design of a plan and approach to build the capability of the HDC staff. This included:

- Understanding the start point; agreeing on the business case and creating a compelling vision and sense of urgency building common understanding of the process.
- Developing skills and confidence.
- Creating a clear road map for change.

The implementation of this plan was the second phase called the Delivery Phase. The key activity of EVOLVE in this phase was to set up implementation teams in critical areas and support them to deliver identified and qualified results. This involved:

- Team training in process improvement and management system implementation;
- Designing and installing new ways of leading, interacting and working;
- Education, communication and coaching to allow individuals to perform at higher levels;
- Use of performance management tools to provide feedback to the learning process;
- Programme management to connect new tools and organizational capability to the delivery of results.

This approach aimed to arrive at sustainability of improvements made and sought to give the HDC the capability to drive further improvement in the future.

As you may recall, Mr. Speaker, the first contract with EVOLVE Partners was signed on December 03, 2008. I indicated that in the answer to question No. 1.

That contract was for \$2,153,153.22. There was a second contract signed on April 30, 2009 for the amount of \$16,431,660. The total of contracts with EVOLVE is thus \$18,584,813.22, plus 5 per cent expenses, being VAT inclusive. Fourteen million, four hundred and thirty-seven thousand, nine hundred and seventy-four dollars and eighty cents has been paid as at December 31, 2009. One million, seven hundred and forty-nine thousand, five hundred and twenty-six dollars and twenty-two cents was outstanding at the time this response was finalized.

At the end of the initial phase termed the Foundation Phase, EVOLVE Partners presented a detailed report outlining their findings. The findings of the Foundation Phase are the result of an intensive study into all aspects of the HDC, involving interviews with key members of the organization, financial and operational analysis and detailed operational studies. This work has been done jointly by the EVOLVE team and HDC Programme Team members. The findings provided a clear picture of both the challenge and opportunity facing. Among the challenges revealed by this phase were: HDC

- Inadequate front-end project planning, preplanning of projects including final planning approvals and clear designs for developments were non-existent for the majority of the projects.
- Inconsistent adherence to common processes.
- Lack of co-ordination with key stakeholders, contractors, suppliers, public utilities, statutory agencies, the Government, et cetera.
- Support processes were ineffective—financial control, allocations, project management, et cetera.

The organization was found to be under-resourced in key positions and thus not organized to deliver on its mandate to provide adequate and affordable housing at an accelerated rate. To do this, a soundly governed organization with clearly laid down systems of controls over internal processes and external projects with a high quality customer service orientation, was fundamental to the sustainability of housing delivery.

1.45 p.m.

However, at the core of all these issues was the absence of a rigorous system of assessing how the organization was performing so that it could take the right actions to achieve its goals.

The foundation phase also demonstrated the significant potential that existed within the Housing Development Corporation (HDC) business. The findings of the foundation phase also allowed EVOLVE to suggest a phased approach to delivery that prioritized key objectives and used the process of delivering on those objectives to develop the

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implementation process and capability within the agency to address other delivery areas in related delivery phases.

Specific results of the delivery phase, up to the end of December 2009, were as follows:

1. Conversion of 486 units from licensed to occupy to sold with a face value of \$96 million;
2. The completion of 568 units constructed with all services connected. This represented 52 per cent of what was targeted for the first six months;
3. 389 units were made ready for sale, meeting the requirement for a purchaser to obtain a mortgage from the TTMF;
4. Project managers understanding of what was required to deliver a home was shifted and clarified;
5. Established business performance management system tools to manage contractors on site at a short interval of control;
6. Established stakeholder mechanisms with 13 key stakeholders to address statutory and regulatory approval issues for existing housing development;
7. Established a mechanism to track and manage requirements per unit sale;
8. It implemented new financial controls and processes to identify and validate project variations;
9. It improved accuracy and timeliness of financial reporting by the Housing Development Corporation (HDC). The monthly report distribution improved from 18 days to eight days after month end;
10. Established annual performance targets by each divisional manager;
11. Design, roll out and implementation of work breakdown structures was achieved;
12. Established a coordinated process for completing and selling a unit;
13. It increased staff competency;
14. Improved departmental and interdepartmental communication;
15. It identified measures to track performance of key process steps.

**Housing Development Corporation
(Details of Change Management Exercise)**

3. Dr. Keith Rowley (*Diego Martin West*) asked the hon. Member for Planning, Housing and the Environment:

Could the Minister state:

- (a) Whether the NHA/HDC had engaged in any change management exercises prior to 2008? If so exactly when was this done;
- (b) Whether consultants or any other person/s were involved in this process then and if so what was the total expenditure on this effort by the Housing Development Corporation (HDC); and was the total expenditure on this effort by the Housing Development corporation (HDC); and
- (c) Identify the differences between this pre-2008 exercise and that of the contracted services of EVOLVE partners which justified the cost of the latter to the Housing Development Corporation?

The Minister of Works and Transport (Hon. Colm Imbert): Mr. Speaker, during the period November 2003—to December 2008, the HDC was engaged in a change management exercise.

The HDC's records indicate that \$2,371,075 was paid to consultants, Windows to Success and Lennox Sealy and Associates, for this engagement from 2003.

Windows to Success and Lennox Sealy and Associates were retained by the NHA/HDC for the period 2003—2008 to provide support for the continuation of the transformation of the NHA to HDC, facilitation of meetings and workshops and provision of support for the planned customer service improvements. This resulted in a strategic plan being prepared for the HDC.

On the other hand, EVOLVE Partners LLC were contracted specifically to facilitate long-term sustainable change as well as to implement short-term strategies that would improve the business performance of the organization and in the process improve the governance of the HDC.

There have since been significant process improvements and implementation of management systems; the establishment of fundamental governance systems and processes to ensure accountability and better internal controls, still required dedicated focus.

Having diagnosed some of the gaps and process problems, a different approach is now required to allow for a deeper and more fundamental improvement through international control systems identification and focusing on the key issues that would have the biggest impact on the HDC's poor operational performance. These are being vigorously pursued with much improved results at the HDC at this time.

DEFINITE URGENT MATTERS

(LEAVE)

**Clico/CL Financial
(Full Information on)**

Dr. Tim Gopeesingh (*Caroni East*): Mr. Speaker, in accordance with Standing Order 12 of the House of Representatives, I hereby seek your leave to move the adjournment of the House for the purpose of discussing a definite matter of urgent public importance, namely, the urgent need for the Minister of Finance to fully inform the nation on Clico and CL Financial matters, because of the widespread fear, anxiety and apprehension of the thousands of policyholders and depositors across the country, on their policies, annuities and deposits.

The matter is definite as it pertains to the fear of thousands of citizens losing their money on witnessing a number of resignations of the most senior executives appointed by Government in these companies.

The matter is urgent because of the continuing unexplained resignations by these senior executives, creating fear of loss of lifelong savings by thousands of citizens.

The matter is of public importance because of the many thousands of citizens with financial interest in these companies experiencing widespread fear and anger in the possible loss of their lifelong hard-earned money.

Mr. Speaker: Hon. Members, I have considered this request by the Member for Caroni East; regrettably it does not qualify under this Standing Order. It would have qualified under two other Standing Orders.

Mr. Ramnath: "People money not important?"

**Water and Sewerage Authority
(Admission of Corruption, Waste and Nepotism)**

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

move the adjournment of the House for the purpose of discussing the following matter as a definite matter of urgent public importance, namely, the well publicized and unprecedented admission of corruption, waste and nepotism by the highest officials at the Water and Sewerage Authority (WASA) and the dreadful implications of this on the provision of such an essential commodity as water, in the context of the national water crisis.

The matter is definite since it refers to the failure of a Government agency to provide water to the citizenry that has led to a national crisis with attendant social and economic turmoil.

The matter is urgent since there has been an escalating and severe shortage of water and a recent heightening over the past two days of strict conservation measures and the island wide policing by the WASA police.

The matter is of public importance since the extraordinary admission of corruption, nepotism and waste made for the first time by the senior management of WASA has failed to indicate what measures have been instituted to promote accountability, transparency and bring to justice those alleged to have participated in such fraud, corruption and nepotism.

Mr. Speaker: I am satisfied that this matter deserves consideration. Is it the wish of the House for us to consider this matter? If it is not the wish, then 11 Members must say. Is it the wish of the House that this matter be considered? [*Crosstalk*]

No? Then I must have 11 Members. Do I have 11 Members who wish to consider this matter? Yes, we do have 11 Members. You need to stand. [*Opposition Members stand and Mr. Speaker counts*]

We do have 11 Members. So this matter will stand down to 6.00 p.m.

**MOTOR VEHICLES AND ROAD TRAFFIC
(MISCELLANEOUS PROVISIONS) BILL**

Bill to amend various Acts, namely the Queen's Park Act, Chap. 41:04, the Highways Act, Chap. 48:01, the Motor Vehicles and Road Traffic Act, Chap. 48:50, the Motor Vehicles and Road Traffic (Enforcement and Administration) Act, Chap. 48:52 and the Maxi-Taxi Act, Chap. 48:53 to increase the pecuniary penalties for motor vehicle offences, to provide for the issue of tickets for certain motor vehicle offences; to regularize and increase the period for the renewal of driving permits and to provide for related matters [*The Minister of Works and Transport*]; read the first time.

ARRANGEMENT OF BUSINESS

The Minister of Works and Transport (Hon. Colm Imbert): Mr. Speaker, as indicated, we will be dealing with the membership of the Joint Select Committee on the Securities Bill and the Select Committee on the Children Bill, a little later in the proceedings.

Agreed to.

ELECTIONS AND BOUNDARIES
COMMISSION ORDER 2009

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

Whereas under section 71 of the Constitution of the Republic of Trinidad and Tobago (hereinafter referred to as "the Constitution") there is established an Elections and Boundaries Commission (hereinafter referred to as "the Commission"):

And whereas under section 72(1) of the Constitution the Commission is charged, inter alia, with the review of the number and boundaries of the constituencies into which Trinidad and Tobago is divided:

And whereas in accordance with section 72(1)(a) of the Constitution, the Commission on the 30th day of April, 2009 submitted to the Honourable Prime Minister and the Honourable Speaker of the House of Representatives a report in which it recommended that Trinidad should be divided into thirty-nine constituencies the boundaries whereof are delineated in Appendix "D" to the said report and Tobago should remain divided into two constituencies:

And whereas it is provided by section 72(3) of the Constitution that as soon as may be after the Commission has submitted a report under the said section 72(1)(a) the Minister, designated by the Prime Minister for this purpose, shall lay before the House of Representatives for its approval the Draft Order by the President for giving effect, whether with or without modifications, to the recommendations contained in the report:

Be it resolved that the Draft Order entitled "The Elections and Boundaries Commission Order, 2009" be affirmed.

Mr. Speaker, sometime ago, all of in this House received the year 2009 report of the Elections and Boundaries Commission on the Review of Constituency Boundaries pursuant to section 72 of the Constitution, dated April 30, 2009.

It is necessary, although hon. Members opposite would have sight of this report, for those who would be listening to this debate or reading the *Hansard* or otherwise watching the proceedings, to explain exactly what has been found and what has been recommended by the Elections and Boundaries Commission in its year 2009 report.

At the outset, one of the most important things in this report is the change in the size of the electorate. Let me go to Appendix C on page 3 of the report, we see that the EBC has stated that the electorate in Trinidad, as of March 31, 2004, totaled 870,745 and the electorate in Tobago in March 2004 totaled 37,863. That makes a total electorate for Trinidad and Tobago, in 2004, of 908,608 electors.

2.00 p.m.

Since then, during the period 2004 to January 2009 the Elections and Boundaries Commission (EBC) continued its registration exercise and in this report it has stated that the electorate in Trinidad in January 2009 stood at 970,179 as compared to the 870,000-odd in 2004, approximately five years before. And the electorate in Tobago stood at 42,627 as of January 2009 as compared to 37,863 approximately five years before making the total electorate according to the EBC as of January 29, 2009 of 1,012,806 electors.

Mr. Speaker, I have with me the previous reports of the EBC for 2004, 2000, 1996 and 1991 and I have done a statistical analysis of the change in the electorate over the periods covered by all those reports which is essentially from 1986 to 2009 and I will go into that in a little more detail in a short while.

What the EBC is effectively telling us is that over the five-year period, 2004—2009 the electorate increased by 104,198 electors which would be taking the exact period, 2004 to January 2009 approximately 20,000 or a little over per year. So the net increase in the electorate of Trinidad and Tobago between 2004—2009 is of the order of just over 20,000 new registrations per year. That is what the Elections and Boundaries Commission is telling us in this report.

I took the time to do a statistical analysis of what happened from 1986 to now which I will share with hon. Members. In 1986, the total electorate was 861,621 by 1991; for whatever reason, the Elections and Boundaries Commission had reduced that number to 756,902. So a total of 104,709 persons came off the net figure. [*Interruption*] Whatever; I am giving the information; I am not drawing any conclusions at this point in time.

Mr. Ramnath: That was when you made a grave mistake.

Hon. C. Imbert: No, that was in 2002. In 1991, the electorate dropped from 861,000 to 756,000 or a decrease of approximately 104,000.

Between 1991 and 1996, the electorate went up from 756,000 to 836,000. So it went down by 104,000 between 1986 and 1991 and went back up by 80,075 between 1991 and 1996. Between 1996 and 2000, it increased again. It went up from 836,000 to 938,000; so it went down by approximately 100,000 between 1986 and 1991, went back up by 80,000 between 1991 and 1996 and went back up again by 101,000 between 1996 and 2000. Then in 2004, it dropped again. So it went down again from 938,000 in 2000 to 908,000 in 2004. So it decreased by approximately 29,000 between 2000 and 2004, and now it has gone back up again from 908,000 to 1,012,000, an increase of 104,000 and this is the graph.

[Shows graph to the House]

Down, up, down, up, and when you look at the electorate, it starts off at 861,000 in 1986, drops to 756,000, goes back up to 836,000 then to 938,000, down to 908,000 and up to 1,012,000. So there have been drastic and profound changes in the number of registered voters on the list of electors and they do not seem to follow any predictable pattern; up, down, up, down. It is statistically impossible looking at this graph to predict what is going to happen in 2013 or 2014.

Mr. Speaker, while all of these unusual changes are taking place, because speaking for myself, I do not understand how the electorate could have been 861,000 in 1986, 756,000 in 1991 and then 836,000 in 1996, 10 years later, I, personally cannot understand that, but I assume that the Elections and Boundaries Commission in due course will explain what has transpired and do a house-to-house exercise.

In 2001, there was a house-to-house exercise. Apparently, it is the practice of the Elections and Boundaries Commission to do a house-to-house survey approximately every 10 years so it is more or less due for one at this time. It was in 2001 when the Elections and Boundaries Commission did its field survey that a significant number of names came off the list. In fact, more names came off the list than came on, so that resulted in this net reduction between 2000 and 2004 of 29,000 because they took off more names than they put on during that five-year period.

However, in the last five years there has been no such trend and there has been a constant increase of approximately 20,000 a year over the last five years taking the list of electors now over the one million mark for the first time ever in the history of Trinidad and Tobago.

Mr. Speaker, if one matches this growth in the electorate, if this curve is smoothed out and it is growing from 1991 from 756,000 to 1,000,000 approximately a quarter of a million voters, one would assume if you looked at the population census that all things being equal, you should see a similar trend. Because one would assume that the proportion of persons 18 years and over in Trinidad and Tobago as a percentage of the total population would remain more or less the same. There would be years when you may have a boom of births, or an unusual number of deaths in a particular year, but one would assume that the percentage of persons 18 years and over would remain more or less constant within the population of Trinidad and Tobago unless you have had an unusual change in birth rates. And my research tells me we have not.

There are approximately 18,000 births in Trinidad and Tobago per year. I think the figure is 18,300, am I correct?

Dr. Gopeesingh: That was, it is now 16,000.

Hon. C. Imbert: It has gone down? Look at that, it makes the statistical analysis even more strange. But there are, or there were approximately 18,000 births every year in Trinidad and Tobago and 10,000 deaths.

Dr. Gopeesingh: It is 12,000 deaths.

Hon. C. Imbert: So it is 12,000 deaths now and 16,000 births. I am not accepting those figures, but we can deal with that in a short while. The information I have from the census I have been looking at—well the last census was in 2000, there is one due now. In fact, Mr. Speaker, through you, the hon. Members opposite would have heard the hon. Minister of Planning speak about the census that is about to take place. There is one approximately every 10 years, so there was one in 1990, one in 2000 and now the 2010 census which has either already started or is about to start shortly.

Using the figures available to me, there are approximately 18,000 births in Trinidad and Tobago per year and 10,000 deaths. So if one assumes that there is no migration, that there is no change in the figures due to people coming into Trinidad and leaving Trinidad, there should be a net increase in population of 8,000.

The Member for Caroni East is saying that he has different figures of 16,000 births and 12,000 deaths. So, accepting, but not agreeing with his figures, it would mean using the figures of the Member for Caroni East, we should have a net increase in population of 4,000 persons per year without taking into account outward and inward migration. Therefore, over a five-year period using the

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figures of the Member, the population should only have increased by 20,000; 4,000 per year, there should be a net increase of 20,000 in five years. Yet the Elections and Boundaries Commission is telling us that the number of electors has increased by 104,000. That is what this report is telling us.

I noticed the eyebrows of the Member for Princes Town North went up. I will tell you the figures again. The EBC is telling us that in 2004 the total number of electors was 908,608 and in 2009, 1,012,806 showing a net increase in the voting population of 104,198. Whether you use my figures which are a net increase of 8000 per year in the population when you take account of births and deaths, or you use the figures of the Member for Caroni East, whichever one you use, mine would show a net increase of 40,000 over the five years and that of the hon. Member for Caroni East would show a net increase of 20,000.

So let us split the figures, let us say 30,000 so we would not have any arguments. So using the mean of my figures and that of the Member for Caroni East, the total population should not have increased by more than about 30,000. The CSO has been telling us for years that our population is in fact remaining stable and we do not really have any significant population growth in Trinidad and Tobago and the CSO would take account of all factors; migration out, migration in, births and deaths in its analysis. The Central Statistical Office has been telling us for years that the population of Trinidad and Tobago is remaining more or less stable. If we do have population growth, it is a small percentage of 1 per cent or 1.5 per cent, something like that.

So Members need to consider the effect of this information, that using other sources of information, the total population should not have increased by more than 30,000 over the five-year period and of that 30,000 only approximately 20,000 or 25,000 should have been people of voting age. So the entire increase would not be voters because you cannot count 0—17 as voters.

Dr. Gopeesingh: I thank the hon. Member for giving way. I believe the EBC is using the figures of those who were 14 years of age at a particular time five years ago in 2004 who had registered at age 14, by 2009. Five years later, those 2004 persons, about 18,000 then would have graduated to be 18 years by 2009. So that period of age 14 to 18 would have moved the population by 18,000 per year for five years and that is how they are probably coming up to the 90,000-plus. I think this is what is happening.

Hon. C. Imbert: No, not at all. You are using your figures of 16,000 births and 12,000 deaths. Even though 16,000 new voters would come on the list, 12,000 are supposed to come off.

Dr. Gopeesingh: This is the crux of the matter for this evening's debate, Mr. Speaker. The EBC seems not to be able or unable to pick out the people from that list who have died because they do not go back to the population to find out who are alive or dead, but we will speak about that later, but the deaths are not taken into consideration in the increase that you see on the list now.

2.15 p.m.

Hon. C. Imbert: I am not getting into what the EBC is doing. At least today, I have no intention of dealing with what the Elections and Boundaries Commission is doing and how they arrived at their figures. I am simply drawing hon. Members' attention to the fact that the EBC has registered—these figures are actual registrants. You have ID card, a photograph and a form associated with them. I have to take it at face value that the EBC is telling us that they have registered 104,000 new voters over the last five years. If you look at the increase in population and the increase in the number of persons of voting age, it should only have been 25,000. We need to find out from where the additional 80,000 persons have come.

Mrs. Persad-Bissessar: In doing your research for this debate, did you not think it prudent to ask the EBC about the discrepancies you are pointing out? Did you in any way ask as to what could have accounted for that?

Hon. C. Imbert: Yes, I did. Hurry dog eat raw meat. I am giving the bare figures. I will come to that. I do not have an answer. I will tell you what they told me. I will leave it up to you to decide what you make of it.

The first thing that is necessary for us is to look at the data presented to us and then what appears to be an anomaly. On the face of it, an explanation is required. I am not casting any aspersions, today. In speaking to the Elections and Boundaries Commission, they told me that there are two categories of persons deemed electors. I am told that the EBC goes to secondary schools and registers students between the ages of 15 and 16. These people are on their database. When these 15- and 16-year-olds turn 18, they are deemed to be electors and automatically come on the list. That is in the vicinity of 18,000. If that is so, the deemed electors every year, the persons who are registered in a school at 16 and 17 and become 18 and automatically come on the list, that is about 18,000. Then, it is more than the birth rate if I accept the figures given to me by the hon. Member for Caroni East.

Dr. Gopeesingh: The birth rate is now but 18 years ago it was 18,000.

Hon. C. Imbert: It means that every person who was 15 or 16 was picked up by the Elections and Boundaries Commission in its pre-18 survey which on the

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face of it does not appear to be possible. Not every 15- or 16-year-old is in a school, for starters. It is scientifically impossible, as far as I am concerned that every 15-, 16- or 17-year-old has been picked up by the EBC prior to them turning 18. The figures are telling us that they are picking up everyone. That is one part of it. The other part of it is that there are 10,000 to 11,000 other persons who are coming on the list every year. That is what they told me. They told me that it is 18,000 persons, deemed electors, persons who were 15, 16, 17 and so on turning 18, plus another 11,000 odd persons who are registering. These are persons above the age of 18 who are coming to register.

They are telling me that there are approximately 29,000 new registrations every year. In terms of deaths, about 7,000 or 8,000 or 6,000 are dropping off. That is how you get the net figure of about 21,000 or 22,000. That is what they told me. On the face of it, you need to look at those figures. If there are 12,000 deaths as the hon. Member for Caroni East is telling me, then 12,000 names should be coming off the list more or less every year, but it is not happening. That would explain some of the apparent anomalies in the figures, in that the EBC is not accurately detecting every person who is dead, on the face of it. This is mere speculation. This is what you get from looking at the numbers. You have to go into the numbers and crunch them to see exactly what is causing this apparent anomaly.

That is all I will say about the figures. I am not speculating as to whether these names are fraudulent or people have been registered twice. I am not prepared to make any comment on that, today. What I would say today is that on the face of it, there is a disconnect between the increase in the electorate and the increase in the population. The EBC routinely cleans the list. This is why I showed this graph. Between 1986 and 1991, 100,000 persons came off. This happens during a field survey. That is why it is necessary for the EBC to do a field survey, house-to-house now, so that one could establish whether out of the one million plus voters that are there now, these are persons who have been registered more than once or are deceased or whatever.

Coming to the other aspects of the report, the Elections and Boundaries Commission has recommended changes to a few constituencies. In the constituencies that have been changed, for some reason, like my constituency, the electorate of Diego Martin North/East has been reduced by 1,179 voters. These 1,179 voters have been relocated to Port of Spain South. If you go to page X of the report at paragraph 12, you would see the electorate of Diego Martin North/East was reduced by transferring Polling Division 225 with 1,179 electors

to Port of Spain South. This reduced the electorate of Diego Martin North/East to 26,759. I did observe that in the last election my constituency was either the largest or one of the largest in terms of voters. In fact, looking at it now, the number of voters in Diego Martin North/East in the last election was in excess of 27,000. It has now gone down to 26,000 and brought it within the rules.

I think that it is necessary for us to go to the rules now. The permissible upper limit for a constituency is 27,364. That is a constituency in Trinidad. The permissible lower limit for a constituency in Trinidad is 22,388. Diego Martin North/East had gone over the limit and has now been brought back down below the limit to 26,759. I would miss those voters. They were some of my most loyal supporters. They will now go and vote for the hon. Member for Port of Spain South. [*Interruption*] They were voting for the PNM and me and they would now vote for Minister Mc Donald and the PNM in Port of Spain South, or about 95 per cent of them.

Mr. Warner: What about Diego Martin West?

Hon. C. Imbert: I am talking about Diego Martin North/East. There is no change there.

The other constituency that has been changed is Toco/Sangre Grande where 1,120 voters are being transferred to Cumuto/Manzanilla. Again, the constituency of Toco/Sangre Grande was over the limit and the adjustment was necessary to bring it down below the limit. Toco/Sangre Grande is now adjusted downwards to 26,337 and Cumuto/Manzanilla adjusted upwards to 26,345. Most certainly, we hope and expect that all these voters are PNM voters. [*Laughter*] We could only hope and expect. I cannot speak for that constituency. I do not have the in-depth knowledge of that constituency to tell you for whom they voted. I know for mine. They voted for me.

With respect to Pointe-a-Pierre, it has been adjusted and there are three polling divisions comprising 2,023 electors who have been transferred to San Fernando West. Pointe-a-Pierre's electorate has been reduced to 22,907. It seems very close to the lower limit. If you look at the lower limit of 22,388 and the upper limit of 27,000, Pointe-a-Pierre has been reduced from 24,000 to 22,000 or 25,000 to 23,000. There does not appear to be a change arising from that constituency being over the permissible limit. There is some other reason for the adjustment to Pointe-a-Pierre. It is not a limit situation. Pointe-a-Pierre is now 22,907 and it was approximately 25,000 before. Pointe-a-Pierre was not over the

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limit. As I said, there might be some other reason Pointe-a-Pierre was reduced. That is certainly something to which we would have to look.

The constituencies which have been affected are: Diego Martin North/East has lost some voters who have gone to Port of Spain South; Toco/Sangre Grande has lost some voters who have gone to Cumuto/Manzanilla and Pointe-a-Pierre has lost some voters who have gone to San Fernando West. According to the EBC, these six constituencies now satisfy the criterion specified in Rule 4 of paragraph 8, as do the remaining 35 constituencies which boundaries remain unaltered.

The commission also found it necessary to rename two constituencies so as to reflect more accurately the communities within them. Princes Town North has been renamed Princes Town. That is just exchange. Princes Town South/Tableland to Moruga/Tableland. That I understand because Princes Town South was essentially, Moruga. That change makes much sense.

The net effect of this report is to adjust six constituencies by removing voters from three and putting them into others and to make a minor name change in one case and a significant name change in another. It has affected the boundaries of six constituencies. The boundary for Diego Martin North/East has been shifted northwards. The boundary for Port of Spain South has been shifted northwards in the Bournes Road area. Again, I speak from local knowledge. This is in the Upper Bournes Road area that shift was made in the boundary of Diego Martin North/East and Port of Spain South. In Toco/Sangre Grande and Cumuto/Manzanilla, there has been a shift. I am not terribly familiar with the boundaries there. In Pointe-a-Pierre and San Fernando West there has been a shift.

It is not normal for this House to reject a report of the Elections and Boundaries Commission, even though we may have grave reservations about it. I am not saying that we on this side have reservations about this. It is not the practice of this House whether or not it has reservations to reject a report of the Elections and Boundaries Commission. On the face of it, there are two matters in this report that warrant further clarification, investigation, examination and elucidation. One is the huge increase in the electorate from 2004 to 2009. It is over 100,000. On the face of it, it does not appear to make sense. The EBC may be able to explain it. That is one thing that requires further clarification and examination.

The other one is the change in Pointe-a-Pierre which does not appear to have been done based on that constituency reaching its upper limit of 27,000.

2.30 p.m.

But apart from that, we on this side wish to support this Report.

Mr. S. Panday: What?

Hon. C. Imbert: Yes, we wish to support it. And with those few words, I beg to move.

Question proposed.

Mr. Subhas Panday (Princes Town): Thank you very much Mr. Speaker, what manner of man is that hon. Member for Diego Martin North/East? He argued; he gave us empirical data which could have convinced a baby that this report is incomplete; the information in the report is wrong; is inexplicable and yet at the end of the day he says that "we support it". How could you do that? How could you do such a thing?

But you see, the reason for that is, although he knows it is wrong, the PNM and the EBC are one and that is why he supports it. He knows that the EBC acts in favour of the PNM all the time, but it seems to me, because he has some academic training, he came before this honourable House and put a case, but at the end of the day it flew in the face of all that argument that he supports the EBC on this report.

As a matter of fact, we could take a position when one looks at the common entrance every year. It has been constant over the last 18 to 20 years. The common entrance population had been the same, so therefore we have further problems. They must tell us why the figures rose and dropped when we have information that the population remained the same. Something is drastically wrong.

Furthermore, the hon. Member for Tunapuna, the distinguished Minister of Education, will tell you that the common entrance population has gone down to 16,000 and has been going down and down over the period of time; from 20,000 and kept on going down. How is it that the electorate continues to go up? And migration, I think, having regard to the crime rate in this country, more people are leaving than coming. Where are those persons coming from to register on the electors' list? Something is wrong and we on this side are asking that this report be sent back to the EBC for the EBC to review the position and the figures and come back with a report which has the right figures.

One really cannot help but to say that the EBC is undermining the electoral process and, as such, undermining the democracy, and as far as history goes, they always undermine it in favour of the PNM all the time. It is opportune at this

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moment to look at the report of the commission of enquiry into the functioning of the Elections and Boundaries Commission of Trinidad at which time—when the Member for Diego Martin North/East was battering the EBC for incompetence, but today when he comes here and gives those figures, he is just doing the same thing in another way. I quote from page 12 of that Report: “The Electoral Process - the Bedrock of Democracy.” The electoral process is the bedrock of the democracy, and look at what is happening when one analyses those figures. It says:

"The electoral process is the bedrock of any Parliamentary Democracy. The will of the people is paramount and it is through General Elections that the people's will is expressed and determined."

This was the opening line of the distinguished Member for Siparia in her last contribution. She opened with that phrase and I open with that phrase also. It says:

"It is vital therefore, to our Democracy that systems and procedures be put in place to ensure the free and fair statement of the will of the people on Election Day. Anything which hinders or prevents a voter from casting his vote is unacceptable and must be viewed with serious concern."

What my dear friend, the honourable and distinguished Member for Diego Martin North/East has done today, he has indeed given us the data to indicate that the EBC is frustrating the will of the people and hence the EBC is undermining the democracy. That is what he has done today and that is why I find it strange that after such a powerful and a cogent argument, he will just spin around and say: "Although it was wrong; although it cannot stand to logic; although it cannot stand to common sense, we the PNM supporting this." And I will show you why now.

When one looks at the 2009 Report, you will see a kind of incompetence, or maybe deliberate incompetence on the part of the EBC. I hope that the Members have it here. The law says:

"The Elections and Boundaries Commission should produce a report like this within every two to five years, not less than two, not more than five."

But when one looks at the history of that incompetent body, the EBC, do you know when they produce a report? On the last day of the outer limit. You mean to say five years, you could have produced it within two to five and they produce it on the last day of the five-year statutory limitation and still they produce this inaccurate document. It says and I quote from this said report: Year 2009 Report of the EBC, the Review of Constituency Boundaries pursuant to section 72 which my learned friend alluded to. At page IX states:

"The last Parliamentary Report by the Commission on the Review of Constituency boundaries pursuant to section 72 of the Constitution of Trinidad and Tobago was dated June 15th, 2004."

And then they come back on June 14, 2009 and brought the other report. Five years the EBC sat there and they waited until the last day to bring a wrong report. And they are boasting here:

"Therefore in accordance with subsection 2 of this same section which states: 'Reports under subsection (1) shall be submitted by the Commission not less than two nor more than five years from the date of the submission of the last report', the latest date of submission...is June 14th, 2009."

And it seems as though the PNM is working in synchrony or in collusion with the EBC, because on the last occasion the last report which was debated in this honourable House was in January 2005. So although it says—and it says somewhere here, and I quote now from page 8:

"As soon as may be after the Commission has submitted a report, under subsection (1)(a) the Minister as designated by the Prime Minister for this purpose...shall lay before the House of Representatives for its approval the draft of an Order..."

They had this since June 14 last year and they waited until the last day in the fifth year in the statutory limitation, to present it. So the PNM and the EBC is the same thing; they behave in the same way.

I want to submit that this is a plan by the EBC to protect the PNM and I will show you that a little later.

Mr. Manning: Protect the PNM?

Mr. S. Panday: Yes. That is why today when you came here and you attacked the EBC and their incompetence you still went on to support it. You want to give the impression; you are just patting them on their knuckles for their wrongdoing.

The way this Government is going and the way the EBC is operating, when could this country expect the next Elections and Boundaries Commission Report? 2015. When is election due? 2012. Which report you will be using for election? This report which is a bogus, outdated report. So this Government will be using an outdated report in the 2012 election hoping to win the election with the assistance of the EBC.

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We ask the EBC today: Why does the EBC which has been given so much funding, why does the EBC continue to be so incompetent and one might even want to say, recalcitrant? Why has it been like that? They must explain it. We ask the EBC: Have you ever looked at the spirit of the legislation when the legislation said that the inner or lower limit is two years and the upper limit is five years; why did the law state that? Why? Why did the law state that? The answer is clear. When one looks at the Constitution, one sees that the Prime Minister has the prerogative to call an election whenever he wishes. There is no fixed date for elections.

Mr. Manning: Why you want that?

Mr. S. Panday: “Ah telling you when we want it.”

Mr. Manning: Why you want that?

Mr. S. Panday: Why I want what?

Mr. Manning: A fixed date.

Mr. S. Panday: I am not saying anything about the fixed date; what I am saying is, hon. Prime Minister, is that because there is no fixed date for the Prime Minister to call an election—and the Prime Minister has the prerogative to call an election anytime he wishes—that is why the rule says that you could produce a report within two years or five years so that the EBC will always be on full alert.

The EBC will be monitoring the list and have the list up-to-date at all times. That is the purpose of the law and the EBC must tell us here today: Why is the EBC not obeying—well, they are obeying the law legally, but why are they not obeying the spirit of the law? Why? My view is to protect the PNM.

We are calling on the EBC today, that you have funding and if you do not have funding, ask for funding and this honourable House will make funding available to you to ensure that we have a report. Today is what date? February 02, 2010; elections are due at the end of December 2012. We have two years and 10 months; almost three years. We are demanding that the EBC review the constituency boundaries and have a report presented to this Parliament before the next election, that is, early 2012. Because if the EBC does not do that, I will show that they have been behaving in a particular way only to assist the PNM and to undermine the democracy and if they cannot do it, they must come and say.

Do you know what happens? When an election comes in 2012 and we go to that election with an outdated report which was sent in 2009—this report was prepared on June 14, 2009, when you go into an election this report will be three years old.

2.45 p.m.

Why are we going into election with a report that is three years old when the law says that the Elections and Boundaries Commission (EBC) should produce a report within two years within certain circumstances? We will go to an election with an outdated report in 2012 and then they will come in 2015 and address this, after the major event, the election, which is constitutionally due by 2012.

Mr. Manning: What is the problem?

Mr. S. Panday: The problem is that we are going into election with a 2009 report. We should go with a 2012 report. There is sufficient time, according to law, to have a report.

Mr. Imbert: I thank the Member for giving way. If you look at the actual report, it tells you that the commission reports under subsection (1) shall be submitted by it not less than two nor more than five years. They submitted this report on April 30, 2009 and it is quite possible, within the law, for the Elections and Boundaries Commission to submit a report in 2011 and one in 2012. The next election is constitutionally required in November 2012. So the EBC will have more than one year; it will have 2011 and 2012 to submit another report. So your fears are groundless.

Mr. S. Panday: What guarantees do we have about that? They said that the last complete review was 2004. There are no guarantees. The EBC can say use this—they are within the law—and we cannot do anything. When the hon. Member for Diego Martin North/East says that they can bring one, they can do many things; but they do not. That is why we are making the request.

We ask that question because of the present situation. Since 2004, the Government has embarked on a major house padding programme called developing housing settlements. The Government is causing major demographic shifts. They are orchestrating it; controlling internal immigration and identifying constituencies. They are building houses and putting PNM people in those houses. They are not putting the poor PNM people in the area who deserve the houses. I have first-hand evidence of that in Princes Town.

They have put up a housing project and not more than two or three known PNM persons in Princes Town got houses. In most of the houses, the people came from Maloney, Morvant, Laventille and other parts of the East-West Corridor, and one or two from Moruga. The one from Moruga is the PNM councillor.

What they are doing is targeting constituencies, putting houses and, if we go with this report and from now to 2012 they put more houses and bring more

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people, although this report will show that the constituency at today's date is, say 24,000, by the time the election comes it might be 30,000. The law says that once you go into an area and live for three months, you can vote. They will be in a position to undermine this report. When you vote PNM in that area—the report has 25,500, but there may be 30,000 persons and the PNM steals the election.

So, in 2015, they will say it is 30,000 and that they will bring it down after the elections. That is why we ask that the EBC review the boundaries just before the next election. If we allow these boundaries to continue, it will be a travesty on the population. For example, in the Princes Town constituency, which the PNM has targeted, they built a number of houses and no poor, deserving person from Princes Town received a house. They brought foreigners and they got 800 or 900 more votes.

When we told the hon. Prime Minister on the last occasion that he was voter-padding, do you know what he said? He said: "You get away by the skin of your teeth this time; we taking you next time." He said that when we complained about his housing projects, especially in Princes Town. They have orchestrated this in such a way that they said Princes Town was a growth poll. I do not know if they see a mole growing. They said that in the country there is the greatest demand for houses in Princes Town.

How did that happen? What is the logic in that? There are no industries in Princes Town like La Brea or Point Fortin. You have closed Caroni (1975) Limited; unemployment is very high in Princes Town. It is the third poorest area in the country. How can the PNM consider it a growth poll?

Mr. Imbert: Standing Order 36(1). We are talking about the Elections and Boundaries Commission Report; not the Government, nor the PNM.

Mr. Speaker: Hon. Member, the Leader is right. I am giving you a little leeway, but you need to come back quickly.

Mr. S. Panday: Mr. Speaker, I promise the hon. Member that I will be as efficient, competent and as relevant as the Prime Minister was in the last debate.

Mr. Manning: [*Inaudible*]

Mr. S. Panday: I cast no aspersions on you, hon. Prime Minister. Voter-padding impacts upon the boundaries and therefore the Motion we are talking about today. That is my point. [*Interruption*]

He was not listening. I am saying that the PNM is manipulating the report and they have the power to manipulate the report.

Mr. Imbert: Mr. Speaker, I appeal to you.

Mr. Speaker: The PNM cannot manipulate an independent EBC report. You need to be careful of your language.

Mr. S. Panday: The argument is that this report gives a certain statistic as at today's date and, having regard to the history of the EBC, we do not expect another report until 2015. Election is constitutionally due in 2012; therefore we will go to the election with this document. Having regard to the law where you can live in a place for three months and register as a voter, they can build houses within this period before the next report and steal the election. That is the argument.

Mr. Manning: The EBC can do what they wish.

Mr. S. Panday: They can, but they do not. They appear to be a PNM party group.

Mr. Imbert: Mr. Speaker, he has to take that back.

Mr. Speaker: Hon. Member for Princes Town South, the EBC is not a PNM party group. You are aware of that. You must not make those remarks. This is an independent body; this is not a party list and numbers.

Mr. S. Panday: They ought to be an independent body. I will show you something. This EBC has been doing it since its inception. It has been gerrymandering in favour of the PNM since its inception. I will show you how. They gerrymandered the constituencies in such a way—I am talking about the 1960s and 1970s; I know I was not there, however, the records reveal that they gerrymandered the Opposition constituencies in such a way that Members of the Opposition who won their seats, won with a very large number—15,000 and 16,000. At that time, the PNM used to win their seats by 3,000 and 5,000. At the end of the day, when one looks, there was no great difference between the votes of the Opposition and the PNM. One would see that the Members of Parliament of the Opposition got high votes in a few constituencies. The PNM got less votes in many constituencies.

Although there was no great difference between the numbers of persons voting for the parties, the PNM got twice the number of seats. They were 24:12. Check the records and you will see that was the situation in the past. When I argue today, I am not arguing and twisting my mouth. That has been the history of the EBC; hence the reason many people view them as a PNM party group; not me. Therefore, this argument here leads us to another situation.

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When we consider this document, one sees that there might be a need for a discussion on constitutional reform. In this case, you have the first past the post system where you win by one vote more than the other fellow. The hon. Prime Minister won by 33 votes in 1986.

Mr. Manning: I am here by right.

Mr. S. Panday: Sure, Mr. Prime Minister. Therefore, it might be, because of that situation where we see the obvious gerrymandering as a part of our political history, we need to have a discussion on constitutional reform, which will negate the effect of gerrymandering and the effect of favouritism perceived or otherwise; and would ensure true democracy, so that there will be no need later to complain.

3.00 p.m.

Mr. Speaker, I quote from an article on Proportional Representation v First-Past-The-Post by Robert Testa. He says:

"Proportional representation (PR), when executed suitably, is completely based on the 'power in numbers'... It proves to the population that every vote counts."

Not that if 20 per cent of the people vote and you win by one vote, you take the constituency. In a new system where you could deal with gerrymandering, then every vote counts.

"Proportional representation is undoubtedly a better system of voting Members of Parliament into the House of Commons"—that is the Canadian House—"because of its ease of use and fairness to the entire...population."

We are saying that the EBC has not created such a situation.

"An excellent example of this is demonstrated by Norway who has been using PR for more than 11 years. The Norwegians have nearly perfected this form of voting and has little or no problems with it."

They say more women will come to politics, et cetera. It says further:

"PR would decrease this gap."

Because every vote counts, more people will come out to vote, and therefore, the democracy will be strengthened.

"A very substantial reason why proportional representation is the better electoral system than the first-past-the-post..."

Not because of our EBC, although they are part of it, I humbly submit, is because it has been proven in other countries to increase voter turnout in local provincial and national levels.

It says—and has happened in Trinidad and Tobago.

Mr. Speaker: No, I do not think this debate concerns the pros and cons of proportional representation. I think the debate is on the EBC report, so get back to it, please.

Mr. S. Panday: Mr. Speaker, what I am saying, it will dampen the effect of any perceived discrimination in the terms of gerrymandering by the Elections and Boundaries Commission. [*Desk thumping*] That is the argument. It will ease up that problem. It will get more people involved in politics. So it is not a matter of saying the pros and cons of the PR versus—but because we have a situation in Trinidad, where the EBC is perceived to behave in a particular manner, an argument which will try to deal with that problem.

So, Mr. Speaker, that is what I meant when I said that this report should necessitate a discussion on all aspects of democracy, including different forms or different types of electoral systems, but I will be guided by you. I come back now to the nitty-gritty. Okay, so be it! But I will show you when I come back here, that the baseness of the EBC will again be manifested in favour of the PNM.

Let us take this example here. Here is what the law says, that there is a band; you are giving this EBC a band to play in the election. It says that you take all the constituencies, you divide it by the number of electors, and you get an average. It says that no constituency shall be more than 110 per cent or less than 90 per cent. So you are giving the EBC a band of 20 per cent of the electorate to play with. To put where they want, to drop or increase where they want, with 20 per cent of the electorate.

Mr. Speaker, how does that translate in our system? I look at page 10 and I quote from the Application of Rules of Delimitation of Constituencies—hear how this EBC operates—and it says in paragraph 8(2):

"Subject to paragraph 3, the electorate shall, so far as is practicable be equal in all constituencies."

But yet we gave them an opportunity to play with 20 per cent, one-fifth of the electorate. Why? It says:

"...the electorate in any constituency shall not be more than one hundred and ten percent nor be less than ninety percent of the total electorate of the island divided by the number of constituencies..."

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Let us translate that now into real figures. In paragraph 9 of the report, in Trinidad and Tobago it says, the average is 24,876—let us say an average of 25,000—the permissible upper limit is 27,364; permissible lower limited is 22,388. So between 22 and 27, the EBC an electorate in which the average is 24,876, the EBC has 5,000 margin. How is this reasonable? Five thousand margins!

Mr. Ramnath: That is a whole seat in Tobago.

Mr. S. Panday: That is a whole seat in Tobago. We must demand that since it is an election by first-past-the-post— That is not a joke, you know. You give them 20 per cent to play with, but when one looks at the size of some of the polling divisions, one would see that the polling division—and I quote now from the Elections and Boundaries (Local Government) Draft Order 2008. Recent, Mr. Speaker. At page 90 of that report, one would see that you have polling divisions as small as 55, 184, 182, 96, 267. So look how small polling divisions are. When that is divided into the 5,000 margins that was given, you would see they could play with up to 10 PDs in your constituency. The EBC is given that power to manipulate 10 polling divisions in your constituencies.

Mr. Speaker, when one takes this argument here of the 110 per cent above and not below 90 per cent, one would see that you are playing with 20 per cent of the electorate. But when one transposes that into the distribution of polling divisions, for example Arouca/Maloney, Arouca/Maloney has 24 PDs. Let us take an average that a PD is 300 votes or 500 votes, so when you give the EBC the discretion to play with 10 PDs, in a place like Arouca/Maloney, although in the electorate you are playing with 20 per cent, in terms of polling divisions, you give them the opportunity to interfere with that constituency to about 41.66 per cent. They could interfere with your polling divisions to the extent of 41.66 per cent. These are the intricacies which people must look at, and therefore, we must come here today and tell the EBC, we cannot give you that 5,000 electors to play with. In a first-past-the-post system where you could win by one vote, we say to reduce it to 100; by one or two polling divisions, maybe.

Mr. Speaker, let us take Caroni Central. One would see Caroni Central has 26 PDs. By giving the EBC the opportunity to interfere with 10 PDs, they can control 38.46 per cent of your PDs. Let us talk about Caroni East now. Caroni East has 23 PDs. When you give them 10 seats, one would see that they can control the number of PDs by 43.4782 per cent. This is a serious situation. But in the case of Chaguanas East, it is even worst. Chaguanas East has only 19PDs, so therefore you gave the EBC the discretion to interfere with the PDs to the extent of 52.6315 per cent. This is untenable and we must deal with that.

Mr. Imbert: Mr. Speaker, I thank the hon. Member for giving way. We on this side are a bit baffled by the point the Member is making. No changes have been recommended by the Elections and Boundaries Commission to the constituency of Chaguanas East, and those other constituencies that you are referring to. They have not changed a single thing. They have not moved the boundaries one inch. So what is the point you are making, please?

Mr. S. Panday: I expect that kind of comment from my distinguished colleague, having argued against the document, I can understand your concerns. What I am saying is, we are looking at the issues and we should deal with them now.

Mr. Imbert: What issues?

Mr. S. Panday: The automatic of it. Mr. Speaker, we need to put the EBC on a tight rein. We must only deal with the issue now, because it was wrong. My humble view is it was wrong in the past. This analysis of the report has indicated that the situation has been wrong in the past. Not because they have been wrong in the past and we have been using it in the past, we must continue to be wrong. We have seen it.

Mr. Speaker, you know, sometimes there are judgments that stand there for 60 years and everybody abide by the wrong judgment, until somebody comes along—hon. Attorney General—and they reverse that position. Similarly, I humbly submit that in the past it has been wrong and we should not continue in the future, and this might be a juncture when we should review the whole process of the Elections and Boundaries Commission. So therefore, hon. Member for Diego Martin North/East, you are not arguing today for today. When you legislate, you do not legislate only for today; when you debate, you do not debate only for today, but you debate for the future. Thank you.

Mr. Manning: Mr. Speaker, I thank the Member for Princes Town North for giving way. He is talking about adjustments to the Elections and Boundaries Commission, what adjustments are you recommending specifically, please? We would like to know.

Mr. S. Panday: For one, hon. Prime Minister, I am sitting and you were listening all the time. The last word I said and the last point which I was endeavouring to develop was the band of 110 per cent and beyond and 90 per cent below. Having regard to the size of the electorate, and I go over for you, the average electorate when one divides the number of constituencies by the total electorate is 24,876. The 110 per cent above will take us to 27,364. The lower band will be 22,388—page 10 of the document. We are saying in an average

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electorate of 24,000, to give them that band of 5,000 to play with, to have discretion to move from one constituency to another constituency, that should be reduced.

Mr. Manning: To how much? To what?

Mr. S. Panday: Hold on! Hold on! Let me read the other part for you, hon. Prime Minister. Hold on! To conform to paragraph 2 of the said report, it says:

"Subject to paragraph 3—"

Subparagraph (3) says:

"The number of constituencies in Tobago shall not be less than two."

So that is it.

"the electorate shall so far as practicable be equal in all constituencies."

And I am saying, 20 per cent is too much, we should reduce that band to 500 or 1 per cent.

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. J. Warner*]

Question put and agreed to.

3.15 p.m.

Mr. Speaker, I move on now to boundary changes as stated in paragraph 13. It says:

"In the case of Toco/Sangre Grande, the electors in two of its polling divisions, viz. 2250 and 2251 comprising of 1,120 votes..."—which the hon. Member for Diego Martin North/East said he hoped was theirs—"all told were transferred from Toco/Sangre Grande to Cumuto/Manzanilla."

Let us look at the statistics from 2009. One sees that Toco/Sangre Grande has 27,457. We agree that is above the limit of 25,833. They took that and gave it to Cumuto/Manzanilla which has an electorate of 25,255. So Toco/Manzanilla, as it stands today, is above the average of 24,856, because today the electorate there is 25,225; we ask the question.

Let us look at Arima; it is way below the average, because the electorate there is 23,446; way below the average. Cumuto/Manzanilla is above the average. Arima is below the average, very close to the permissible lower limit of 22,388.

Mr. Manning: So within the law?

Mr. S. Panday: Ah, within the law. Why did you not move it? *[Interruption]* You always argue about the spirit of the law. Why did you not move those two electoral districts into Arima to lift it? Because the law says that we should try, as far as practicable, to have an equal number in all constituencies. Why did they do it? We want an answer from the Elections and Boundaries Commission (EBC).

Mr. Manning: Could I answer?

Mr. Ramnath: You are not the EBC.

Mr. Manning: He is quite right; I am not the EBC, but my understanding is that the constituencies which exceeded or went under the limit were the only ones to which they made adjustments. In other words, if a constituency was within the limit, they left it alone. They were not tinkering; they were just dealing with the constituencies that fell outside of the pale of law; which is quite reasonable.

Mr. S. Panday: Honourable and distinguished Prime Minister, I humbly wish to differ, because Cumuto/Manzanilla is within the limit.

Mr. Imbert: No.

Mr. S. Panday: Cumuto/Manzanilla is 25,225 and the average is 24,8-something. Hon. Prime Minister, the constituency which was above the limit, Toco/Sangre Grande, had an electorate of 27 to 457. We are asking the question: Since we should adjust the electorate in such a way as to be equal, why did they put it in a constituency, Cumuto/Manzanilla, which had a higher electorate than Arima? You see the argument? *[Interruption]* No, you cannot answer it. Let us look at the map now. *[Crosstalk]*

Mr. Manning: Sociology.

Mr. S. Panday: No; sociology? These are figures; you do not talk about sociology when you win by 33 votes.

Look at the map. *[Mr. S. Panday displays map]* If one looks at Toco/Sangre Grande, Arima and Cumuto/Manzanilla, one would see that the boundary line between Arima is longer than the boundary line between Toco/Manzanilla. We ask the EBC today to explain why they moved the two polling divisions from Toco/Sangre Grande and placed them in Cumuto/Manzanilla and not Arima. I ask a rhetorical question here:

Is it because Toco/Sangre Grande and Arima are constituencies held by the PNM and they did not want to interfere with them; but Toco/Manzanilla is held by the Opposition, that is why you want to interfere with it?

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That was the reason the Member was so sprightly when he said, "We hope is our voters going there." These are the things we say have to be explained before we could—[*Interruption*]

Mr. Imbert: Thank you for giving way. I assume you know the geography of Trinidad and Tobago.

Mr. S. Panday: "Look de map here."

Mr. Imbert: Yes, I assume you know the geography. So the northern part of Toco/Sangre Grande and the northern part of Arima, along the boundary between the two, is very sparsely populated; no one lives there. So if you make a shift, hon. Member, if you shift the north western boundary of Toco/Sangre Grande you achieve nothing, because there are no voters there. Similarly, if you shift the north eastern boundary of Arima, you achieve nothing because there is only forest and mountain. [*Crosstalk*]

Mr. S. Panday: Is this the same hon. Minister who said, "Let people vote." If you have a few dead persons, put them there and let them vote; that is all.

Let the EBC defend themselves; you do not defend the EBC.

Mr. P. Manning: We are not defending anybody.

Mr. S. Panday: There could have been other shifts. You are trying to throw me off course. You do not only have to change one; you could have shifted a number in the area to create it.

Mr. Manning: That is what they avoided.

Mr. S. Panday: Okay, okay, okay. I humbly submit, do you know why you are supporting the EBC? Because you know the EBC is doing your bidding. You are of the impression that the EBC is doing your bidding. That is why you came here today and defended them. They must tell us: Are you trying to give them answers?

Let us take the other one, which is Pointe-a-Pierre; two polling divisions going from Pointe-a-Pierre to San Fernando West.

Mr. Ramnath: What was the basis for that?

Mr. S. Panday: The electoral number for Pointe-a-Pierre is 24,930; the average is 24,856, only 100 above or almost the average. San Fernando West is 21,235. We ask the question: Why did the EBC "took"—[*Interruption*]

Hon. Members: Take!

Mr. S. Panday:—three polling divisions: 3970, 3971 and 3972, a total of 2,000 votes, [*Laughter*] [*Crosstalk*] and reduced it to 229 and transferred that to San Fernando? We ask them why. In this case, it is the reverse. Pointe-a-Pierre was not above or below the limit. Why did you interfere with Pointe-a-Pierre which was average?

Mr. Imbert: It was.

Mr. S. Panday: San Fernando West was, right?

Mr. Speaker, San Fernando West is not only bounded by Pointe-a-Pierre; it is bounded by San Fernando East and Oropouche East. We ask the question here today: Oropouche East had a population of 26,469; almost the top limit, why did they not take those number of votes from Oropouche which is adjacent to San Fernando West. When one looks at the map, one would see it as a large border with San Fernando West. We ask the question: Why did you not take the votes from Oropouche East? [*Interruption*]

Mr. Ramnath: It was in San Fernando before they rigged it. [*Crosstalk*]

Mr. S. Panday: My learned friend from Couva South—those areas in Oropouche East were in San Fernando before, why did they not put them back there? Why did you take Pointe-a-Pierre? I have tried to check with the EBC, and one would see that the voting pattern was such that they have weakened Pointe-a-Pierre in favour of the PNM. They have made Pointe-a-Pierre almost easier for the PNM, by moving three polling divisions from Pointe-a-Pierre and putting it into— [*Interruption*]

Hon. Members: That is not true.

Mr. Manning: That is not true. In fact, on the basis of the changes made, it makes Pointe-a-Pierre more difficult for the PNM. I do not understand what he is saying. [*Crosstalk*] That is so.

Mr. S. Panday: You are so charming, you really could fool me.

Mr. Manning: My hon. Member for Princes Town, try and win in a different way. Do not try to win by misrepresentation. Win on the strength of your argument. Your argument is not strong; it has no basis really. In fact, Pointe-a-Pierre has been weakened from the standpoint of the PNM. That is what has happened; admit it.

Mr. S. Panday: Hon. Prime Minister, I beg to differ. People are asking the question: Why did you not take it from Oropouche East? Is it because you are

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house padding to such an extent in Golconda, in Wellington, in Picton, those areas there? You are putting such heavy housing there, that you feel you could take Oropouche East without interfering with it. Not you, sorry, the EBC. The EBC believes that the PNM could take Oropouche East by the house padding, probably that is why they did not interfere with it. [*Crosstalk*] In those circumstances, one sees that one cannot really accept this.

Another issue, hon. Prime Minister, why these boundaries should be changed, you have constituency boundaries which straddle a number of regional corporations. For example, my colleague, the MP for Caroni East, Dr. Gopeesingh, his constituency of Caroni East, part falls in Tunapuna, another part falls in the borough, and another part falls in Couva/Tabaquite/Talparo. That makes it very difficult for the Member to perform. The EBC also deal with the Election and Boundaries Commission/local government boundaries. They also produced a report. The last report which was presented was in 2008.

3.30 p.m.

We ask the question: How will the same organization looking at a political system define boundaries for local government election which are totally different from the general election?

Mr. Speaker, I will be asking for injury time.

Mr. Imbert: Mr. Speaker, I thank the Member for giving way, but I would point out that the Member interrupted me about seven times, so I am only returning the favour.

The local government boundaries are fixed by law, the EBC has no authority to move boundaries in the local government system in terms of the perimeters of the local government corporations. So you are misleading people when you ask why did the EBC establish local government boundaries in one way and general election boundaries in another way, when it is a fact that the EBC cannot shift local government boundaries in terms of the external boundaries of the corporation.

Mr. S. Panday: Then, Mr. Speaker, the blame must lie on the Government because if you say that the local government boundaries are determined by law, not the EBC, then you are at fault for having these problems that we face. [*Desk thumping*]

It seems to me you have all kinds of documents; Vision 2020, Report on the Draft White Paper on Local Government Boundaries Review and you say the

realigning of local government boundaries was one of the key elements of the local government reform programme. During public consultations on the Green Paper of 2004, some of the most significant views on local government boundaries which emerged and which were incorporated in the draft White Paper were as follows: And it spoke of unjustifiable inconvenience to certain communities, impeding clear facilitation and co-ordination of service delivery, community integration, administrative co-ordination among government agencies as well as integrated national development.

We are saying that these differences in the boundaries are the problems they are having and you are saying do not blame the EBC, then you are to be blamed. How is it we have all these problems and the PNM continues to maintain those boundaries? They knew the problem but yet they condone it.

Challenges posed by the existing local government boundary demarcations are manifested in several ways; boundary overlap causing dispute over administrative jurisdiction, use of varying boundary systems preventing national local synergy and it prevents developing national co-ordination.

While we complain, instead of dealing with the issue, the Government has merely justified and defended it today. In its own document the Boundaries Review Exercise Draft White Paper, June 2009 at page 34 it says:

"Further, national electoral constituencies do not readily fit functionally within the local government boundaries in terms of effective electoral district representation between councillors and parliamentarians, service delivery coordination and development of communities with unique identities and characteristics."

So we are dealing with this Elections and Boundaries Commission Report and we have the local government boundaries before us and one sees they are going in opposite direction and this Minister comes here today and justifies it.

Mr. Speaker, my friends have a lot more to say and there is only one issue I want to deal with before I close and that is the boundaries. It says that the boundaries will be demarcated using natural watercourses like rivers, natural boundaries such as highways and rivers shall be used wherever possible.

But when one looks at these boundaries one would see that it is a nightmare for candidates to try to identify their boundaries. For example, if we look at Oropouche West on page 44, it says from a position number on Murray Extension, then a northerly direction to a point where it crosses the boundary of

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Wanguemert land then in a south-easterly boundary to Wanguemert land again then to land of Louis Samuel, then lands to Mowlah, Ougayrah and Sahadeah and it keeps going on.

When one tries to identify these boundaries at the Revenue Office, you cannot find any of those names. The Revenue Office is the best place to go to get your boundaries and you cannot get any. It appears to me that the Elections and Boundaries Commission went into some archive, picked up these old names and put it in the document and as time went along, the ownership of the land changed and different persons owned it and they at the EBC allowed this situation to continue. We humbly submit that the EBC must wake up and perform in the interest of the people, otherwise we will continue in the way we are going.

Mr. Speaker, having regard to the points we have raised today, we have great concerns about this report like the Government. We have great concerns about the statistics which do not add up with reality and since the statistics do not add up to the situation as we know it, as the Member for Diego Martin North/East has indicated, and since elections are based upon numbers, and since, in the first past the post system, you can win by one vote in those circumstances, this report should be sent back to the EBC to rectify otherwise we cannot support it.

Thank you.

The Minister of Public Administration (Hon. Kennedy Swaratsingh): Mr. Speaker, I thank you, but I do not plan to stay long in this debate, but I wish to point out a few things. Firstly, when the hon. Member for Princes Town North raised the issue about Pointe-a-Pierre, I want to tell him that we do not need to get any help from the EBC to win Pointe-a-Pierre. In fact, any time you send up Wade Mark against the hon. Christine Kangaloo, I can assure you, we will always win Pointe-a-Pierre. [*Desk thumping*]

In fact, I do not know if he has won anything including the internal election of the UNC, but I am sure we would relish the thought of facing him on any ground in Pointe-a-Pierre at any time. Listening to the Member for Princes Town North in his entire contribution one would swear he was reminiscing on the aftermath of January 25; conspiracy theory flinging left, right and centre.

Mr. Speaker, we are often accused of trying to intimidate and malign independent institutions, but today such attacks on the EBC are completely unwarranted. Luckily I took the liberty of asking the Service Commission Department that appoints people to the EBC, because we have been told over and over by the Member for Princes Town North that the EBC is in some way in

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collusion with the Government. So I am going to read a letter which I received from the Director of Personnel Administration.

"5th February 2010

The Honourable Kennedy Swaratsingh

Minister of Public Administration

NALIS Building

Abercromby Street

Port of Spain

Dear Minister,

I submit for your information a list of senior officers on the establishment of the Elections and Boundaries Commission.

The Public Service Commission is responsible for the recruitment and the making of temporary and permanent appointments to the offices in the Elections and Boundaries Commission on the recommendation of the Chief Elections Officer as these offices are specific to that Department."

Mr. Speaker, the service commission is the one responsible for making any appointments; temporary, promotions or otherwise to the Elections and Boundaries Commission. Any hint of collusion is scandalous to say the least and misleading at best.

Mr. Speaker, of all the things we can say about the EBC, the hon. Member for Diego Martin North/East was at great pains to point out some of the areas where we can require and legitimately so, further elucidation and clarification based upon what was presented. But we will not fly in the face of convention, which dictates that the Political Leader of the Opposition is oftentimes the Opposition Leader in the House. We will allow convention to also recognize the fact that at the end of the day we try to accept the report of the EBC if it is the convention of this House, we will point out where we would want to have further information, but we accept the report.

To go on and on about whether the EBC is incompetent or irrelevant is outside the grounds of what the convention of this House prescribes. The EBC continues to perform yeoman service. In fact, at the end of the day when you look at what the Director of Personnel Administration has provided, there are a number of positions in the EBC where people have continued to have enhanced scope in the

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performance of their job, and at the end of the day the EBC continues to train its officers and to provide a base where people can perform their jobs competently and adequately. It is clear that while we can point to some areas of clarification required on the EBC Report, in no way should we go to the lengths the Member for Princes Town North had gone to cast aspersions to the EBC in its entirety.

Mr. Speaker, the Member for Princes Town North went on to talk about a number of things about housing and whether or not—

Mr. S. Panday: House padding.

Hon. K. Swaratsingh: At the end of the day when we look at what the EBC is doing, it continues to try to find ways to do its job well. When we look at the Report for the Local Government Boundaries, one of the things the EBC was at pains to do was keep communities whole, look for natural boundaries in order to organize constituency boundaries and so forth and try to find ways not to displace or split communities. That is why in the shifts that took place in Toco/Sangre Grande and Cumuto/Manzanilla, it tried to find natural fit in moving around polling divisions, similarly in Pointe-a-Pierre, San Fernando West, Diego Martin North/East and Port of Spain South. So at the end of the day there is a clear methodology in how you organize boundaries, keep constituencies within limits upper and lower, and how communities are allowed to maintain a certain amount of social cohesion in how we can manage the size of constituencies and polling divisions.

So to take that and move it into the realm of conspiracy against working with the PNM, the PNM needs no help to stay in office; we are getting all the help we need from the other side. [*Desk thumping*] At the end of the day, when it comes to the scientific arrangement that the EBC adopts in going about its work, while we may question some of the figures and the outcome of it, one cannot question the methodology that is being used.

3.45p.m.

In terms of its work, when I asked the EBC, we continue to see a clear methodology in how they go about establishing the limits and percentages, the 110 per cent that was spoken about at length by the Member for Princes Town North and the 90 per cent as the lower limit. At the end of the day, we are quite confident that the EBC has in its mandate and operations, a clear methodology that has worked consistently.

One of the things that the Member for Diego Martin North/East spoke about and must of course be done, is having established the list and numbers therein,

there is a requirement to do a corresponding field exercise to see for example, all the persons that came on and the persons that should be taken off because of migration, death and other reasons as incarceration. The EBC is quite mindful of what it has to do. At the end of the day, I go back. Notwithstanding that, we ought not to go to the length to which the Member for Princes Town North went in attacking the people of the EBC.

In fact, that is a clear demonstration as to why it is so hard to get good people to serve on the boards of statutory organizations. Oftentimes, they find themselves at the end of spurious and malicious attacks, unwarranted and completely unjustified. We have to be careful that we do not continue to go down that kind of road. If you want to question their work, question their work. If you want to say that you do not agree, you can say that you do not agree. You do not have to attack them like that and make them feel as if we should get rid of them and all of them this and that. That is completely uncalled for. The hon. Member for Princes Town North should get up and apologize right now to the EBC.

Mr. S. Panday: If the EBC was not doing the bidding of the PNM I would have.

Hon. K. Swaratsingh: I submit that is clearly why it is difficult to get good people to serve on statutory boards. It almost becomes a comedy of errors to hear the Member for Princes Town North talk about the numbers and polling divisions in the EBC's report. I remember looking at television after January 25 and seeing a number of cards. Thank God the EBC at least, could do its work, get out the cards and ensure that persons are registered properly in any election process. Thank God that the EBC is able to ensure that the people who work for them are at their jobs ensuring that the process continues unhindered. Today, having looked at what took place within the last couple weeks, the very same people want to come to lecture to the EBC about how to do their job. It has to be one of the irony of ironies.

The work of the EBC is extremely important to us as parliamentarians and to the democratic process. We must ensure that whatever we can do as a government and parliament to foster the work of the EBC, help and encourage the EBC to perform even better, our focus must be there. Our job is to ensure that an efficient EBC will by itself lead to an electoral process that is above reproach. Because of that, this exercise is so critical. How we are able to help the EBC cannot be by taking them to task for the work that they would have done.

I think that the Member for Diego Martin North/East put it best when he said that in these two areas, the number of persons who came on to the list and an

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explanation for the justification of what took place in Pointe-a-Pierre and San Fernando West. There are areas for which we can ask further clarification. From what I see in this report, in no way can the Member for Princes Town North support many of his wild conspiracy allegations and try to justify their continued onslaught and mistrust of the Elections and Boundaries Commission.

We on this side continue to put faith in the very good men and women who represent or are in the EBC at this time. We continue to put our trust that they are quite competent in doing what they have to do and we would continue to work with them and ensure that we support them in whatever ways, we as the Government can to give them the requisite tools and resources in order to function in that capacity and not be hindered.

Permit me to go back to boundary shifts. One thing that is very clear to us as Members of Parliament is that not only the constituency of Caroni East but also many of our constituencies straddle more than one local government area. In fact, part of my constituency is in Laventille/San Juan and the other part is in Tunapuna/Piarco. As a consequence, there are some anomalies where one side of a road belongs to one region and the other side belongs to another region. The EBC must have some leeway as they continue to see the best not just demographically or geographically but also in terms of social construct, community habits and arrangement in setting up the boundaries for constituencies.

That is not an easy task. In the recent exercise we did with local government, we tried to work with the Central Statistical Office to see how we could align polling divisions with enumerated districts so we have one construct. It is not a very simple exercise to try to keep communities whole and use natural boundaries and clear demarcation so that we could keep a symmetric flow across all constituencies. In my view, the EBC continues to use a very clear methodology that is working and has worked well. With no intent and purpose can any system be perfect. There would always be a requirement to redefine and refine the process as you go along.

In the last election when we went searching around, there were persons registered to vote who no longer live in the area and those who would have died or migrated. There is always a requirement and a need to continue to conduct exercises that will allow the list and number of persons to be consistently pruned to reflect a more accurate number of who is there.

I hope that the views of the Member for Princes Town North are his and not those on the other side. I do not think that it is correct for us to come here and

fling a barrage of attacks to persons who continue to do yeoman service to Trinidad and Tobago, as they serve the statutory and independent institutions. As I indicated before, if you say that the EBC is in collusion with us, then, the service commissions are there too, because they make the appointments to the EBC. They deal with temporary appointments and promotions. It is not the Government.

I continue to be very concerned in a country such as ours when we try to encourage persons to become more involved in the governance process and service to Trinidad and Tobago, to receive that kind of unwarranted attack. It continues to be unfair and unjustified. The Member for Princes Town North cannot be allowed to come to this House and taint a simple debate on this report—undoubtedly calls for.

The Member for Diego Martin North/East talked about his view on this matter with such class and dignity and to be followed by such a crass outburst is not what this House ought to be encouraging. I support the Leader of Government Business. We on this side even though we will want some clarity on some of the issues that we would have raised are in support of the Report of the Elections and Boundaries Commission. We want to talk clearly about the distinction about how we will go about engaging institutions such as the EBC.

In no way would we condone or seek to bring into disrepute the agendas or the character of persons in those organizations. We will submit respectfully that even as we accept the report, we would seek further clarification. We would not do so in a confrontational manner, but in a manner that respects the work that is being conducted by the EBC and knows that there is no political interference in what they do. We "eh callin dem" into all kinds of—casting all kinds of calumny against them. No.

We will try to engage them in a way that allows them to understand that we are a government that humbly seeks to find out from persons where we need clarification and work with them to see how we can be of service to them and they can continue to do their jobs even better. Clearly, there are those who will want to continue to see the People's National Movement in government because we are a respecter of institutions and persons. We do not come to this House to try to cast aspersions time and time again against persons who are doing legitimate jobs on behalf of the State. It is a clear distinction between how we would engage the EBC and how the Member for Princes Town North on behalf of his party will seek to do so.

4.00 p.m.

Mr. Speaker, we continue to hope that when people come to this House and want to attack persons and institutions that they come with something better than

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reading all kinds of conspiracy things into a report submitted because of hard work done. If you want to come and attack them, come with something stronger than that; come with some substance. Do not come and attack them based on some sort of interpretation that you may want to spin to not just cast aspersions to them, but in order to hoodwink as well, those who are listening via the Parliament Channel.

You know, at the end of the day, the EBC cannot come here and defend itself and, therefore, it becomes a real tragedy that time and time again persons on the other side would stand up and try to bring institutions into disrepute and by linking them or saying they are a PNM party group, that continues to be done only in a way that they can.

Clearly, members of the EBC, those who work there; those who constitute the management there or those who are on the board of the EBC, are persons who we need not bring into this level of politics. Our simple task is to accept the report from the EBC, even as we try to seek clarification on areas where we may want to seek clarification.

But I am sure that those who are to come afterwards will continue the conspiracy theory; will continue to try to malign, the same EBC that we all as Parliamentarians have to go and work with. I am sure that those who have to come afterwards will want to say that at the end of the day the EBC must have some hidden motive in what they are trying to do here, and all they are trying to do is their jobs.

You could say they may not be doing their job well; you can say, for example, that they need to redefine this or clarify that or do this with a greater amount of accuracy, but to go from that to say that the persons who are in the EBC are persons who are in collusion, who should be fired, is taking it too far. I think we have to be able to separate the work that people do from personal characteristics and casting aspersions to their person. I think we have to separate that. We may not like somebody. You can question their output, but you do not have to bring them down because of that. That is one of the reasons when the population looks at the type of dialogue or the type of interventions that are being made in the Parliament on the platforms—

ARRANGEMENT OF BUSINESS

The Minister of Works and Transport (Hon. Colm Imbert): Mr. Speaker, I beg to move that debate on this Motion be suspended temporarily so that we can complete the Prisons (Amdt.) Bill.

Agreed to.

PRISONS (AMDT.) BILL

[Second Day]

Order read for resuming adjourned debate on question [January 29, 2010]:

That the Bill be read a second time.

Question again proposed.

Mr. Speaker.: When last we met, the hon. Minister was on her legs. She had taken about three minutes of original time and therefore has 42 minutes remaining. I now call on the hon. Minister. [*Desk thumping*]

Hon. D. Cox: Thank you, Mr. Speaker. I wish again to thank all the hon. Members who contributed to this important debate and provided valuable input and information. I just wish to remind the Members of this House that this amendment increases the fine payable by any person found guilty of trafficking any prohibited article in any prison, to \$25,000 and imposes a three-year term of imprisonment.

This is considered vital as the current fine imposed of \$1,000 is small when one considers the serious and deleterious effect that contraband articles have on the security of the prisons and the nation.

The Bill also seeks to strengthen the Minister's powers under the Act to make additional prison rules relating specifically to the conduct of searches of officers, servants of the prison and visitors and to make rules for the compulsory drug testing of prisoners. I would like to address some issues that were raised by Members during their contribution.

The Member for Caroni East enquired when the drug testing of inmates will occur. Drug testing of inmates will be done upon their entry into the prison as well as on an ongoing basis during their sentence. Inmates will be tested at random. If an inmate refuses to be tested for drugs or refuses to provide a sample of testing, provision has been made in the draft prison rules for disciplinary action to be taken against him. If at the end of the proceeding the inmate is found to be guilty, he may face any one of the following penalties of breach against prison discipline: caution; stoppage of earnings; cellular confinement and forfeiture of remission.

If an inmate does, in fact, test positive for drugs, he faces a disciplinary offence under the draft prison rules with penalties as mentioned before, such as stoppage of earnings and cellular confinement. We also have the intention of introducing a parole system and, therefore, if an inmate tests positive, this positive

test will also affect his eligibility for parole. However, do bear in mind that the emphasis in this regard is not really on punishment, but we wish to focus our efforts instead on detection and treatment of the inmates.

The Member for Caroni East also questioned during his contribution, who will be conducting the drug testing. The drug test will be conducted by the prison medical officers and they are infirmary officers of the prison who are trained in phlebotomy and samples will be collected and properly labelled, sealed and submitted to the Trinidad and Tobago Forensic Science Centre along with a "Chain of custody form" to reduce the risk of cross-contamination or error.

In terms of the drug treatment programmes available to the inmates, there is the Rebirth House and Alcoholics Anonymous which began in the prison in 2004, and the Therapeutic Community Programme which commenced in October 2007. A monitoring and follow-up system will also be introduced through the system of parole.

The Member for Tabaquite mentioned in his contribution during the debate that there was no support system for former inmates upon leaving the prisons. I wish to state that this is not the case. I wish to advise the hon. Member that the correction or behaviour modification of an inmate is an ongoing one and it takes place in three phases: orientation; midstream and pre-release. In fact, the pre-release phase is geared towards preparing the inmate for the actuality of his release.

The methods to be employed by correctional staff will depend on one or more of the following factors:

- length of sentence served;
- availability of job upon release;
- availability of housing upon release;
- availability of family support upon release;
- availability of continuing drug treatment programme;
- education level reached;
- skill trade level reached.

It is to be borne in mind that pre-release programmes are usually tailor-made for the inmate. The one-size-fits-all approach is not utilized by corrections staff. At present there are four streams of pre-release programmes which are conducted in the prison system. The first is the well known Vision On Mission Programme. This programme is well attended and the demand is exceedingly high. Vision on

Mission conducts lectures on selected topics which are geared towards instructing the inmate in making the transition from a controlled environment to the free world.

It is said that part of this programme's success is due to the fact that its founders are ex-inmates themselves. The second is the Scolondra's Pre-release Programme. This programme derived its name from Scolondra Griffith, the daughter of its ideological head, Bishop Griffith. This programme is also based on counselling the inmates, but unlike Vision On Mission, the plenary sessions that follow each lecture is longer and attempts to delve deeper into the inmate's spiritual and psychological makeup.

The third pre-release programme is called Walk Tall. This programme is run by the Catholic Church. Its goal is to have inmates live such rewarding and fulfilling lives, upon release that it would be easy for them to walk tall. The methodology employed by the programme is very similar to the previously mentioned two, as it has both a lecture and plenary element. It is, however, distinguished from the previous two as it also has an element of preaching to the inmates. Inmates of all faiths are invited to participate in this programme and the usefulness of this is appreciated as the Catholic Church is in the process of constructing the Archbishop Anthony Pantin Halfway House for ex-inmates.

The fourth and by no means least of the pre-release programmes is the in-house. This is a programme that was developed by officers of the Life Skills Department of the correction unit. It is the most flexible of all the schemes and this model is based loosely on the principle that doing the same thing over and over and expecting a different result is insanity.

Prior to being released, the inmate is given the opportunity to state what he believes his problems upon release will be. The correctional staff along with the welfare department of the prison, then try to eliminate the anticipated or suspected problems. If the inmate suggests that he may have a problem getting a job, the prison staff undertakes to find him one. Should the staff be unsuccessful in acquiring a job for the said inmate, they will then provide the inmate with letters of recommendation, names and addresses of labour contractors. The inmate is then taught the art of writing job applications and resumes, how to conduct himself during an interview and the skill of budgeting and any other survival or living skill that may be deemed necessary.

More pertinent to the amendments brought by this Bill is that if an inmate has a drug problem and if he was actively seeking assistance for it when he was

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incarcerated, the inmate is given the name and address of the nearest narcotic anonymous centre where he is expected to attend upon his release. Arrangements are also made to have persons from the said centre pick the inmate up to go to the meetings upon his discharge.

Should the inmate have a problem with housing, that is all his family relations are likely to, or have rejected him or he has no family or relatives, then the assistance of halfway homes is invoked. There are halfway homes for ex-inmates in Point Fortin as well as in Carenage.

The Member for Princes Town North mentioned the comments of Justice Gobin when she visited the Port of Spain prison in 2007. I wish to indicate that there have been significant improvements made to the prison infrastructure and conditions since Justice Gobin's visit. Some included retiling of some of the areas; the prison has been repainted and the prisoners' diet has been improved tremendously.

To counter the shortage in staff that was mentioned during one of the contributions, I wish to point out that there is ongoing recruitment in the prison service and for the period 2000 to now, the prison service has recruited 734 officers and last year alone, 206 men and women were recruited into the prison service.

The question of who conducts the searching was also an issue raised during the debate and I wish to reiterate that searches upon officers will be conducted by the rank of Prison Supervisor and above, in keeping with the recent amendments to the prison rules passed in this House. The searching of visitors and other civilian staff members can be conducted by an officer of any rank.

There seemed to have been some confusion by the Member for Chaguanas West when during his contribution he questioned what exactly the prohibited articles were, as he indicated that neither the amendment before the honourable House nor the parent Act specify what the articles are. I wish to remind the hon. Members of this House that just last month the amendments were passed concerning prohibited articles.

More particularly, to answer the question of the Member for Chaguanas West as to what the prohibited articles are, the list of prohibited articles can be found at the amended Rule 233(2) and includes: Money, clothing, food, drink, tobacco, letter paper, books, tools, cellphones, electronic devices and any other equipment and component that facilitates the transmission and reception of data or other article whatever. The inclusion of cellphone and electronic devices and components were the most recent amendments added to the list.

I wish to point out that on the same day that this Bill was presented to this honourable House, a prison officer with just over two years service was arrested at the Carrera Island Prison after he was searched and allegedly found to have in his possession five packets of a substance resembling marijuana and a cellphone.

4.15 p.m.

This is one such instance which again serves to show the critical need for this Bill; the stiffer penalties imposed and the widening of the Minister's powers to make rules for more effective and efficient searching of officers and visitors to the prison and to make officers and visitors alike think twice before attempting to traffic in contraband articles.

It is true that to date no other Caribbean counterpart has taken such a bold step to institute mandatory drug testing of inmates in the prisons; but we have always been pioneers and regional leaders in many areas. This is another such initiative because this Government recognizes that such tests will be extremely beneficial to the prison service and to the country as a whole.

Mandatory testing will enable prison officers to identify those inmates who need drug counselling and will assist in directing them towards the relevant drug treatment programme. It is envisioned that inmates who undergo these programmes will be successful in kicking their substance abuse habit. Those inmates who will be eligible for release after serving their time will be able to re-enter society as drug-free, rehabilitative citizens ready to be productive, law-abiding individuals who can now contribute positively to the country and leave their criminal careers behind.

I am confident that my colleagues opposite will support these amendments because they are important for the preservation of the safety and security of the staff and inmates in the prisons; for the safe guarding of the nation; for the continued transformation of the prison service; for the restorative justice philosophy to be further entrenched and also for the rehabilitative aspect of this philosophy to be further realized. With this in mind, I am sure they will join us on this side and support this Bill.

I beg to move.

Question put and agreed to.

Bill accordingly read a second time.

Bill committed to a committee of the whole House.

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House in committee.

Clauses 1 to 5 ordered to stand part of the Bill.

Preamble approved.

Bill reported, without amendment.

Question put, That the Bill be now read the third time.

The House voted: Ayes 35

AYES

Imbert, Hon. C.

Manning, Hon. P.

Nunez-Tesheira, Hon. K.

Gopee-Scoon, Hon. P.

Kangaloo, Hon. C.

Abdul-Hamid, Hon. M.

Dumas, Hon. R.

Ross, Hon. J.

Taylor, Hon. P.

Swaratsingh, Hon. K.

Parsanlal, Hon. N.

Beckles, Miss P.

Mc Donald, Hon. M.

Hunt, Hon. G.

Le Gendre, Hon. E.

Browne, Hon. Dr. A.

Callender, Hon. S.

Cox, Hon. D.

Jeffrey, Hon. F.

Hospedales, Hon. A.

Joseph, R.
Hypolite, N.
Regrello, J.
Rowley, Dr. K.
Roberts, A.
Sinanan Ojah-Maharaj, Mrs. I.
Warner, J.
Ramnath, K.
Moonilal, Dr. R.
Gopeesingh, Dr. T.
Panday, S.
Sharma, C.
Partap, H.
Baksh, N.
Peters, W.

Question agreed to.

Bill accordingly read the third time and passed.

ELECTIONS AND BOUNDARIES COMMISSION ORDER 2009

Mr. Speaker: Hon. Members, the debate on the EBC Order will now be resumed.

Hon. K. Swaratsingh: Mr. Speaker, before we broke off, I was reiterating—and with what was just demonstrated I can strongly say that the hon. Member for Chaguanas West will not want to associate himself with the kind of attack the Member for Princes Town North put on the Elections and Boundaries Commission. I am sure of that.

I am equally sure that as we continue to encourage all our institutions and statutory organizations to perform at their optimum, we will encourage them in this hallowed Chamber, as opposed to denigrate them; that we will support them, as opposed to chastising them; that we will allow them to do their work even if we are not completely satisfied with some of the outcomes. We can disagree without maligning them; without holding them to ridicule and without calling for their heads.

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So, Mr. Speaker, what is before us is a report that continues to show that the EBC, in undertaking its activities, is looking to ensure that its methodology is sound and that the population of Trinidad and Tobago is well served. Contrary to what was spoken by the Member for Princes Town North, they are not hindering the voting process, but ensuring that all who are eligible to vote are put on the list. Of course, there is the requirement to continue to prune the list to make sure it is as accurate as it can be; and there is time between now and the next election to ensure that process is done. There is no need for us to speak about the EBC in such disparaging terms.

Even as we seek to modernize systems of government, we must do so in a way that respects the contribution and, indeed, the characters of persons engaged in these institutions. We must become a society that is able to disagree without denigrating; where we are able to question output without making people feel belittled; and certainly without making them squirm under our vicious attacks.

We will not engage in such attacks on institutions and statutory organizations such as the EBC. We will try to find ways, as we are doing currently, to modernize systems of government. We will try to find ways to help all those who work in the wider public sector to be as efficient and as responsible as they can be. We will try to find ways to continue to support ongoing training, but, as I was at pains to point out, members of the EBC and those who work in EBC are specific to that department and are recruited, promoted and managed by the Public Service Commission and not the Government.

To say that there is collusion between the EBC and the Government is to be mischievous. To say that the EBC is in any way derelict in its duty is to be misleading; and to say that the EBC in its report tabled for debate today is in any way hampering or circumventing the democratic process is to be mischievous to the highest.

We would like very much not to have to go into questioning the report of the EBC beyond what we would have highlighted today. We would like all Members of the House to accept the report and we would like to ensure that, as we continue to encourage persons to give of their time and talent in working in all organs of the State, this House will seek to lift our debate to ensure that persons who serve, whether or not we agree with them, will not be held to such a task as the Member for Princes Town North unleashed on the EBC today.

As we reflect on this report, it by no means suggests that there is not an ongoing work to be done; but I am of the view that the EBC is up to the task and ask all Members to support the report.

Mr. Speaker: The sitting is suspended for tea. We will resume at 5.00 p.m.

4.30 p.m.: *Sitting suspended.*

5.00 p.m.: *Sitting resumed.*

Mr. Harry Partap (*Cumuto/Manzanilla*): Thank you, Mr. Speaker. Allow me to make a very brief intervention in the debate on this Motion affirming the draft Order entitled, the Elections and Boundaries Commission Order, 2009. I intend to focus mainly for a short while on the alterations made in the two north-eastern constituencies of Toco/Sangre Grande and Cumuto/Manzanilla. It would seem that the EBC is not quite sure what it wants to do with these two north-eastern constituencies.

In its 2004 report, the EBC had sliced up the Nariva constituency, under the pretext that it was making it smaller, and within the rules of application for the delimitation of constituencies. But in carrying out this exercise, the EBC took a large chunk of the UNC support from the then Nariva constituency, and tagged it on to the new Mayaro constituency. Fourteen polling stations were removed from the old Nariva constituency, but nine were added. They came from the Toco/Manzanilla constituency. Nariva constituency became the Toco/Manzanilla constituency, Toco/Manzanilla constituency became Toco/Sangre Grande and Ortorie/Mayaro constituency became Mayaro constituency.

Mr. Speaker, I am of the view that the EBC did not succeed in making the constituencies of Cumuto/Manzanilla and Toco/Sangre Grande smaller. The EBC arithmetic—it was brought up here this afternoon from both sides, both by our last speaker, the Member for Princes Town North and the Member for Diego Martin North/East—in terms of the number of the electorate in constituencies, is not consistent.

At appendices B and C on pages 2 and 3 of the 2009 EBC report, the one that is before us this afternoon, the electorate at March 31, 2004 in the Cumuto/Manzanilla constituency was put at 22,771, and at January 29, 2009, it was put at 25,225. But in the same report on page 20, the EBC puts the electorate in the Cumuto/Manzanilla constituency at 26,345. So there seems to be a little discrepancy in the figures provided by the EBC, and one is a little confused because at one stage, we are getting disparity in the figures that seems to suggest that the EBC may not have consolidated their efforts in this field.

At March 31, 2004, in that 2004 report, Toco/Sangre Grande had an electorate of 23,913, and then at January 29, 2009, five years later, they had put it at 27,457.

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But if we take the same report on page 62, we would notice that 27,457 at January 2009, the year in which the report was collated, we noticed that the electorate as shown on page 62 is 26,337. So it is important, Mr. Speaker, that the EBC try to have their figures corrected, so that they can present a proper report before us. I support the Member for Princes Town North in saying that the report should really go back to the EBC, and let them correct these things and bring it back to us.

The EBC's excuse in slicing up the old Nariva is flawed. The constituency is still large. This 2009 report moved the number of polling divisions from 37 to 48, and I do not see how that could mean it has shrunk the constituency. The constituency has not shrunk. Indeed it has expanded, and in this report it is expanding it even more in the same way it moved the polling divisions in Toco/Sangre Grande from 30 in 2004, to 40 in 2009.

Mr. Speaker, I maintain that wittingly or unwittingly, the changes made in the configuration of the Cumuto/Manzanilla constituency and the Toco/Sangre Grande constituency in the 2004 and 2009 EBC reports were designed really to strengthen the PNM interest there. That point has been made already by the distinguished Member for Princes Town North. This is why in the 2007 general election, the PNM candidate was certain of victory. He was so certain that when the results were announced, he called for a recount, but he stopped it because the UNC was gaining much more votes from the original tally.

Mr. Speaker, really, I do not understand the rationale for the EBC to move two of the polling divisions from Toco/Sangre Grande and put them over into Cumuto/Manzanilla. Now, if they wanted to fall within the rules, the upper limit and the lower limit, I thought that they should have gone to the southern end of the Toco/Sangre Grande constituency, and instead of moving these PDs, 2250 and 2251 in the Sangre Grande area, instead of moving them into the Cumuto/Manzanilla constituency, they could have moved the polling divisions in Valencia, and put them nearer into either Arima or La Horquetta/Talparo.

Mr. Manning: What are the figures?

Mr. H. Partap: I do not have the figures here with me, but I have looked at the figures and they could have done that. They could have made the Toco/Sangre Grande constituency in line with the upper limit and the lower limit of what they were thinking.

So the thing is, whenever the EBC makes a boundary shift, it is never in the interest of the Opposition. It is always in the interest of the Government.

Mr. Manning: Mr. Speaker, I thank my very good friend from Cumuto/Manzanilla for giving way. We just heard the counter-argument with respect to Pointe-a-Pierre. It is not correct to say that. What in fact the EBC has done, is that they have made two shifts. In one instance, it favoured the Opposition and in the other instance it favoured the Government, so be it. That is what they have done.

Mr. H. Partap: I do not buy that argument because throughout the country it happens. I think I know why they have shifted the two polling divisions, 2250 and 2251, and brought them into Manzanilla. Actually, the Prime Minister would agree with me, that the aim of the PNM is to capture Cumuto/Manzanilla. That is your aim.

Mr. Dumas: All seats.

Mr. H. Partap: You have tried. I know you have been trying to capture Cumuto/Manzanilla. *[Interruption]* Well, in the last election you made two visits there and you walked in the constituency. Your then Attorney General also visited, walked around and so on.

So, Mr. Speaker, what has really happened is, it is common knowledge that the UNC won Toco/Manzanilla by 244 votes, and by placing an additional 1,120 votes in those two polling divisions that the PNM may have an advantage and may very well be able to capture it, which I know they cannot, *[Interruption]* I want to tell you—

Ms. Kangaloo: You are taking in front.

Mr. H. Partap: No, no. You cannot capture it. Let us look at the two polling divisions.

Mr. Manning: *[Inaudible]*

Mr. H. Partap: You cannot. You will try. I know you will try. First of all, you have to fix the roads, and then you have to provide the water in the lines that—*[Interruption]*

Mr. Manning: If the people in Cumuto/Manzanilla do not have proper representation, what do you want to blame me for? *[Desk thumping]*

Mr. H. Partap: I know that has been your argument, but you know that is not true. You know that is not true. The Member of Parliament does not have any funding to do anything. He depends upon your Ministers. If they do not want to do it, what do you want me to do? And they are getting good representation.

Mr. Manning: Self praise is not praise, okay?

Mr. H. Partap: Let us examine 2250 and 2251, and put it against the last election, 2007. In 2250, one of the parties that contested got 114 votes, the UNC got 108 and the PNM got 124. In 2251, the other party that contested got 95, the UNC got 116 and the PNM 116. So what we have seen here is that really, if you are playing with UNC and PNM votes, the UNC got 269 in the two polling divisions and the PNM got 285. Now you have to remember, Mr. Speaker, that the UNC won the Cumuto/Manzanilla constituency by 244. [*Interruption*]

Mr. Manning: [*Inaudible*]

Mr. H. Partap: I am coming to that. No, I am coming to that. What I am saying is they may be making a miscalculation. We have a new leader and there is a groundswell now.

Hon. Members: Where is she?

Mr. H. Partap: I am sure she will get better and will be back again on her feet. You did not take into consideration the groundswell, so what is going to happen, you might be surprised. The point I wanted to raise here this afternoon is that the shifting of the boundaries to favour one party is not the right way for an independent commission to do its work, and what I wish to say is, we are looking very closely at the work of the EBC because sometimes we are not pleased with what they do, and sometimes what they do, does not make sense to us at all. My wish is that this report, like my good friend, the Member for Princes Town North said, is that this report be sent back to them. Let them redo it and bring it back for us.

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

5.15 p.m.

The Minister of Sports and Youth Affairs (Hon. Gary Hunt): Mr. Speaker, the Motion before this House is a testimony to the democratic traditions of this country and to the expansion of the inclusionary process by which more citizens would be able to not only participate in the electoral process by which the representation of the people is increased in this House of Representatives.

In light of the laudable objective to increase the responsiveness of the Legislature to the needs and concerns of the people, the task before this House is a simple one, that is, in accordance with the requirements of section 72(3) of the Constitution, to affirm the draft Order by His Excellency The President, giving effect to the report of the EBC.

This adjustment became necessary, quite simply, because the Second Schedule of the Constitution contains the rules of the delineation of the constituencies. The EBC operates with simple rules; they have established a median number for constituencies: On average, Trinidad and Tobago, 24,876; for Tobago, 21,314, which is a very reasonable estimate.

In the House of Congress that average is over 500,000 in the USA; in the UK that is approximately 74,000. So it is reasonable because as Members of this House we represent people and we do not represent land mass. So the EBC, in their wisdom, would look at population spread; they would look at sociology, natural boundaries; they would look at development trends, et cetera, to make their decisions. They have come up with an upper and lower limit.

The Member for Cumuto/Manzanilla sought to convince this House that the workings of the EBC, as they move their boundaries, put him at a strategic disadvantage. The only thing that puts you at a strategic disadvantage as a representative, is if you are not representing the interest of the people that you serve. That is what puts you at a strategic disadvantage. In the natural order of the business of the EBC, they have adjusted boundaries.

The Member for Diego Martin North East raised the main concern of the increase in the registered electors. The 2004 report as compared to the 2009 report has a total increase of over 104,198. I want to reinforce, that is something of concern. When you look at the other statistics which support that, there seems to be a mismatch.

If you look at 1990 statistics from the Central Statistical Office (CSO), our population at that time was 1,227,443 persons. Coming 19 years after, we have only had an increase of 82,663. What is also interesting in this statistic is that if you look at the birth rate, it is constantly declining, from a high of 23,960 in 1990, to a low of 18,090 in 2006. When you look at death, you see you see an increase. So we are seeing a decrease in the number of births, but an increase in the number of deaths. If we have to extrapolate mathematically and these trends continue, what we have is a declining population. With that in mind, it defies logic how the electorate could increase from one report to the next, by 104,198 persons. We have to examine that carefully.

Mr. Speaker, in the EBC adjusting its boundaries to the upper and lower limits, six constituencies are affected. When we look at those six constituencies, I want to draw the attention of the House to three constituencies: Cumuto/Manzanilla, Pointe-a-Pierre and San Fernando West. At times they could be described as marginal constituencies. I can see the concern of the Member for Cumuto/Manzanilla.

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I also want to draw to the attention of the House some statistics. We had in 1991, 794,486 electors; in 1995, we had 837,741 electors; that represented an increase of 43,255 over a five-year span. If you look at a similar five-year span from 1995—2000, there was a jump in the registered electorate. We had an increase from 837,741 to 947,689, which represents an increase of 109,948. Unless, of course, we could go back to the birthrates 18 years ago or we had a big jump in the birth rate, it would explain the very large increase, from a similar period 1991—1995 or 1995—2000. So we had a big increase which we cannot explain.

Mr. Speaker, we also had a similar increase from 2000 to 2007, which spans seven years. In the year 2000, after the election result at that time: 16 seats to the PNM, 19 seats to the UNC and one seat to the NAR, the PNM raised objections. From the field work of the PNM during that year, there were irregularities. Coming out of the public outcry with irregularities that were picked up by the field workers of the PNM, a commission of enquiry was held in 2000 which made some startling findings. It had a comprehensive report.

In the executive summary of this report, there were approximately 23 recommendations to make corrections to some of the anomalies that were reported. I want to point out as well that in this report the Commission has admitted that the field work and the process which the PNM used in the 2000 election to monitor the election process was a sound one when they examined it.

They also concluded that based on the objections raised by the PNM, there appears a probability which points in the direction that there were irregularities with the voter list in 2000. We are talking about a sharp increase of 109,000 in 2000, so we have to explain that. We have to get into the data as well to see who was the beneficiary of that sharp increase, because if we look at the graph, you would see a sharp increase at 2000, approximately 110,000 electors. [*Minister Hunt displays graph*]

We went into some deep analysis of these results and we want to look at some constituencies which you would consider marginal; for example, St. Joseph and Barataria. The phenomenon of the increase in the electorate is one thing, but what also transpired coming out of the Commission of Enquiry, was the movement of votes from one area to the next.

In St. Joseph, if we look at it empirically, the first thing we have to establish is the lay of the land and the voting patterns in the constituency. If we have to utilize the military system of estimations from this we could map data as it relates to what happens on the ground, and you would be able to get a mental picture of what happens on a map. The constituency has shown historically from 1991—

2002 a definite pattern. There are areas that have always supported the PNM and areas that support the UNC. There are many reasons for that. You could start from culture going all the way back to religious reasons; there are many reasons that have been postulated by the political observers, however, that is an established fact. So that is the lay of the land in St. Joseph, if you look at the constituency by polling divisions.

If we examine that constituency in isolation, similar to the rise in the number of the electorate, there was a proportionate rise of the electors in St. Joseph in the same year 2000, which shows a sharp increase and after the verification exercise, it came down and then had a gradual increase after that, which follows good mathematical probability and laws. [*Minister displays graph*] Similarly, if we have to look at the number of voters, it followed exactly the number of electors in that constituency.

Who were the beneficiaries of that increase in electors? In 2000, if we look at the number of votes for the UNC, as compared to the votes for the PNM, the graph for the PNM has a steady line of voting over the five elections, whereas compared to the UNC, there was a sharp increase. The UNC was the beneficiary of that increase in the number of electors; none of it came to the PNM.

Mr. Warner: You were not born yet.

Hon. G. Hunt: That was 2000, Mr. Warner. I know you are lonely on that side, so we are here to keep you company. Mr. Warner is apparently the only Member of the Opposition on that side.

Mr. Warner: I am strong enough.

Hon. G. Hunt: I know that you are and you are on nobody's back at the present time. [*Interruption*] [*Dr. Moonilal enters Chamber*] There comes somebody to support you. You are no longer lonely; another Member has come to join you. [*Crosstalk*]

The UNC has been the beneficiary of the increase in the electors for St. Joseph. Mr. Speaker, if we have to examine that constituency more closely and we drill it down to polling divisions over five elections to identify where the sharpest spikes in the increase are, when we look at the lay of the land, UNC areas as compared to the PNM areas, you would notice that the sharp increase in electors all occurred in traditional UNC areas; so we have to examine that further.

We then further went into each polling division to see which one had the largest spike. When we analyzed our line chart, the data showed clearly where it

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came from: polling division 1460, 1465, 1470 and 1475. So we started to localize where this problem was occurring; it was in UNC stronghold areas in 2000. That was when the PNM raised concerns with regard to irregularities in the elections.

We zoom into those areas to increase the resolution to exactly what happens. If you are having movement of electors from one electoral district to another, it is a process which cannot take place in one or two years. It is a long-term plan and it is something to which the report of the commissioner of enquiry in 2000 pointed, that it would take some time to eradicate that disease. The sharp increase in electors in 2000 is reflected similarly for 2009 and it is a point to be concerned about.

Going back to St. Joseph, if we look at two polling divisions out of the four that I just mentioned, 1460 and 1465, when we look at 1460, from 1991—2000, we had an increase in electors in that polling division by 101. When we look at where those votes went, they all went to the UNC. There were no increases in PNM votes.

When we look at polling division 1465, we see a similar situation, an increase of 309 electors and election results from 1991—2000 reflect the same thing. All have gone across to the UNC; so something is happening that is unusual in that area. I happen to know those areas very well, 1460, 1465, 1470 and 1475, which is around the Aranguéz/Boundary Road area. I could tell you that a top UNC operative has always been seen in that area—I know it is good politics too—attending all the pujas and all the prayers, and he is well into the community. That particular individual, after the 2000 election, allegations were flying against him as being one of the masterminds of a migration of voters from one place to the next. The same thing that the Member for Toco/Manzanilla perceived.

5.30 p.m.

In fact, what the report has indicated from the 2000 enquiry is that there were voters from the Chaguanas area coming into the St. Joseph area. They are not living there, but they are registered to vote there.

I can tell you definitely, Mr. Speaker, when we looked at polling division 1460—I have a Google map of it here, it is outlined—and we went house to house to see where the problem was occurring. We came to a house on Queen Street in Aranguéz. With Google Pro now, you can measure the size of a building quite easily. That building measures 866 square feet, it is not large, a single storey, and it has 26 registered voters inside there. That is just one isolated case.

In fact, when our field workers were examining the UNC strongholds closely, they found an address, a lamp post next to a river, with 13 registered voters. It

raised a flag. So it defies logic, something that is not regular is happening, it is irregular and we were able to identify approximately 1,500 voters who were registered in the area of St. Joseph in UNC strongholds, who do not actually reside there and we worked with the EBC to try to get that down.

Mr. Imbert: When was that?

Hon. G. Hunt: In the build-up to 2007. I am saying if you have to move voters from one place to the next, it is a long-term plan and it takes some time, to eradicate the disease it would take time as well, but I can tell you the PNM is vigilant. It has 54 years of institutional knowledge, you cannot fool us. [*Desk thumping*] And I can tell you that our machinery is getting better, it is improving all the time. You see some people espouse and talk about it, the difference is we do it, we make it happen. While they talk, we have initiated action.

Mr. Speaker, those are some of the findings in one of our marginal constituencies. We did a similar analysis at Barataria/San Juan and found exactly the same thing. A spike in voter registration, and there was a similar spike in voting. The only party that was beneficial to that was the UNC, which at that time resulted in a UNC victory in 2000.

It is clear, the data is right here, the line chart will show. All you have to do is a simple matrix to analyze and it shows you quite simply. So we localized it to two areas; polling divisions 1405 and 1415 where there were irregular increases in electors and all the voting increase went to the UNC. Coincidentally, these two constituencies sit side by side and the areas in which these two polling divisions reside are very close to the two polling divisions I just mentioned in St. Joseph. They are close, so an operative working in that area can do a lot of irregular activities to distort the election results.

So those are the findings from Barataria and, again, if you use the military system of estimation and map it, you will be able to see the layout of the land which shows clearly the UNC areas and PNM areas, and it has been so historically since 1991. There was no need to examine date and to go earlier than that because the conditions and the sociology at that time would have been different. It shows it clearly, 1405 and 1415. So forewarned with that knowledge, the Member of Parliament would do his due diligence and represent the people well and convince them to vote PNM because at the end of the day, the PNM delivers the service the people want, and, in particular, our service is directed to the common man in the street.

They can argue otherwise, but the empirical data will show that our programmes are for the man-in-the-street. In fact, as I am on that line, I would say

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that the social safety net the PNM has is unparalleled in this hemisphere. [*Desk thumping*] So, we can see that we are showing clear empirical data that in the increases in the electorate, there is one party that benefits from that. The Member for Princes Town North is saying that the PNM and the EBC are one and the EBC acts on behalf of the PNM. Clearly, the data that I have shown today shows that his theory and what he is saying are totally inaccurate.

Mr. Speaker, we can go on. There are many loopholes that exist, but the point is that the PNM monitoring team will continue to work with the EBC to ensure that the 23 recommendations of the Commission are in fact implemented, because at the end of the day we have to protect the interest of the people. And, in fact, the Member for Siparia always says *vox populi, vox Dei*, when you operate under these terms and conditions, you are distorting the voice of the people and the will of God. I can tell you that the PNM does not operate on those terms. [*Desk thumping*]

Mr. Speaker, it is shown clearly what the effect of the increase of the electorate has had in 2000, we are now seeing a similar increase. After the 2000 commission of enquiry, a house-to-house survey was done and the electorate dropped from 947,000 to 849,000, a drop of approximately 100,000 and it is reflected in the election results because you can see over time where the PNM would have returned to its prominence coming from 2000 to the last 2007 election.

What we are saying is that it takes time to eradicate the virus, but, as the Prime Minister always tells us and I have said publicly, we are in an election year and we are vigilant. We will do our work and we will work honestly and conscientiously and when we the PNM are victorious at the polls it will truly represent the voice of God and the voice of the people.

Thank you very much.

The Minister of Tourism (Hon. Joseph Ross): Mr. Speaker, I would be very brief, I would just probably respond to some of the points that were raised by the Member for Princes Town North in particular. The Member for Cumuto/Manzanilla had one point and I would comment on that.

Let me start first with the Member for Cumuto/Manzanilla who quoted a numbers of voters who were shifted from Toco/Sangre Grande to Cumuto/Manzanilla and suggested that shift gave the PNM some advantage. He was very inconsistent because he gave us the numbers and based on what he gave, there was no indication that any real advantage went to either party. So I think we could dismiss him very quickly and I would say probably he does not understand numbers.

Ms. Kangaloo: Probably?

Hon. J. Ross: In fact, he does not. The Member for Princes Town North first of all accused the Member for Diego Martin North/East of accusing the EBC of undermining the democracy of our country. I do not think that he listened carefully to what the Member for Diego Martin North/East was saying, or that he did not understand as is often the case.

The contribution of the Member for Diego Martin North/East was based on very salient observations of the 2009 Report of the Elections and Boundaries Commission and he also suggested there may be a need for a field survey to clean up some of the information. At no time did I hear the Member accuse the EBC of undermining democracy in this country.

Mr. Speaker, in my own constituency I recognize that there is a need to do some cleaning up. As the last speaker, the Minister of Sport and Youth Affairs mentioned, in my constituency, there were a number of inconsistencies over the years and the electoral list is not always as accurate as we would like it to be and as such, it is on this basis I endorse the comment of the Member for Diego Martin North/East suggesting that house-to-house survey is something we definitely need.

Mr. Speaker, the Member for Princes Town North also accused the EBC of gross incompetence. He made that allegation because principally, among other things, he said they produced a report that was just a matter of a few days before it was really due. Accusing them of taking so long using the extreme end of the range—that is between two to five years after the last report—he said the report was produced just mere months before the five years were up, since the last report was produced sometime in June 2004.

Mr. Speaker, one must recognize that the EBC in this instance operated totally within the law and I believe that this is not an easy exercise and my knowledge of the goodly gentlemen on the Commission they are worthy, and have a track record of competence. So I think it was a very unfortunate comment from the Member for Princes Town North to accuse these men of being grossly incompetent.

The Member also indicated that the PNM is working in sync with the EBC and is hoping to win the 2012 election with the assistance of the EBC if it comes around that time. Mr. Speaker, this is what I would term reverse psychology. If we go back a few elections ago, we would recall the accusations and I think, the Minister recently mentioned some of them; the accusation of the closeness of Members on the other side with the operations of the EBC.

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Mr. Speaker, the records are there to show and if I am not mistaken, this also led to a Commission of Enquiry into the Operations of the EBC. So I think it is really and truly a misstatement to think that the PNM is operating in sync with the EBC and is hoping to win the election with the EBC's assistance. As other speakers on this side have said before me, the PNM does not have to rely on the assistance of the EBC to win any election. [*Desk thumping*]

5.45 p.m.

I will show that again in a while. The Member also indicated that the EBC has been gerrymandering the boundaries from inception in favour of the PNM. I am asking the Member—unfortunately, he is not here—where is the evidence of such to show that the EBC has been gerrymandering the boundaries in favour of the PNM? When the NAR won the election 33/3, was there gerrymandering? I will like the Member to answer that question. In 1995, when there was a 17/17 tie, I remember the leader of the NAR saying, “Bas, this is your time now.” Was there any gerrymandering?

As soon as they lose, they find something or someone to blame for their losses. Around 1976, when the voting machines were introduced into Trinidad and Tobago they complained. UNC was not, but most of the members on the other side were associated with the opposition at that time. You would recall the famous words of the Prime Minister then, Dr. Eric Williams. It does not matter whether we use the ballot box or whether we use the soap box, it is the same licks they “going” to get. [*Desk thumping*] I am making these points simply to show that the PNM has been fighting its election fairly and has not been involved in any kind of association with the EBC to gerrymander any boundary.

The Member for Princes Town North went on again, to accuse the Government of house padding, voter padding and controlling the internal immigration for the purpose of winning elections. We are here to look at this report from the Elections and Boundaries Commission. I had no intention to go this route, but I feel that the air must be cleared.

I would like to remind Members on the other side that they are accusing us of house padding, but do you know what it is? It is just a question of their envy. It is a question of their feeling the pressure that the people have endorsed the government's programmes of building houses in Trinidad and Tobago. More than anything else, they were responsible for setting up squatter communities in Trinidad and Tobago. While this Government was seeing about building houses, when they had the opportunity they started setting up squatting communities.

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Mr. Dumas: Slums.

Hon. J. Ross: Slums.

On the question of this house padding and voter padding that the Member for Princes Town North raised, I would like to look at a few articles and documents that I was able to put my hands on this evening. One is an article written by Raffique Shah on November 15, 2000. The article was entitled, "Stealing Elections". I will quote something from Raffique Shah. Hear what he said:

"Charges of padding the voters' list have also haunted elections but never as intensely as today."

This is referring to when those on the other side were involved in voter padding.

"The fact that official reports were made to the EBC and the police and that both bodies have been conducting serious investigations into these charges, make a big difference."

What Mr. Raffique Shah was saying is that talk has always been going on about voter padding but it was the first time that they had seen padding to that extent. It was done by your government. He went on to say:

"If there was no basis for the allegations, then the police could not have secured warrants to search the home of a Minister or the headquarters of the ruling party."

He went on and on and on.

The bottom line is that, again, reverse psychology. The Member for Princes Town North is accusing this side of doing what they in fact, mastered. My experience in Barataria/San Juan showed me the extent to which the UNC would have gone in voter padding. There is enough information on that.

In closing—I promised that I would be very short—I simply wish to say that on this side, we respect the independence of the Elections and Boundaries Commission. We accept the report of the Elections and Boundaries Commission. I ask the Members on the other side to affirm the report. [*Desk thumping*]

Thank you.

The Minister of Works and Transport (Hon. Colm Imbert): Mr. Speaker, I thank the Member for Chaguanas West for sparing us from a very lengthy debate tonight and demonstrating that he is truly in charge over there. [*Desk thumping*] [*Interruption*] I speak the truth. The man is in charge.

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Many of the statements made in this debate by Members opposite, especially the Member for Princes Town North, could hold no water. When one looks at exactly what has occurred with the movement of polling division 225 from Diego Martin North/East to Port of Spain South, in the case of the constituency of Diego Martin North/East and the movement in Toco/Sangre Grande of polling divisions 2250 and 2251 to Cumuto/Manzanilla, and similarly, the movement of polling divisions 3970, 3971 and 3972, to the constituency of San Fernando West from the constituency of Pointe-a-Pierre, one would see that—if you are objective—it is the PNM that has lost out in this adjustment.

Mr. Manning: Correct.

Hon. C. Imbert: Completely opposite. I would give you the actual numbers. In the case of Pointe-a-Pierre, in the three polling divisions that have been shifted, the total number of votes that the hon. Christine Kangaloo got was 797. Those 797 PNM votes are now lost to Pointe-a-Pierre. The combined opposition of COP and UNC in the three polling divisions, 469.

Mr. Warner: Before Kamla.

Hon. C. Imbert: I beg your pardon. *[Interruption]* I think that you need to check your leader down in the hospital, you know. She is in need of attention. Coming back to the figures, what has occurred—*[Crosstalk]* I “just” speaking the truth. Speaking the truth.

The net effect of the movement of these three polling divisions from the constituency of Pointe-a-Pierre to the constituency of San Fernando West is a loss of approximately 330 votes for the PNM in Pointe-a-Pierre.

Dr. Moonilal: Wade Mark will win that. Wade Mark is inside.

Hon. C. Imbert: The Minister will still win it. “Doh worry.”

Mr. Dumas: Wade Mark cannot get two UNC votes.

Hon. C. Imbert: *[Interruption]* No, no, no. This is a private discussion here. With respect to the constituency of Toco/Sangre Grande, again, when one looks at what has actually happened and one goes to the figures of Sangre Grande, one sees that in polling divisions 2250 and 2251, the PNM got a total of 124 votes in polling division 2250 and a total of 161 votes in 2251, making the total for those two polling divisions which have now moved to Cumuto/Manzanilla, 285. Two hundred and eight-five votes have been removed from Toco/Sangre Grande and placed in Cumuto/Manzanilla.

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However, when you look at the combined opposition for 2250, it is a total of 222 and the combined opposition for 2251 is a total of 256. When you add those two you get a total of approximately 478. Four hundred and seventy-five opposition votes have moved out from Toco/Sangre Grande into Cumuto/Manzanilla and 285 PNM votes have moved likewise. It is a net loss to the PNM of approximately 200 votes. The PNM has been weakened by approximately 200 votes in the constituency of Cumuto/Manzanilla.

The statements made by the Member for Princes Town North, to use one of my favourite phrases, are arrant nonsense. Rubbish. That is what it was. The EBC has not favoured the PNM with this report in any way. In fact, when you look at it dispassionately, the EBC has favoured the Opposition. Therefore, the comments made by the Member for Princes Town North were puerile because he said that he cannot support this report because it is in favour of the PNM. Donkey logic. I thought that it was necessary to clear the air on this matter.

I now beg to move that this Order be affirmed.

Question put and agreed to.

Resolved:

That the Draft Order entitled "The Elections and Boundaries Commission Order, 2009" be affirmed.

6.00 p.m.

**DEFINITE URGENT MATTER
(LEAVE)**

Mr. Speaker: Hon. Members, earlier on I had granted leave to the hon. Member for Oropouche East to raise a definite matter of urgent public importance. It is my understanding that there are now two Members contributing to this debate?

Mr. Imbert: You are right.

Mr. Speaker: I am right; very good. In that case, I will call upon the hon. Member for Oropouche East. Each Member will have a maximum of 30 minutes.

**Water and Sewerage Authority
(Admission of Corruption, Waste and Nepotism)**

Dr. Roodal Moonilal (*Oropouche East*): Thank you very much, Mr. Speaker. It gives me no pleasure at all to speak on this matter, on what is a rare occasion

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for a debate on a matter of urgent public importance and first to extend our own observation that this matter, among several raised over the last few years, would find favour with the Speaker to be considered as a definite matter of urgent public importance. That, by itself, I think is a significant statement on the importance of this issue to the Parliament and the national community.

Just to recap the issue, the issue is the well-publicized and unprecedented admission of corruption, waste and nepotism by WASA and the implications of this on the water crisis facing this country. It was just a couple days ago, on February 02, 2010 that we woke up to a statement from the chairman of the WASA, Dr. Shafeeq Sultan-Khan, a statement in the *Trinidad Guardian* which read: "WASA rotten from head, says Chairman". Now, this is the head of WASA saying that WASA is rotten from the head.

In this extraordinary admission, the chairman of WASA appointed by the incumbent PNM Government 18 months ago, confesses that previous managements were guilty of illegal practices within the organization and that has resulted in the suffering facing the public today. This is important for several reasons and I imagine that one reason this Motion was considered and with the support of Members was approved, was because what we are raising today is not only the issue of a water shortage. We are all aware that over the years—and we have all the clippings here to support that—we have had a problem with the availability of water; the shortage of water in several areas throughout the country.

So my issue today is not just in the main the crisis that faces the country today with water; we have had the same problem over the years; it is peculiarly a problem later in the year, but this time in January we are facing the problem. Every year, as you know, those of us on this side have been bringing Motions on the Adjournment and so on, to deal with the crisis facing our constituents in central Trinidad, in south Trinidad. We are more than aware of that issue.

What I am touching today and I think deserves the urgent public attention and response, is that WASA has now admitted publicly that previous managements have been guilty of these practices that include bribe-taking; that include corruption in the distribution of truck-borne supply of water and the chairman alerted us to the fact that there are hidden secrets—there are ugly secrets—at WASA which have led to corruption. This is the chairman appointed by the Government who is speaking about executive management at the WASA; executive management appointed by the board of WASA which is, in turn appointed by the Cabinet and the Government.

WASA has had since 2002 or so, four government Ministers; the Member for Chaguanas East being the current Minister. But they have had over the years, I think Minister Martin Joseph, the hon. Member for Tobago East and, unless I am mistaken, one was the Member for Arima as well, and today, the fourth Minister. And those Ministers would have been responsible for the appointment of the boards; those Ministers and their ministry would also have been responsible for a supervisory function and an interactive function, participating and working together with the respective boards to ensure good governance at WASA, transparency and accountability and so on. But today, Mr. Shafeeq Sultan-Khan is telling us that it is rotten from the head.

I need to just put this in perspective. Again, I am saying this with no malice or personal attack on any Member opposite because when this problem reared its head was several years ago. In fact, in doing my research in anticipation of your blessing, I came across a commission of enquiry into aspects of the operations of the Water and Sewerage Authority, September 1975. In this voluminous document—and just for the record I would indicate the Chairman, Douglas Archibald, other members of the commission and so on; Majid Ibrahim, secretary and member. There are recommendations made here in 1975 and the recommendations speak to issues involving management; strengthening management; accountability; ensuring that the entity is run along certain guidelines and so on. And I can just point to a couple:

"To ensure that there is a schedule of maintenance and spare parts should be prepared."

In 1975 they were talking about preventative maintenance programmes at WASA. In 1975 a recommendation included that public officers should be scrutinized by the Auditor General and stern disciplinary action should be taken at the highest level against officers who refuse to respond to audit queries. Just two more:

"The Ministry of Public Utilities should conduct investigations into overpayment of the Authority's officers with due dispatch."

And the final one I would just like to quote:

"No water rates should be charged where consumers have to depend on a supply of water from a standpipe or a truck-borne water supply."

I would just repeat that. In 1975, the Archibald Report recommends that:

"No water rates should be charged where consumers have to depend on a supply of water from a standpipe or a truck-borne water supply."

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So for those who are quickly telling us about the need to reorganize, restructure and so on, we know it all. Since 1975 we have been alerted to the problems and it is here. So seeking to assure us about the reorganization, the restructuring, the reengineering, the “re-everything”, does not help us at this stage; it cannot help us.

I just want to take you back to 2002 when the Member for San Fernando East became Prime Minister in the 18/18 situation. They bypassed on a performance appraisal list—they took a gentleman who was number 11 and made him CEO of WASA. They fired the competent engineers and managers at WASA. In fact, I think they brought police into their offices to escort them out. I mean, how ironic that eight years later the same police need to go now and look at people's hoses and see if they are taking a bath with a jaliter bottle.

That is where we are. But it began when the PNM, in 2002, embarked upon this persecution of the qualified and competent managers at WASA. That led to a decline in the service, in the delivery, and since then—I just want again to draw your attention; I mean, we know the facts; I do not want to repeat what are facts in the public domain, but it is well known that there is a problem with WASA in terms of the injection of finance needed; it is well known that they suffer from another related problem of leaks, and so on. Does anybody recall that it was the husband of a government Minister who was appointed at WASA in 2003 with a salary then of \$25,000 plus perks; motor car; travelling; all types of things? Do you know what job he had—the husband of the former Minister? His job—I think he was a retired police officer—was to go around the country and take a team and fix leaks. That was his job in 2003. What did he do? What occurred since 2003 with WASA's capacity to maintain their infrastructure, to take care of leaks?

Today we are hearing this most atrocious conclusion that the water police is moving around to see if there is a leak in somebody's yard to charge them \$75. Now, who will have a leak in their yard that will undermine their property and the foundation of their house and so on, and not seek to fix it? They are looking now for persons whose faucets are leaking. You would not find that in Oropouche because people do not get water. For there to be a faucet leaking, there must be water. I encourage the WASA police to come to Oropouche, Penal/Debe and Siparia and see where people do not have water for three weeks and more. Which part you could have leaks? The leaks are on the roads.

The chairman of WASA said in one case, I think it is in Diego Martin—I do not want to suggest that Diego Martin is a place where these things happen so often—there was one leak there. It was fixed 24 times by the same contractor.

That is part of the corruption that has been taking place from time immemorial and it is a corruption that this Government has been unable to deal with.

We are asking simply—because, as I said, I am not only on the issue of water, because we raise that every week—what has WASA done to hold to account executive managers, not the “turn cork” or “stop cork” operator somewhere in Woodland by the river—not that person—not the supervisor somewhere on the road; not the truck driver who has to drive a truck and the boss tells him to sell water for \$200? There are executive managers involved in corruption. This is what we are told. What has WASA done over the years to bring those persons to justice, to hold them to account? Has there been disciplinary action against them? WASA disciplined workers a few months ago for taking some type of protest action in the building, unless I am mistaken. They got disciplined for storming a building to deliver a petition. But we want to know who are these executive managers involved in nepotism, corruption and waste? Have you held them and taken disciplinary action and/or criminal action against them for breach of the criminal law?

These are the issues we must raise and the Government must answer. This problem, as it builds—because it is not a problem created today; this thing has been a problem that has been nurturing itself over time. The Government has been promising—every time we hear a CEO on the television or radio, he is telling us that the distribution lines or whatever, 100 years they plant them on the ground and the problem is the lines. Okay, we know that. What have you been doing to replace those lines? What is the programme? What is the investment?

The Prime Minister told a breakfast meeting in July 2009 at the Paria Suites in La Romaine that WASA is in a crisis and there may be need to raise the water rates. We are asking whether this is just a veil, a disguise, for the Government and/or the RIC to come now and increase the water rate. We are saying absolutely no to any increase in the rate for water. We are saying absolutely no.

I want to tell you, the Prime Minister in 2008, one year before the meeting I referred to, announced at the very same meeting—this was a meeting on January 12, 2008—that the nation should brace for higher water rates. [*Interruption*] They are just muttering over there: “Who say that? Making mischief. The Member for Oropouche East is making mischief.” But I am quoting the Prime Minister, January 12, 2008. He announced that the nation should brace for higher water rates. The value of water has gone up. In fact, the CEO said on television a couple days ago in the morning; he was telling us that apart from the Dominican Republic, in this country you pay the lowest rate for water, setting in train a

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process so that you can expect an increase if and when it comes. The facts are that WASA needs an annual subsidy, we are told, of almost \$1 billion.

6.15 p.m.

Mr. Speaker, we are also told that there are inefficiencies in labour in their employment policy. Since 2002, the increase in the labour force of WASA has exceeded 3,200, while it was estimated that WASA would operate with a labour force of 2,300.

Overtime payment and straight time payment runs high and, of course, we know of the crisis with contract work. We are told that there are some daily paid workers who can take home as much as \$200,000 a year. The mismanagement and questionable financial practices run wild at WASA. WASA has been described by several persons as a PNM party group. You cannot deal with the provision and the distribution of water at WASA unless you deal with the issue of mismanagement, inefficiency and corruption.

The Government, through the Ministry of Public Utilities, should establish immediately a public enquiry into the allegations made by the chairman of WASA, Dr. Shafeeq Sultan-Khan, so that we can get to who is responsible. In organizations like these, the person responsible might actually be promoted or receive a bigger job somewhere else in the state sector.

WASA, we are told, has paid more than \$2 million in rent for a building in San Fernando which, until recently, was unoccupied. We can go on and on about the corruption and inefficiency, and while that is happening poor people pay water rates.

A few weeks ago, at the beginning of January, I think, there was a meeting between WASA officials and the Penal/Debe Regional Corporation. I attended the meeting as the Member of Parliament, and I made the suggestion that WASA should now pursue a strategy to work in collaboration with citizen groups in the communities to better monitor, implement and police this contract system for the delivery of water. I have been hearing for years—every time I meet citizens they tell me about corrupt practices by truck drivers and contractors; the sale of water, abuse and discrimination—that somebody knows somebody and they get water while the neighbour does not get. I suggest that WASA develop a programme of liaising with community groups so that they could monitor these alleged corrupt practices and make recommendations to WASA. That suggestion was well received by the WASA officials there, but I do not know where it will go.

The tragedy of all this is that we built the waterfront project and today we do not have water. We spent a billion dollars on the summits; today we do not have water. While we were enjoying a grand Christmas party at the Hyatt Regency

Hotel, with a cultural item from Paris, France, 10 miles away, persons were lining up in the morning for water at a communal tank. That really demonstrates the inequality in this society. [*Interruption*] Who was climbing on a pole upside down and swinging? Somebody from St. Anns? I was there. Let me not get distracted with that.

The management of WASA has been sleeping on the job for years and today the country is suffering and nobody is considering the fact that they are forking out \$2 million for these water police to go around to charge people \$50. These officers are moving with uniforms and batons; but nobody is moving with a wrench and a spanner to fix the leaks, which is really the problem.

They go to Goodwood Park, Valsayn, Glencoe and so on and harass these people, but there is a risk to these police that someone's Rottweiler or pit bull would attack them. There is a risk that these police, when they are driving in unmarked vehicles, could be hijacked; they could be the victim of crime going late at night to see whether people are pulling hoses to water plants.

We are not thinking about the safety of the WASA police officers and about the \$2 million or more we are now spending to charge \$75, when we could have been embarking on some emergency programme to fix leaks. We are told that a high percentage of the waste would be through leaks, apart from poor distribution systems. We are told that the loss of water is great; but we have not been told of a programme that has been put in place.

This crisis that we face is related to another issue. Since 2004, the Government has been telling us, through the Member for San Fernando East in his Budget Statement 2004 of the construction of the Mamoral Dam. I want to repeat, the Budget Statement 2004 stated that the Government would begin construction of the Mamoral Dam and Reservoir Project. In the 2005/6 budget, some \$292 million was allocated specifically for the clearing, desilting and improvement of rivers and the commencement of the Mamoral Dam; and in the 2008 Budget, construction of the Mamoral Dam, was tagged at \$110 million, to start in March. We were told in the 2008 budget that pipelines were to be repaired; that the long delayed project was to be undertaken—\$125 million for the Mamoral Dam.

They tell us all about this project we are waiting for since 2004; part of water and wastewater master plan. They have dammed the dam because we have not seen the dam. When will the project begin and end? It was anticipated that this would relieve the burden on other facilities and provide extra millions of gallons of water. [*Interruption*] If that is not so, correct it.

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The Prime Minister told us about five desalination plants to come on stream by 2008. Tell me that is not so. You said so. So you agree. Right! Where are they? One built by the UNC exists today. I think it gives 10 per cent of the capacity of the desalination plant today.

Five desalination plants were promised after condemning the concept of desalination when the Prime Minister served as Opposition leader. We have not seen half of one. Over time, when you progressively run down an authority like WASA, progressively mismanage, preside over corruption, waste, nepotism, as Dr. Shafeeq Sultan-Khan alerted us to, you cannot be surprised that when a particularly dry season hits you, which is now—we all agree that the rainfall for January has been less than 50 per cent of the anticipated and that this will turn out to be a national crisis and even a natural disaster by June/July.

We agree that we have a shortage of rainfall, but you could have prevented the calamity had you undertaken these projects you had promised the population way back in 2004. I must remind you that someone very familiar to the Government, Mr. Anthony Wilson, writing in the *Business Guardian* dated January 25, 2004, told us about the CEO's salary. In 2003/2004, they were hiring CEOs and they were receiving salaries of \$36,000 plus as a basic salary; an increase in 36 per cent, when public officers were being given 4 per cent. The base pay for WASA general managers increased about 48 per cent.

When we questioned the increase in salaries for WASA managers, the Government told us, through the Minister of Finance at the time, that they had to increase salaries to be competitive; they needed the best managers, so they pay them a lot to attract the best in order to get the best service.

This was 2004. This is 2010. Where is this best service? We have gone from crisis to crisis, ending up today—I do not know whether we can protest for water anymore. It has gone beyond that throughout the island and it is a complete—we know of the crisis with crime and criminal activity; but if there is one sector apart from crime where the Government over the last eight years has demonstrated utter incompetence, inefficiency and failure to turn around an entity, it would be at WASA.

I lay no blame at any one Minister of Public Utilities. Many come and many go, but by the time this matter comes back as a crisis, we may have another one. We do not know. We are hearing of a Cabinet reshuffle that the Prime Minister has been suggesting; but unless you bring them from outside, you will not get much help.

This is the crisis that was building: the failure to build the dam; the failure to develop a preventive maintenance programme; the failure to recruit the best people; the failure to implement performance standards over the eight years or so. The receipt of 33 millimetres of rainfall for January when 98 millimetres was expected has led us to the problem where we have to police the use of water and ensure that people do not pull hoses to wash cars; and that citizens do not come out and water plants. It is really flour more than water and they have run the country dry in more ways than one. This speaks to the governance that we have experienced. They can clarify with the Mamoral Dam what would be the impact of that on storage capacity of water.

It is an issue of leadership; it is an issue of direction. There is no comfort in telling the population—I have read with great interest the statement of the Minister on January 29, 2010 to the House. We hear about leak management; about new management techniques; and conservation measures. We have heard that since 1975. The population will only believe it when they see it; when they open their taps and get the water.

In closing, I want to indicate to the Government—not only at WASA; but we are dealing with WASA—that the Government owes a duty to the national community, consistent with its proclaimed commitment to good governance, transparency and accountability, to undertake an inquiry into the corruption, inefficiency and nepotism.

I want to end as I began. If it is rotten to the head, whose head are we talking about? There is now another issue where top level managers and managers at WASA may have a conflict of interest revolving around a company that was involved in the maintenance of wells, where a top manager, who is now talking so much about performance management and transformation, has been involved in receiving sums of money from WASA. If that is so, that deserves another investigation.

I thank you.

6.30 p.m.

The Minister of Public Utilities (Hon. Mustapha Abdul-Hamid): Thank you very much, Mr. Speaker. Before I begin my response directly, let me just say that there are some automatic taps as you know in the bathrooms in the Parliament building, and in very recent times, the water pressure was slightly higher than it needed to be. I observed that since Wednesday night, Thursday morning, 12 o'clock, when the water restriction measures were announced to take effect by

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WASA, that the water pressure in the taps in the Parliament building has significantly come down, and that the Parliament has responded by being very responsible and conservative in its use. I really wanted to thank you and your staff very much [*Desk thumping*] for understanding, and I hope that the example will be followed by the population.

Mr. Speaker, as far back as 1995, and you would recall the hon. Member for Oropouche East in his presentation referred to a document from 1975, but in 1995, the then PNM government contracted the services of a foreign firm, Severn Trent, to make an intervention in the management of WASA. It was expected to be and intended to be a comprehensive intervention, and that we thought at the time, would represent the revolution that was needed in the management, in bringing in the quality of expertise and the quality of management needed to overhaul the operations of the Water and Sewerage Authority providing the services as critical as they are, both in water and sewerage.

Mr. Speaker, as fate would have it, not very long after the agreement was signed, the Government changed hands. But before it did, the government at that time had a responsibility as part of the contractual obligation to pay off all of WASA's debt. In fact, part of the agreement was Severn Trent would only have accepted the responsibility if all of WASA's debt were eliminated, and so said, so done. WASA's debt in 1995, when the Government changed hands was zero dollars. Six years later, when we came back to government and we met WASA, after six years of governance by the United National Congress—[*Interruption*]

Ms. Kangaloo: Of which he was a part.

Hon. M. Abdul-Hamid: Of which the hon. Member for Oropouche East was a part, all be it, a very small part, but he indeed was a part still—the debt of WASA in 2001, had risen from zero dollars in 1995 to \$4.2 billion. Four point two billion dollars and I am speaking about debt!

I am not speaking about direct transfers from the Ministry of Finance to WASA. That was in excess of \$6 billion, not to mention whatever else WASA would have collected by way of rates. So between 1995 and 2001, over \$12 billion would have been spent by the Water and Sewerage Authority, and I would like any Member on that side, to get up and tell me that this country got \$12 billion value for the money that we would have spent in water. Could somebody tell me if we got \$12 billion worth?

Mr. Speaker, he has no shame to come here and tell me about corruption. [*Desk thumping*] It is the most shameless statement he could have made. Twelve

billion dollars would have been spent, and do you know what is worse? On Wednesday morning, I put on my television and I saw—the hon. Member for Chaguanas West is a good political paleontologist. [*Laughter*] He is able to resurrect political bones, dig up old political bones—the former Minister of Public Utilities from the last regime, Mr. Ganga Singh—somebody dug up those bones and put him on television—on the people's television, and when asked about what happened in his time, he said, "That corruption was systemic. That every time you try to act, they would start to cover up." That is what he is saying now, you know.

Mr. Speaker, when asked about water for all, he said, "Well, the political exigencies at the time caused me to say that." In other words, we misled the population, that is what he is saying. We talk that talk. It was an election year, he said, and we had to talk that talk. That is what he is confessing now. It was indeed a rallying cry as he described it. He also spoke at the time, that in his time, he was aware of a little scheme where WASA was paying well-operators, but they measured the water with a meter. He said that he found that they were recycling the water, passing the water through the same meter more than once, and getting significantly larger sums than they ought to have been paid.

Hon. Members: Recycling water.

Hon. M. Abdul-Hamid: So those are the kinds of things that he said, but I never heard him come to the public and say those things. Was somebody covering it up at the time? How come on Wednesday morning, he gets mouth now? I heard the Member for Oropouche East talk about nepotism and getting the right people. The first thing the then Minister of Public Utilities under the UNC did, was to hire a "fella" called Kancham Khanhai as the CEO. No process. They accused us of picking somebody who was sixth down the line; there was nobody down any line because there was no line. They picked somebody called Kancham Khanhai and appointed him CEO, paid him \$36,000 a month, and \$36,000 a month at that time, Ministers were making \$12,000 a month. [*Interruption*] That is what they did, and that is why they were able to spend over \$12 billion in six years and exacerbated the problem.

Mr. Speaker, I am saying to you that the fundamental problems he spoke about in 1975, whatever they were, they did nothing to address those problems.

Hon. Members: Shame! Shame!

Hon. M. Abdul-Hamid: They have no shame to come into this Parliament here to tell me about corruption. Worse than that, we are today living with the legacy of the effects of the government of the United National Congress. [*Desk*

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thumping] That is what we are dealing with. Because many people looking on at what was taking place at the high levels of the management, within the rank and file of the company were saying, "If they could play, we could play too, and why must these senior managers that they would have had in office eat all this fat"? So they would have contributed, created a culture that has been a very difficult culture to reverse.

Mr. Speaker, we need not go into the whole desalination event—and Tobago. They drilled some wells in Tobago and called them "Bedrock Wells"—\$18 million contract. Questionable procurement. We could go through the whole thing and find the right date. What is happening now, they heard the chairman make some statements, and decided that they wanted to get in and see if they could get some political points in this particular set of circumstances.

It was this Government that appointed that board. Eighteen months ago, this is the Government that appointed the board and gave the board a particular mandate. The board's mandate was to go in and fix WASA. Fix the management, fix the infrastructure and fix the organizational structure. What our objectives were, the mandate of this board was to get water to the people—and that is what we are about—and to make sure you get value for money. Things have to be done in a particular sequence. If you pour money into WASA without first fixing the management, you are not going to get value for money, and you are not going to get the outcomes that you need to get, that the people need, which is part of what they did. Do you know what one of the former managers of WASA told me? That the best Minister—and he is no longer with the company—he knew was Mr. Ganga Singh. I asked him why? He said because he got a lot of money for us. That is how they measured good Ministers, who get money for them. It is not about outcomes, it is not about benefits for the people, but about who could get more money for them.

Mr. Speaker, we put in place this new board. Among other things, the board has been on a very serious effort to recruit proper management for the company; to recruit by international search, proper management for the company. Even before that, after they had started that process—I want to mention two things. They developed a governance manual, and the governance manual spoke to the framework for how business would be done in WASA. They did that in very close collaboration with the unions, and there is something I want to read for you, very, very briefly. This is a letter written to the Chairman of the Board.

"The Manual amongst other things sets out the framework for the ethical and proper conduct of the business of the Authority by the Board and Management

in consultation with the duly recognized Unions. The tremendous value of the Manual is also found in its entrenchment of sound principles and the Promotion of Management-Labour Co-operation.

My Association views this initiative...by WASA as progressive and evidence of the Authority's willingness and commitment to transform itself holistically.

I wish to personally extend my congratulations to the Chairman...for this bold initiative which will no doubt set the standard for other Public Sector Organizations."

Mr. Speaker, this was in July 2009, and that letter was written by Jennifer Baptiste-Primus, the then President of the Public Services Association.

Mr. Speaker, we have made our position clear for some time, and this governance manual is the document that guides the operations of WASA. This is tangible evidence of the intention of the board, the management and the unions to set the highest standards for the organization. [*Desk thumping*] We have also introduced something called e-voice, where anonymously—and it was designed by a local website designer—citizens can go online and report evidence of misconduct on anything that they witness and it will be investigated.

Mr. Speaker, do you know what we have found as a consequence of this? We are confident that the majority of WASA workers operate with integrity, but there are people in the organization understanding how critical and how valuable water is, they see an opportunity to make an extra profit, and some of them take advantage of their position in the company—and that is what the chairman was referring to.

Mr. Speaker, take water trucking, and Penal is a classic case. There is water available to go in the lines, so that villages and communities can have access to water if it is properly managed. So different communities, based on the limited supply will get water on different days in the week. But there are some people who are responsible for turning the valves on and off—they are called "turn cocks"—who would deliberately refuse to turn on the water to particular villages, because their intention is to starve those particular villages of water. When they are starved of water for one week or two weeks, then they are forced to turn to the water trucks and are forced to buy water from the water trucks, and very often the people who run the water truck business have some relationship with the "turncocks". That is what he is speaking about.

There are people in the organization who have seen an opportunity to make money, taking advantage of the population. It is not that there is not enough water

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in Penal to move around all the villages, but somebody who has a truck wants to create an opportunity for himself, to transport that water from point A to point B. He does not want the water going into the lines, he wants the water going by truck, and so he engineered a strategy or a scheme by which the water is not sent via the pipeline. That is what we have been able to discover and get sound information with this e-voice, and other interventions that we have made. That is taking advantage of a vulnerable population, and we recognized that.

Mr. Speaker, you would have heard over the last several weeks, there were some problems in South West Trinidad and the Penal area. We sent managers from head office at WASA to go down there and police the water schedule system and, as a consequence of their intervention, we have been able to stabilize the situation because in a large measure there was mischief going on, creating problems when it was not necessary that problems be created. That is what we mean. If a management on knowing that or understanding that and not taking action, is guilty of errors of omission and must be dealt with. The management must be held accountable for that too, and they have been.

6.45 p.m.

May I add, on that particular matter, that we have discovered persons who are responsible and, at least, one person would be put on suspension and a number of persons have also been charged in respect of cases like those—in case you want to know what is being done. We are taking action; we intend to be quite firm on this particular matter.

Do you know what is another example of mischief that we have found in the Penal/Debe area? There are citizens who buy sophisticated equipment, suck the water off the line and store it in their own tanks; powerful equipment that remove the water so that their neighbours are not getting any water; they are the only ones getting water. They store the water in their own tanks. Do you know what else? They sell the water to their own neighbours. Could you believe that? When the Chairman speaks, those are the kinds of things that we need to address, because in some areas we do have a limited supply.

The reality is that in South Trinidad the quality of ground water is not as good as in the North; so the wells do not produce as profusely as they do in the North and the quality of the water is also bad. There is a limited supply of ground water in South. If you send water from the Caroni/Arena Dam from the North, you are going to find that the distance it has to travel, the pressure is absorbed along the line. All the people in Central and midway to South would consume the water

before it gets to the end of the line. The people at the end experience the greatest difficulty in getting water; so it is better you have a source close to your communities. Where in South we do have a limited supply, a problem is engineered as a consequence of mischievous behaviour on the part of some of our citizens and, very often, in collusion with some of the employees of WASA. There is no question about that. That is what we intend to do.

As I said before, this Government appointed this board and gave them a specific mandate, "You have to fix all that"; all the things that the hon. Member for Oropouche said they knew were in that document; the board has to fix those things, and we are moving to that.

What have we done? The board has come in. Even in the Government statement I made a few days ago in the Parliament, we made reference and said that the first order of business was to address the issue of the quality of management. It must be your first order of business. If you do that last, you are going to have problems; you must do that first.

What have we done over the last 18 months? We went on an international search for all kinds of senior officers. Do you know what we have today? A new Chief Executive Officer (CEO) will be appointed; he has already accepted. We have identified that person after an extensive process. A new CEO will be appointed and we expect him to take up duty within the next two months or so. We also have a new deputy CEO, who was appointed only two or three months ago. We have a new Chief Operations Officer, a gentleman from France who has extensive experience around the world, and his input has allowed us to create a number of very smart engineering solutions. So that today, when we say that we are going to move water from Four Roads in Diego Martin, it is because we just discovered 100,000 gallons extra per day in Diego Martin. There was an engineering problem and the water was going back into the well. We realized that we could extract 100,000 gallons more from Diego Martin, so that now becomes available for St. James.

The point I am making is that we have been able to create solutions: pressure management, hydraulic models and so on. All these things we have been able to do as a consequence of an intelligent intervention on the part of our new Chief Operations Officer.

The public must also know that we have hired a new head of finance. We have brought in new senior engineers. We have also brought in a lady from bpTT, bringing all her experience from the oil industry to bear on what is happening in

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water. A number of other engineers within WASA who are very talented and very able, we have elevated them and created a proper management team; the first step that must be taken towards the complete and comprehensive rehabilitation towards the organization called WASA. [*Desk thumping*]

Mr. Speaker, our next step is on organizational structure, because even if you have the right personnel, you must have the correct organizational structure. Let me give you an example of some of the problems associated with a bad structure.

There is somebody called an "asset manager", a gentleman who is responsible for pumps; he may be responsible for all the pumps in the country. So if a pump goes in Point Fortin, he could easily argue, "Well, I was looking after the pump in Moka, Sangre Grande," or somewhere else. What we have decided to do is to implement a new organizational structure. That old structure does not allow for accountability, so the board has already approved a brand new organizational structure for WASA.

The structure we are looking at is a decentralization of responsibility. On the basis of hydraulic models, we are going to establish zones or regions and within each region we are going to have what is equivalent to a manager responsible for everything that takes place in that area. He is going to have his own team of engineers, his own team of technicians, his own team of labourers, and so on, to make sure that the water supply within his region, within his zone, is at a level and standard which satisfies and meets the needs of the people. It is a decentralization that will be incorporated into the structure.

There is still going to be some responsibilities, the head office, infrastructure laying and so forth. I also want to draw your attention to the fact that all this, including the separation of potable water and waste water, which we spoke about in the Parliament sometime ago, we are doing in close collaboration with the unions. You may have observed—I do not want to talk too soon—that there has been minimal negative comments from all the unions, because we have done our work in close collaboration with them. Even after the new executive was elected into the PSA, they too very quickly signed on to the separation of water and waste water, and they have agreed to continue to cooperate with the Government appointed board in the matter of the reform of WASA. So there is a serious ongoing transformation and reform exercise by a very serious Government determined to ensure that the people of this country have the water supply they deserve. [*Desk thumping*] We are getting good support so far from all the unions.

We also know that we must invest in infrastructure. Not too long from now, we will come back and make a comprehensive statement on an 18-month plan. We have

developed a plan. We have been able to identify the exact pipelines that need to be changed, high leakage mains that need to be replaced; exactly from which point to which point, all the kilometres of pipelines. We have been able to determine exactly where the new water sources would be, all the new wells that need to be drilled and developed. We will come and make a comprehensive statement on that.

The important point is that we are at a position where you could afford to make an investment in WASA because of the quality of management we have put in and the organizational structure we are in the process of putting in. We are in a position to make a capital investment in WASA and be confident that we are going to get value for money; that is the important point.

The important point is, at this point in time, we have done our work over the last 18 months and we have done it, generally speaking, quietly. What they are calling for now has already been done. [*Desk thumping*]

Mr. Speaker, more than that, just to satisfy you, in the event that persons still have questions to ask, we have gotten into an Israeli company called MMD, Merhav Mekorot Development, a consortium out of Israel. Israel has one of the best water supplies in the world and they have real problems in terms of natural resources; surface water problems, rainfall issues and so forth. They are in a desert and they have one of the most reliable water supply systems in the world. We have communicated with them and solicited their assistance. We have entered and signed an agreement with this company, MMD. They will be participating and working with us on four areas, in particular, the Supervisory Control and Data Acquisition (SCADA). Do you know what the effect of that would be? All these valves we have been talking about that people manipulate would implement a system whereby the switching on and off of these valves would be done remotely, automatically. [*Desk thumping*] So we no longer would be victims of anybody who desires to make mischief in the population. These things would happen by remote control; they would be done automatically by a timer. That is the mechanism by which we could respect and maintain the schedules, wherever there is need for a schedule to be maintained.

They are also going to be working with us in the replacement of the high leakage mains. Much has been said about mains that have been leaking and I must point out that WASA talks about some 45 per cent of their water being unaccounted for; not all of that is wastage as a consequence of WASA's leaks. A significant portion of that comes from consumers, where the lock off valve that is supposed to shut off the water, malfunctions, and water overflows our tanks. That is the single biggest culprit, together with other irresponsible use that many people are guilty of. That is why the drive is on to ask citizens to take care of

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some of these kinds of things, even as WASA would have identified some 400 leaks that we must fix in the short-term. We have established a very specific unit to go after those 400 leaks, which they have determined are the leaks most responsible for the wastage of water.

So we are attacking the problem on all fronts. In addition to which, you would have heard in our statement in terms of, particularly, the dry season, about the 34 new wells, the five mobile water treatment plants, the new pipelines that we need to put in and, again, the Israeli involvement. We are confident that we are going to get those done on time.

Concerning proper schedule management, I said that we have to send head office persons to police some of these areas where we have incidents of mischief—responsible use and elite management.

Mr. Speaker, may I say a word on this Mamoral Dam. The hon. Member for Oropouche East does not understand that a dam is just a wall. There is something called an impounding reservoir and something called a detention reservoir. The Mamoral Dam was never intended to be an impounding reservoir, because an impounding reservoir is designed to stay full. A detention reservoir is designed to stay empty. You keep it empty so when the rain falls you prevent flooding. Once it is full, you release the water gradually. An impounding reservoir is kept full, so they use the water. If it is a detention reservoir and you use it as an impounding reservoir, that means when the rain comes and it is already full, the people would still have flooding.

Mr. Manning: Teach him! Teach him! [*Desk thumping*]

Hon. M. Abdul-Hamid: I just thought that the hon. Member for Oropouche East might do well to pay a little attention to some of the engineering.

This Government has undertaken the very serious task and we have taken it very seriously. We understand that our people for very, very long deserve a better water supply. We also understand that there are some in this country who get a good water supply and take advantage of it. We also understand that there are some parts of the country which do not have an acceptable water supply situation. It is our intention to fix it, to ensure that the population is able to get the services it deserves. That is part of our mandate; we understand that. We have to take things in a particular step and we have been working, tackling the problem very seriously.

We have overhauled the management, as I have said. We have redesigned the organizational structure and are moving to input the investment in the infrastructure that is required. We are very confident that we will, indeed, achieve our goals and that

this population, not too long from now, would be able to enjoy an acceptable water supply. We are all going to be very, very happy and celebrate with the population on this occasion, because we are quite confident that on this occasion we will achieve that.

Mr. Speaker, I thank you.

MRS. KAMLA PERSAD-BISSESSAR

(EXPRESSION OF EMPATHY FOR)

The Prime Minister (Hon. Patrick Manning): Mr. Speaker, I wish to crave your indulgence. I did not want this sitting to be adjourned without expressing empathy for our colleague from Siparia.

As you know, as she was exiting the Chamber earlier this afternoon, she stumbled, took a nasty headlong fall and, we understand, had to be taken to the St. Clair Medical Centre. [*Interruption*]

Dr. Moonilal: You could have found out.

Hon. P. Manning: We hope that she was not seriously damaged or damaged at all and that she very shortly, after a speedy recovery, would return to the service of the people of Siparia and the people of Trinidad and Tobago.

We express our empathy on behalf of those on this side of the House. [*Crosstalk*]

7.00 p.m.

JOINT SELECT COMMITTEE

(APPOINTMENT OF)

The Minister of Works and Transport (Hon. Colm Imbert): Mr. Speaker, following your guidance, I would like to move the following Motion:

Be it Resolved that this House appoint the six Members to serve with an equal number from the Senate on the joint select committee established to consider and report on the Securities Bill, 2010.

Mr. Colm Imbert

Ms. Karen Nunez-Tesheira

Ms. Christine Kangaloo

Mrs. Paula Gopee-Scoon

Mr. Vasant Bharath

Dr. Roodal Moonilal

Question put and agreed to.

Special Select Committee

Friday, February 05, 2010

**SPECIAL SELECT COMMITTEE
(APPOINTMENT OF)**

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

Be it resolved that this House appoint the following Members to serve on the special select committee established to consider and report on the Children Bill, 2010:

Mr. Colm Imbert
Mr. Peter Taylor
Miss Marlene Mc Donald
Dr. Amery Browne
Dr. Tim Gopeesingh
Miss Mickela Panday

Question put and agreed to.

ADJOURNMENT

The Minister of Works and Transport (Hon. Colm Imbert): Mr. Speaker, I beg to move that this House do now adjourn to Wednesday, February 10, at 1.30 p.m. and on that day we will commence the debate on Bill No. 5, the Trinidad and Tobago Revenue Authority Bill.

Mr. Speaker: Before I put the question on the adjournment, there are two matters to be raised. Are we doing both?

Assent indicated.

In that case, I call on the Member for Caroni East.

**Mrs. Kamla Persad-Bissessar
(Update on Health Status)**

Dr. Tim Gopeesingh (*Caroni East*): First of all, let me on behalf of the political leader Mrs. Persad-Bissessar, tell the national community that following the fall on the stairs because of the red carpet which cannot be differentiated easily, she sustained some injuries to the left shoulder and is now warded at St. Clair Medical Centre, resting comfortably with some degree of pain of course, but she is fine and quite alert and active.

In fact, she indicated to us that we should return to Parliament and continue the work. So thank you very much, hon. Prime Minister, for asking about her and we assure you and the national population that she is quite well.

Condolences
(Prof. Rex Nettleford)

Dr. Tim Gopeesingh (*Caroni East*): Being a member of the university community for nearly 25 years, I personally would like to express to the university community my sincerest condolences to the university family on the passing of Prof. Rex Nettleford and I would like the hon. Minister of Science, Technology and Tertiary Education to convey our deepest condolences.

The political leader, Mrs. Persad-Bissessar did so on Wednesday at one of the meetings but being a member of the community, I would like to express the same sentiments.

Trinidad Rapid Rail Project
(Affected Communities)

Dr. Tim Gopeesingh (*Caroni East*): Mr. Speaker, I want to ask every Member of this House here this evening to put themselves in a situation where, at the end of a hard day's work they go to their home and get up the next morning to realize someone knocking at their door indicating to them that their house is in the path of a Rapid Rail Project and, therefore, the house would have to be relocated.

In addition to that, they are now given a questionnaire to fill out for landowners—people who they consider to be owning land—and so they are presented with someone knocking at their door with a Landowners' Questionnaire, Trinidad Rapid Rail Project. They have to insert a photograph of the property, unique identifier, name of owner/occupant, et cetera.

Mr. Speaker, the members of the communities of Caroni Central and Caroni East from Welcome in Cunupia to Esmeralda and Ragoonanan Road and Chin Chin Road, these people awoke one morning and found these questionnaires to fill out and nobody mentioned anything to them prior to that.

Subsequent to that, they received in their mail dated September 30, 2009 and a reference number at the top the following:

“Dear Sir,

Request for information regarding land ownership,”

—and signed by Sean Mac Donald, Project Director of NIDCO and indicating in that letter that the Government of the Republic of Trinidad and Tobago has retained Trinitrain Consortium to undertake planning and preliminary works for the Trinidad Rapid Rail Project.

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The Rapid Rail Project is being implemented by NIDCO on behalf of the Ministry of Works and Transport. As part of the planning works, it is necessary to identify the current owners of land parcels along and adjacent to the proposed route and to obtain some land parcel identification information from them.

ROW Services, a Trinitrain subcontractor is charged with gathering this information.

“All information collected will be confidential and will only be used for the purposes of the TIRP.

We therefore request your permission for ROW Services Limited to gather this information from you. We realize you may have questions not explained by this letter. If so, please contact Mr. Keon Williams.”

Mr. Speaker, that was posted to the residents of Caroni Central and Caroni East by mail after having for the first time gotten up one morning and posed with questionnaires about who owned the land and so forth.

We are speaking of approximately 500 close-knit families whose parents' and grandparents' navel strings are buried in that community and whose great grandparents slept on leaves on the floor and in the open rain for a long while after indentureship to secure those pieces of land.

Those 500 families have significant pieces of land in that area and the forefathers saved money and bought this land which has been inherited from generation and passed on to generation. This is a close-knit community and they were now beginning to try to find out what was happening to them.

They sought information and nobody gave them any and so somebody gave them a document stating where the proposed rapid rail was going to pass, a proposed car park which was going to occupy 75 acres of land, the entire piece of land of a family who had for generations carried on. And parallel to the Rapid Rail, there is going to be a highway also occupying significant pieces of land which these people own.

Mr. Speaker, that had been a food basket for Central Trinidad. They moved the land from a stage five to a stage one by the work they did by improving the land and they continued to create agricultural products; bodi, bhagi, pumpkin and other things that they were able to sell to the national population, and also exporting.

So they earned a livelihood from the sale of these things, they stayed as a close community and were very frightened as to what was going on. They asked questions but no answers were forthcoming then they wrote to the hon. Prime Minister on

October 11 by Vijay Ramdath, Chairman of the Esmeralda Village Community. It read as follows:

Hon. Prime Minister

Mr. Patrick Manning

Whitehall.

Dear hon. Prime Minister,

Rapid Rail Project through the Esmeralda Road Community

We the villagers of Esmeralda Road, Cunupia have become concerned after seeing a soil testing rig—

I think I should show a picture. This is the type of apparatus that went onto the land without any permission. You will see agricultural land and this apparatus was offloaded on the road by a trailer then it went onto the land and began drilling and these people knew absolutely nothing about it. Here it is on another piece of agricultural land and people went to do soil testing drilling rigs to depths of 100 metres.

So the letter to the hon. Prime Minister stated that they had become concerned after seeing a soil testing rig working in their village during the past three to four weeks.

It was brought to our attention only then that the proposed Rapid Rail would likely be passing through our community. Furthermore, it was also brought to our attention that a terminal is likely to be erected in our community.

This most distressing news threatens to abolish numerous houses which for generations villagers have ploughed the fields of this agricultural community to build.

Today Esmeralda Road is a very tight-knit community with a very rich history. Should this Rapid Rail pass through our community, the impact of the lives and livelihood of our very community will be threatened.

Vijay Ramdath

Chairman Esmeralda Village Community

11.10.09

I do not know whether the hon. Prime Minister received the letter or not.

Mr. Manning: I did.

Dr. T. Gopeesingh: You did. Did you respond? Okay, you will give an answer. Then it would seem as though a response was not received at the same time so on December 11, about two months later they wrote hon. Colm Imbert, Minister of Works and Transport along the same lines indicating the difficulties they were experiencing and that of the Rapid Rail Project through the Esmeralda Road Community Centre.

That was also signed by the Chairman of the Esmeralda Road Village Committee and copied to the hon. Member of Parliament for Caroni East and the hon. Prime Minister of Trinidad and Tobago, Mr. Patrick Manning.

On December 01 it was brought to my attention at my office in Caroni East, and I immediately called the Environmental Management Agency to find out what was happening in terms of the environmental impact assessment and whether there was stakeholders' consultation because they wanted to have a meeting with the Environmental Management Agency and all the players.

I called NIDCO and was unable to get a response. Subsequently, the villagers decided amongst themselves that they were going to speak to the Minister. I believe that a meeting was arranged for them to meet with the Minister and it was cancelled and they were very annoyed and aggrieved about the cancellation.

After having difficulty they then decided to seek information under the Freedom of Information Act, request for access to official documents and wrote the Minister of Works and Transport asking for all information as of today on the Trinidad Rapid Rail Transport System, route and stations through Esmeralda Road, Chin Chin Road, Ragoonanan Road and Mt. Plaisir Road, all highway project routes and the likely impact of the Trinidad Rapid Rail Project highway and stations through these areas.

So they wrote under the Freedom of Information Act and they also wrote to NIDCO which responded to the person who wrote, Mr. Ramdath.

Dear Sir

Pursuant to section section 13(5) which states as follows: an application for access to an official document held by a public authority referred to in section 4(j)(i) shall be made to the responsible Minister.

In the circumstances please direct your request to the hon. Minister of Works and Transport being the responsible Minister.

They had written under the Freedom of Information Act and NIDCO refused to give them information, directing them to the Ministry of Works and Transport which gave the following reply on January 25, 2010.

Trinidad Rapid Rail Project

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Dear Mr. Ramdath,

Freedom of Information Act, 1999, FOIA application made by Mr. Vijay Ramdath.

Your application dated December 21, 2009 and received by the Ministry of Works and Transport on January 05 is hereby acknowledged.

Pursuant to section 13 of the FOIA, your application named the Ministry of Works and Transport as the public authority and further requested information on the Trinidad Rapid Rail Project. A letter was also received by MOWT dated December 21, 2009.

MOWT has carefully considered your request and wishes to indicate that National Infrastructure Development Company Limited is a public authority which has direct oversight of the Trinidad Rapid Rail Project and furthermore, is stated as one of the wholly owned enterprises of which the Minister of Works and Transport is assigned responsibility.

7.15 p.m.

Therefore, your request should be directed to NIDCO where the information resides. A copy of your application has been forwarded to NIDCO for action. As such, please contact me at Algico Plaza.

They gave the telephone number. It was signed by Mr. Reynold Cooper, Permanent Secretary in the Ministry of Works and Transport.

The people were asking and seeking for information. They wrote to the Prime Minister and the Minister of Works and Transport. They could not get the information that they wanted and sought to go under the Freedom of Information Act too. NIDCO sent them to the Ministry of Works and Transport. The Ministry of Works and Transport sent them back to NIDCO.

This rapid rail project has been fraught with a number of difficulties in terms of the sustainability, cost, et cetera. We can go into a whole discussion on the Trinitrain Consortium and their eligibility to hold that contract and the massive irregularities which Trinitrain Consortium had been through over a number of years.

Time is limited and we await the hon. Minister of Works and Transport to give us some information as to what is happening. In the mean time the residents are indicating that there are two alternative routes. One is about a mile east of the proposed rapid rail project which would be through State lands and would not

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interfere with their lives, homes and livelihood. The other one is further to the west which will pass through the rail line which is parallel to the highway.

They are giving the hon. Minister information about alternative routes about the rapid rail, if it is ever to be done, could pass and not disrupt their lives.

Thank you. [*Desk thumping*]

The Minister of Works and Transport (Hon. C. Imbert): Mr. Speaker, I thank the hon. Member for Caroni East for not adopting a sensationalist approach to this matter as is his custom. That is your custom. I thank the Member for not doing that. Let me deal with the facts. The rapid rail project is being executed by National Infrastructure Development Company on behalf of the Government where the client ministry is the Ministry of Works and Transport. NIDCO is the executing agent and the line ministry is the Ministry of Works and Transport.

NIDCO has entered into a contract with a consortium of firms that goes under the acronym Trinitrain. The Trinitrain Consortium is led by a company called Bouygues Construction which is the company that built the waterfront. There are a number of other firms primarily of French origin associated with the TriniTrain Consortium. There is a company called Alstom and a company called RATP Development. These are French firms, Bouygues, Travaux Publiques, Alstom and RATP Development.

At present the contract that is being awarded to Trinitrain Consortium is for Phase I of the project which involves the detailed planning, preliminary engineering and the costing of the project. This phase is scheduled to be completed in April 2010. We may or may not achieve that date. It is only when Phase I is completed that the Government would have a good understanding of the cost of the project, the final proposed alignment and implications of the project in terms of infrastructure, land acquisition, inconvenience to land owners et cetera. That process is scheduled to be completed in April 2010. It may go to May.

It is only at that time would the Government have a proper understanding of the final proposed alignment and the cost of the project. At that time the Government would make a decision with respect to the commencement date for the project; whether we go with the construction of it at all; whether we defer the construction by a year or two or go straight into the construction phase which would be Phase II. No decision has been taken by the Government at this point in time with respect to Phase II.

I can assure hon. Members opposite that it is a decision that the Government will consider very carefully because of the amount of money involved and the complexity of the project. It is not something that we are going to jump into willy-nilly. When we get the results of the planning, preliminary engineering and costing, it is then and only then the Government would make a decision with respect to Phase II.

There are many options available to us. The way that the contract has been worded, the Government can walk away from the contract at the end of Phase I. We have no obligation to the contractor to award Phase II to this particular group Trinitrain Consortium, although that is the preferred option at this point in time. If the cost is prohibitive or the requirements that they ask of us are unreasonable, then the Government may decide to put the construction to tender or may not go ahead with the project. At this time the contractor is engaged in Phase I, preliminary engineering and planning.

In doing that job, the contractor has been determining the best alignment for the railway. The railway has two components, west to east and north to south. Without attempting to be facetious, the railway is intended to go from North Trinidad to South Trinidad and it has to pass somewhere. This is not a railway that is underground. It is not a railway in the sky. It has to pass somewhere. Wherever the railway line passes there would be some inconvenience during the construction phase.

The benefits of course to the population, if and when the project is constructed would be, a tremendous ease in traffic congestion on the roads in Trinidad and Tobago; the ability for somebody to travel from Port of Spain to San Fernando in 25 minutes in air conditioned comfort and the arrival of Trinidad and Tobago into the First World into, directly squarely, Vision 2020.

Without a mass transit solution, whatever form it takes, Trinidad and Tobago would not attain the status of a developed country. Look at any developed country in the world, one of the features of the developed country is a mass transit system, a system for transporting large numbers of people rapidly and in comfort. While there may be some inconvenience during the construction phase, the benefits to the population at the end would far outweigh any convenience to any particular group of individuals.

This is not to say that we are not mindful of the fact that it is necessary to meet with affected people and try as far as possible to accommodate their concerns; to listen to them and try to minimize the inconvenience to communities such as the Esmeralda community of which the hon. Member has spoken.

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Nidco has not been doing this project with Trinitrain in a vacuum. It is necessary to correct the record. There have been five consultations. There has been a consultation at the Curepe Presbyterian School which was segment one. There has been a consultation at the Sangre Grande Civic Centre which was segment two. There has been a consultation at Chaguanas—that particular segment is of concern to the people in the Esmeralda area—the Xtra Foods commercial building. There has been a consultation in San Fernando at TCL Skiffle Bunch Pan Yard and a consultation in Port of Spain at the Lions Civic Centre. These consultations were held in July 2009. These consultations were held over six months ago.

This is not the end of the matter. It is a requirement of the Environmental Management Act that in order to obtain the certificate of environmental clearance for this project, the contractor must meet with the groups that are going to be directly affected by the construction works; obtain feedback from them and try as best as I said, to accommodate them. I want to point out that the train tracks must pass somewhere. I can say without any fear of contradiction that I know people quite well in the Esmeralda area. They have already spoken to me and recommended that the Government considers shifting the railway line to the east, thereby avoiding much of the inconvenience and dislocation in the public domain.

Certainly, we are going to look at that. I want to put the minds of this group that you have been interfacing with at ease. We would certainly make our best effort to accommodate the concerns of the residents within reason. One of the overriding factors is cost. The further away you go from the preferred alignment in terms of geology, proximity to population centres and topography, there would be cost implications. In order to get from San Fernando to Port of Spain, you cannot go to Sangre Grande firstly and come back. I am using that as an extreme example.

The intention of the designers is to stimulate development east of the Solomon Hochoy Highway alignment. If you look at the proposed station in San Fernando, for example, it is proposed to be located, east of San Fernando. The alignment from south to north is proposed to be east of the Solomon Hochoy Highway. This is why persons in the Esmeralda area which is east of the Solomon Hochoy Highway would have been affected. There was a consideration that the railway alignment passed close to that community. It is not cast in stone at this point in time.

With respect to the meetings at the Ministry of Works and Transport, regrettably, those meetings were contaminated by some politicians. Not the UNC, I am told. I am told that the Congress of the People had made arrangements with residents from the Cunupia area and had mobilized persons with maxi-taxis. The intention was to storm the head office of the Ministry of Works and Transport and

convert a peaceful consultation which is a purely a technical matter into a pappyshow. Inflammatory flyers were being circulated as, Kill D Rail, Kill D Railway. This was being circulated in the Cunupia area by activists of COP. Various leading figures in the COP mobilized—the Leader of the COP, the Deputy Leader of the COP all mobilized.

They got the media in tow. They loaded up 300 persons in maxi-taxis and headed straight for the head office building of the Ministry of Works and Transport with the sole intent of converting a peaceful technical consultation into a political pappyshow. So we cancelled the consultation because it was not going to serve the purpose intended which was to let the people know where the proposed alignment for the railway was supposed to be and get feedback from them. You cannot get feedback at a meeting where you have some of these loud mouths who are associated with that opposition party, screaming and shouting in the middle of a meeting. I am sure you know about whom I am talking. There are certain loud mouths with that opposition party that like to scream, shout and disrupt meetings.

It was completely out of the question to have this group of political activists creating bacchanal inside the head office building of the Ministry of Works and Transport. We cancelled it. The contractor has now been instructed to convene a public meeting in an appropriate location in the Chaguanas area, perhaps at a secondary school, some sort of neutral location so that there can be a proper interface between the technical designers and the affected residents, all aimed towards seeking an amicable solution and minimizing the inconvenience to the affected residents. I give you an assurance that that would certainly take place and we would do our best to minimize inconvenience to the persons with whom you have been meeting.

Thank you.

7.30 p.m.

Caribbean Airlines/Air Jamaica Alliance

Dr. Tim Gopeesingh (*Caroni East*): Mr. Speaker, there are some basic fundamental answers we need to have on the second Motion. For the information of colleagues in the House, the second Motion relates to the lack of information from the Government on the relationship of Caribbean Airlines and the proposed deal with Air Jamaica.

Caribbean Airlines, as we are all aware, over three to four years ago, started a restructuring programme and that cost the country approximately \$1.5 billion when they said that BWIA was losing money. For our information, Caribbean

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Airlines was supposed to provide to Parliament on a yearly basis, their financial returns on how the money for the restructuring programme went, as far as the \$1.5 billion was concerned. There is the general impression that very little has happened in terms of restructuring. People were laid off; a quota from BWIA. There were about 2,000-plus at one time and it was reduced significantly.

Then there was the question of the pension plans which Caribbean Airlines would have inherited from BWIA and also the value of the shares of BWIA which were being offered to the people who had the shares at 20 cents per share. So there had been lots of difficulties by the population and by people who were involved with BWIA on the restructuring of BWIA to Caribbean Airlines.

It was only last week we saw for the first time two financial reports from Caribbean Airlines. But financial reports are information that you give to auditors and they determine whether it is a true representation of the information that has been given to them. We have not seen any Auditor General's report on Caribbean Airlines. The sum of \$1.5 billion has been spent on the restructuring of Caribbean Airlines and that airline is still undergoing tremendous difficulty. The general public wants to know what is happening as far as that is concerned.

There was a slot at Heathrow Airport that was sold for \$5 million by the Caribbean Airlines group and they wanted to stop travelling to Heathrow Airport. Slots at Heathrow Airport now are being sold for US \$100 million at the terminal and we sold ours for \$5 million. I stand corrected.

Now, after the taxpayers of Trinidad and Tobago have had to bear the brunt of \$1.5 billion to sustain an airline where the rest of the world—all the airline industries are capitulating and the population does not know where this money was spent, then out of the blue we hear that the Government is now negotiating with Air Jamaica for a proposed help to Air Jamaica, whether it is a merger, whether it is an acquisition or whether there is financial support for the airline.

We knew that the Jamaican Prime Minister came to Trinidad and Tobago to seek help. Mr. Golding came and met the hon. Prime Minister in Trinidad.

Mr. Manning: No, he did not meet me.

Dr. T. Gopeesingh: He did not meet you. He met with probably other people on the proposed assistance needed for Air Jamaica. At one time we heard that the Trinidad and Tobago Government was proposing to take over Air Jamaica; another time we heard that they were going to have acquisition of some shares and give some support.

The International Monetary Fund (IMF) has put Air Jamaica's losses at over US \$1.2 billion and, therefore, to bail out Air Jamaica, it needs that amount of money; US \$1.2 billion, approximately TT \$7.8 billion. Now, the people of Trinidad and Tobago are extremely concerned. Are we going to merge with them? Are we going to acquire them? How are we going to deal with Air Jamaica? Or are we going to deal with Air Jamaica at all?

Now, we understand that the Prime Minister, through the finance committee that we have had in Parliament over the last two years—we know that the finance committee reports indicated that there was a Petroleum Fund that the Prime Minister had made for the Caribbean countries to give some assistance to Caribbean partners, and I believe that out of that Petroleum Fund, \$600 million has been spent so far. The Prime Minister can correct me about the value.

Mr. Manning: More than that.

Dr. T. Gopeesingh: Well, perhaps more, but then I must give him some heckle because under his nose while we are trying to help the Caribbean partners with the Caribbean Petroleum Fund, Chavez went under his nose and began to make deals with the other Caribbean countries, and giving oil concessions at a lower rate and did not—

Mr. Manning: But we are not competing with anybody.

Dr. T. Gopeesingh: Well, I thought you were trying to assist them, but, obviously, Chavez tried to assist them a little more. I understand that one of the statements made was that we are not going to merge; we are not going to acquire, but we are going to give them some assistance through the Caribbean Petroleum Fund.

Mr. Manning: That is not true. That is not true; straight off.

Dr. T. Gopeesingh: Well, this is why I ask the question; this is why I brought the Motion so the national population could understand and have an idea and some knowledge about what has been happening. These are the issues that I wanted to raise on that Motion and we await, on behalf of the national community, a response from the Government on that proposed, whether merger, acquisition or assistance, through the Caribbean Petroleum Fund and the value of it.

Thank you very much, Mr. Speaker.

The Minister of Works and Transport (Hon. Colm Imbert): Mr. Speaker, I cannot be so kind to the Member for Caroni East as I was with the previous Motion, because whereas with the previous Motion he tried to be factual, with this Motion he has been his usual wild self.

Dr. Moonilal: So you would not talk for too long.

Hon. C. Imbert: I have fifteen minutes. I would like to debunk some of the nonsense that the Member for Caroni East has put into the record today, yesterday and last month. It is a matter of record that the accounts of Caribbean Airlines for 2007 and 2008 are available. I am certain that the Member for Caroni East has seen them and if I deal now with the financial statements of Caribbean Airlines for 2007, the outturn for Caribbean Airlines for that year was a net loss of \$117,000. Now, the Member for Caroni East has been going all over Trinidad and Tobago saying that Caribbean Airlines lost hundreds of millions of dollars in its first year of operation, and so on. It is \$117,000.

Mr. Manning: “Yuh hear dat?”

Hon. C. Imbert: That is on revenues of \$1 billion—\$117,000 lost. That is 2007. Let us look at what happened in 2008. In 2008, Caribbean Airlines made a profit of \$34,000. They did not lose \$200 million, as I have heard the Member for Caroni East—

Dr. Gopeesingh: I never said that.

Hon. C. Imbert: Yes, you did in this House; I heard you. So for the record, revenue of \$1.4 billion; they made a profit of \$34,000—sorry, \$34 million. My apologies. The Prime Minister has pointed out to me it is \$34 million profit. So I wanted to clear the air on the financial outturn of Caribbean Airlines. When I spoke to Caribbean Airlines today—

Dr. Gopeesingh: What about the spending on restructuring?

Hon. C. Imbert: Hold on. I spoke to Caribbean Airlines today and I was told that the financial outturn for 2009 will be a break-even position. So what you have is three years of operation since the Government created a new airline—and it is important to understand Caribbean Airlines is a completely new airline; it is not a successor. It is a completely new operation designed to operate along commercial lines without any interference from the Government, and I myself—I have told the hon. Prime Minister this—have been surprised at the manner in which Caribbean Airlines has been allowed to operate, without any interference from anyone. *[Interruption]* It does not matter. The fact is that when we created Caribbean Airlines, they were given a mandate that their operations must be on commercial lines; they must not allow themselves to become susceptible to interference from anyone; they must seek to generate a profit; they must follow the business model and I am happy to say that based on the information that I have, Caribbean Airlines has performed quite creditably and has performed in accordance with its business model. *[Desk thumping]*

You have a situation where airlines are going bankrupt all over the world, losing billions and billions of dollars and in Trinidad and Tobago, our state-owned airline has been able to hold its head above water and has been able to maintain its business model and is no longer a drain on the Treasury when many said it could not be done.

Dr. Gopeesingh: Thanks to my travel.

Hon. C. Imbert: Thanks to your travel? You are propping up Caribbean Airlines? So I just wanted to clear the air on the financial situation with respect to Caribbean Airlines.

Mr. Speaker, just let me clear up something. I am coming to Air Jamaica, because the Motion, with due respect, does refer to Caribbean Airlines. It says: The widely publicized Caribbean Airlines/Air Jamaica proposed alliance. So I have to set the stage and let me just correct this. It was part of the business model that in the first year, 2007, Caribbean Airlines would incur a loss. The Prime Minister correctly did point out to me the figures were expressed in thousands of dollars. So it lost \$117 million in its first year of operation, which is in accordance with its business plan and then it made \$35 million in its second year of operation in accordance with its business plan and it has now broken even in its third year of operation.

I just wanted to correct that for the record: \$117 million lost; \$34 million profit and break even in 2009. But that was the business model. The business model was that it would have to incur a relatively small loss in its first year of operations and it is now breaking even.

Let me deal now with Air Jamaica. It is a matter of public record, there is a confidentiality agreement between Caribbean Airlines and the Government of Jamaica and as a consequence, my ability to disclose information is severely constrained.

Dr. Moonilal: This is taxpayers' money.

Hon. C. Imbert: You could say what you want. We are very serious over here. We have told Caribbean Airlines that they are to operate on strictly commercial principles and as part of that commercial arrangement, they have entered into an agreement with the Government of Jamaica which is confidential. However, I can tell you that there is no binding arrangement between the Government of Jamaica and Caribbean Airlines at this time. All that has occurred is that Caribbean Airlines has entered into a non-binding letter of intent with the Government of Jamaica. There is no contractual arrangement.

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7.45 p.m.

Let me now debunk some of the mythology that the Member for Caroni East is wont to put into the system. It is a matter of public record that Caribbean Airlines and the Government of Trinidad and Tobago will not take over any of the debt of Air Jamaica. That has been said 10,000 times. That has been published in the newspapers.

I will say it again. In the arrangement between Trinidad and Tobago and the Government of Jamaica, with respect to certain air routes that Air Jamaica currently flies, it is understood by both parties—by the Government of Jamaica and Caribbean Airlines—that Caribbean Airlines will not take over any of the debts and liabilities of Air Jamaica. None, zero, nada, zilch!

The reason that is so is that if we cause Caribbean Airlines to take over any of the liabilities of Air Jamaica, we would be breaking the arrangement where Caribbean Airlines would be operating on a purely commercial basis. That would be a political instruction if the Government of Trinidad and Tobago instructed Caribbean Airlines to take on some of the debts and liabilities of Air Jamaica. That is not going to happen.

What is in the public domain and what is repeated ad nauseam is that Caribbean Airlines is in discussions with the Government of Jamaica to take over some of the routes that Air Jamaica currently flies. What Caribbean Airlines is looking at are the profitable routes—the profitability of Air Jamaica's routes. It will only take over these routes if it makes good business sense; if it fits Caribbean Airlines' business model to expand its coverage to become the national carrier of the Caribbean; to become the dominant air carrier of the Caribbean; to provide air transportation between the Southern Caribbean, North America, et cetera. Only if it makes commercial sense will Caribbean Airlines take over certain routes of Air Jamaica.

In the non-binding letter of intent—that is what it is; it has been stated in public ad nauseam—Caribbean Airlines will not take over any of the debt; but it is considering taking over certain of the routes.

Let me tell you what the Government of Jamaica gets out of this. They need the airlift. They want to maintain air transportation to and from Jamaica. So if a profitable airline like Caribbean Airlines comes in—a well structured, profitable, lean, clean airline; well organized, well managed—and takes over certain routes that could be made profitable based on certain investments in aircraft and so on, that would benefit the Government of Jamaica because its air services would continue.

If Air Jamaica folds, the Government of Jamaica would have to buy an airlift from someone in order to maintain flights for its tourism industry. The tourism

industry in Jamaica accounts for a significant percentage of its GDP. If Air Jamaica crashes tomorrow, then the Government of Jamaica would have a serious problem in terms of maintaining its airlift to its tourist destinations.

It is a win-win situation for both. Caribbean Airlines gets to do its business; it takes over routes that are or that can be made profitable; it does not take on the debts of Air Jamaica, and the Government of Jamaica gets the airlift that is vital to its economy.

All that has been said over and over by everyone. There is no merger; no acquisition; no bail out; no handout; no help out. It is a strict commercial operation that is simply business, which is a win-win situation for the two countries—Trinidad and Tobago and Jamaica; all in the spirit of Caribbean integration.

I thank you, Mr. Speaker.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 7.51 p.m.