

Leave of Absence

Friday, July 16, 2010

HOUSE OF REPRESENTATIVES

Friday, July 16, 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 following Members: the Member for Diego Martin North/East, requesting leave of absence from sittings of the House during the period July 16, 2010 to July 23, 2010; the Member for Oropouche West, requesting leave of absence from today's sitting of the House; and I have also received communication from the Member for Diego Martin Central, who has requested leave of absence from sittings of the House during the period July 16, 2010 to July 26, 2010. The leave which the Members seek is granted.

Members, may I also inform you that in relation to sessional committees, I would like to seek your indulgence to have the appointment of these committees deferred until a later stage of this sitting and proceedings.

PAPERS LAID

1. Report of the Statutory Authorities Service Commission for the period October 2008 to September 2009. [*The Minister of Housing and the Environment (Hon. Dr. Roodal Moonilal)*]
2. Annual administrative report of the Trinidad and Tobago Entertainment Company Limited for the fiscal year 2008 to 2009. [*The Minister of Trade and Industry (Hon. Stephen Cadiz)*]
3. Notification of His Excellency the President, in respect of the nomination of Mr. Nizam Mohammed for appointment as a member of the Police Service Commission. [*Hon. Dr. R. Moonilal*]
4. Notification of His Excellency the President, in respect of the nomination of Mr. Addison Masefield Khan for appointment as a member of the Police Service Commission. [*Hon. Dr. R. Moonilal*]
5. Notification of His Excellency the President, in respect of the nomination of Mr. Martin Anthony George for appointment as a member of the Police Service Commission. [*Hon. Dr. R. Moonilal*]

6. Notification of His Excellency the President, in respect of the nomination of Ms. Jacqueline Cheesman for appointment as a member of the Police Service Commission. [*Hon. Dr. R. Moonilal*]
7. Notification of His Excellency the President, in respect of the nomination of Mr. Kenneth M. Parker for appointment as a member of the Police Service Commission. [*Hon. Dr. R. Moonilal*]

STATEMENT BY MINISTER

**Thirty-First Regular Meeting of the Heads of
Government of the Caribbean Community**

The Minister of Foreign Affairs (Hon. Dr. Surujrattan Rambachan): Thank you, Mr. Speaker. I have been authorized by Cabinet to make the following statement to this honourable House on Trinidad and Tobago's participation in the Thirty-First Regular Meeting of the Conference of Heads of Government of the Caribbean Community which took place in Montego Bay, Jamaica from July 04 to 07, 2010 under the chairmanship of the hon. Bruce Golding, Prime Minister of Jamaica.

The conference of heads was preceded by the Twenty-Sixth Meeting of Community Council of Ministers on July 03, 2010 and the Twenty-First Meeting of the Prime Ministerial Sub-Committee on External Trade Negotiations on July 04, 2010.

The Trinidad and Tobago delegation was led by our hon. Prime Minister and comprised the Minister of Trade and Industry, the Minister of Foreign Affairs as well as representatives of the Ministries of Foreign Affairs, Finance, Trade and Industry and of the Office of the hon. Prime Minister.

Mr. Speaker, the hon. Prime Minister of Trinidad and Tobago in her contributions at the opening ceremony and throughout the conference demonstrated beyond the shadow of a doubt that she is ready and willing to provide the quality of leadership that will ensure that the regional integration process is deepened and that the Caribbean region is respected globally. Her sagacity, her political astuteness as well as her studied responses to the challenging issues addressed at Caricom were respected and applauded by the conference heads. The leadership displayed by the hon. Prime Minister stimulated and facilitated frank and honest exchanges between herself and her colleague Heads of Government which resulted in significant advances being made not only towards resolution of the issues identified on the agenda, but also to creating a new conversation with respect to increasing the efficiency, effectiveness and responsiveness of Caricom in matters that affect the interest of the peoples of the region.

As evidenced by the numerous press reports coming out of Jamaica, the hon. Prime Minister not only exerted significant influence on the course of the meeting but in addition, she established both her personal commitment as well as that of the Government to the provision of strong and effective leadership in the Community. The decisiveness and studied positions and pronouncements made by her in her opening statement including her brave statement on the utilization of the Petroleum Fund towards the development of sustained regional initiatives in the area of environmental management in the area of education and towards the establishment of Pan-Caribbean Children's Life Fund, vividly illustrates the commitment of the Government of the Republic of Trinidad and Tobago to the strengthening and deepening of the regional integration process within the Caribbean Community. Throughout the deliberations, Trinidad and Tobago remained mindful of the fact that the Caricom market represents a most important market for manufacturers and service providers from Trinidad and Tobago.

Mr. Speaker, the meeting was represented at the level of Heads of Government from all except four member states; namely: The Bahamas, Belize, St. Vincent and the Grenadines and Suriname. Three of the five Caricom associate members were also represented in the persons of Anguilla, Bermuda and the Cayman Islands. The importance of Caricom as a significant regional institution was demonstrated by the presence and participation of high level personnel including the United Nations Secretary General, His Excellency Ban Ki-moon; the Managing Director of the International Monetary Fund, Mr. Dominique Strauss-Kahn; Deputy General Secretary of the Commonwealth, Mr. Ransford Smith and the Secretary General of the Organization of American States, His Excellency Jose Miguel Insulza.

The extensive agenda on the Thirty-First Meeting of the conference enabled Heads of Government to deliberate on inter alia, governance; the economic and financial crisis, crime and security in the region; matters related to the Caricom Single Market and Economy; agriculture; external trade negotiations; developments related to the University of the West Indies; climate change priorities to the region; information and communication technology for development; Caricom US relations; tourism and Haiti's progress towards national recovery and reconstruction.

At the Conference of Heads three statements were adopted: Firstly, the situation in Haiti; secondly, trafficking in persons and thirdly, non-compliance of the United States with the 2007 Ruling of the World Trade Organization Dispute Settlement Body as it relates to the provision of remote gaming services.

Developments relating to Haiti's progress towards national recovery were discussed extensively by the heads. The Secretary General of the United Nations and

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Organization of American States also participated in these discussions. Caricom special representative on Haiti, the hon. P.J. Patterson, reported to the conference on the various forms of assistance the Caribbean Community has so far given to Haiti since the devastating earthquake of January 2010. He underscored the importance of Caricom's continued contribution to the reconstruction and development process and also gave an important update on the process leading to presidential and legislative general elections on November 28, 2010.

It should be noted that the Caribbean Community's participation in an international task force in support of the electoral process was critical. In this regard, the Heads of Government of Caricom proposed that the Community provide technical assistance to the Haitian Provisional Electoral Council and field an election observation mission if so requested by the Government of Haiti.

Mr. Speaker, Heads of Government endorsed the decision of the Committee of Trade and Economic Development (COTED) to commence unilateral trading in an agreed list of products in Haiti which would satisfy the Caricom rules of origin without the requirement to provide reciprocity. They urged the international community, including the Interim Haiti Reconstruction Commission (IHRC) to move pragmatically and with urgency to implement and/or support programmes and projects to address the pressing humanitarian situation in Haiti. The Secretary General of the UN and the Secretary General of the OAS were also informed of the dawdling pace of disbursement of donor pledges, the shortfall in budgetary support for the Government of Haiti and the uncoordinated role of non-governmental organizations (NGOs) in the recovery and reconstruction process in Haiti.

In the case of Trinidad and Tobago, the Government had initially donated US \$1 million to CDEMA towards Haiti's reconstruction efforts. The Government of Trinidad and Tobago had also pledged US \$10 million to Haiti and by Cabinet Minute No. 425 of February 25, 2010 US \$5 million was disbursed from the Special Haiti Earthquake Relief and Reconstruction Account to the Federal Reserve Bank of New York. The additional US \$5 million will only be made available on the basis of further needs assessment to be conducted by the Government of Trinidad and Tobago and will take the form of goods and services generally produced in Trinidad and Tobago. In this way there will be direct benefit to both our manufacturers and our service providers.

Mr. Speaker, the critical issue of governance of the Caribbean Community was very high on the agenda of the meeting and Heads of Government agreed to appoint a steering committee comprising of the bureau of the conference; namely,

the incumbent chairman of Caricom, Prime Minister of Jamaica; the incoming chairman, Prime Minister of Grenada and the outgoing chairman of the conference, Prime Minister of Dominica. It also includes the Secretary General of Caricom and the Heads of State and Governments of the Republic of Trinidad and Tobago, St. Kitts and Nevis, St. Vincent and the Grenadines and the Republic of Guyana. This committee would be assisted by a technical working group which will immediately commence its work with a review of all previous proposals regarding governance in the community.

Heads of Government also agreed that a special meeting will be held in October 2010 on this issue, and the outcome will be reported to the Twenty-second Inter-Sessional Meeting of the Conference to be held in February 2011 in Grenada.

1.45 p.m.

Mr. Speaker, to many persons in the Caricom region, the objectives of regional economic integration of the community appear not to be realized at the pace that one would wish because of the lack of suitable institutions of governance. This implementation deficit has generated the public's perception of Caricom and its meetings as a mere "talk shop". The Caribbean Community appears not to be addressing the issues of adequate institutional structure to implement the idea of Caricom as a community for all. This concept of deepening the integration objectives of 2001 Revised Treaty of Chaguaramas demands an institutional structure, and also requires community law that will integrate all the processes of functional co-operation with economic integration into one holistic and comprehensive system. The Conference recognized that the Community cannot advance to the single market and single economy unless there are suitable institutions of governance.

In that regard and with respect to the Caricom Single Market and Economy (CSME), an appraisal of the status of CSME was conducted in 2009. It was established that there are still outstanding measures to be carried out by individual member states in order to consolidate and improve CSM functions. As such, Heads of Government were informed of this. However, no indication was given by member states regarding the anticipated dates by which the outstanding measures identified would be implemented. It was agreed, though, that each member state should submit proposals for their respective national timetables to the Secretariat within the next three months ending September 30, 2010. It was also agreed that COTED would review the progress made by each member state

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towards implementation and submit regular reports to the conference on their compliance.

Mr. Speaker, with respect to tourism, Heads of Government reiterated their commitment to the Regional Tourism Marketing Campaign. At their Twenty-ninth Regular Meeting in 2008, Heads of Government agreed to the establishment of a US \$60 million marketing programme which will be designed to market the Caribbean in a unified sustainable manner. However, there was no consensus on the modality for funding the campaign. Three options for funding were proposed by the Caribbean Tourism Organisation. These include:

1. levying a US \$3 tax on airline tickets for passengers travelling into the region.
2. contributions from members' own resources on the basis of an arrivals formula equivalent to US \$3 per visitor travelling into a member state from outside the region; and
3. contributions for member states' own resources on the basis of member states and associated members contribution to the Caricom Secretariat, using the Caricom Secretariat's formula.

In the case of Trinidad and Tobago, Trinidad and Tobago opted for payment by direct contribution and proposed that the obligation which in 2009 stood at US \$864,000 be paid in quarterly instalments, calculated according to annual visitor air arrivals, this being approximately 500,000 persons for Trinidad and Tobago. A payment has been made by Trinidad and Tobago in this regard. Heads of Government has referred the matter to Caricom Ministers of Tourism for further deliberations and resolution.

Mr. Speaker, there is a very vexing question of what is called the Air Passenger Duty (APD) in relation to the United Kingdom and a decision by the UK to apply what is called the APD. Heads of Government noted that this proposal by the United Kingdom to increase the APD in November 2010, would mean severe hardship for the tourism economy in the Caribbean. For example, this would mean that an economy ticket from London would be increased by £75 from November 2010. Using TT \$10 to £1, that means that an economy ticket would cost a further \$750. Heads of Government therefore reiterated their concern of the deleterious effects of the APD on the competitiveness of the Caribbean tourism industry and its related industries. It was emphasized that placing the Caribbean in what is called Band C was irrational and unfair, and noted the region's continued efforts regarding the re-banding of the Caribbean based on the

community of interest principle. It was agreed by the Heads of Government that representation at the political and diplomatic level should be intensified with United Kingdom.

Mr. Speaker, on the issue of Climate Change, Heads of Government agreed to expedite the regional programme in preparation for the Sixteenth Conference of Parties to the United Nations Conference on Climate Change in Cancun, Mexico in November of this year. Having recognized that the Copenhagen Accord which resulted from the Conference in 2009 was disappointing, Heads of Government agreed that its negotiations must adhere to the principles of the Liliendaal Declaration on Climate Change and Development of 2009 and to the Declaration of the Association of Small Island States in September of 2009. They pointed specifically to the stabilisation of greenhouse gases at 1.50 centigrade and efforts to achieve a legally binding agreement on issues related to mitigation, adaptation, research and finance. Heads of Government agreed that a joint COTED/COHSOD meeting be convened in St. Lucia in early September, to consolidate the regional position on climate change for Cancun, Mexico.

Mr. Speaker, reflecting on the Nassau Declaration issued in July 2001, a commitment was made to implement initiatives and targets to achieve an improved health status of the Caribbean population within the next five years. As you will see, one of the things that was done is that there were timetables set out in this meeting for achievement. It emphasized leadership, strategic planning, management implementation and resource mobilization in the context of health sector reform processes that are all currently under way.

I wish to report that all the actionable recommendations had been implemented, including the Caribbean Co-operation in Health Initiative; the Pan Caribbean Partnership against HIV and AIDS (PANCAP), which has been recognized by the United Nations as an international best practice; and the Port of Spain declaration on non-communicable diseases of 2007, which has spawned regional-wide observance of the second Saturday of September as Caribbean Wellness Day.

Mr. Speaker, Heads of Government applauded the establishment of the Caribbean Public Health Agency (CARPHA) as a giant step for the regional public health sector, and the structure for making the Nassau Declaration a reality for the people of the Caribbean Community. They noted, in particular, the pace at which the process was moving to meet the 2014 deadline for the full operations of CARPHA and commended the steering committee for its efficiency in sticking to

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the implementation timelines in accordance with the mandate from the Conference in 2008.

Mr. Speaker, you will be happy to know that Heads of Government also welcomed the enthusiastic responses to CARPHA from international partners including Canada, France, Sweden, United Kingdom and the United States of America at a recent partners meeting hosted by the Pan American Health Organisation in Washington on June 14. It is to be noted that Trinidad and Tobago will host the CARPHA's main campus.

Regarding negotiations for a trade and development agreement between Caricom and Canada, Heads of Government reiterated that tangible development provisions were essential for Caricom in such an agreement. In this regard, Caricom would be submitting its concrete proposal to Canada in the next round of negotiations. Regional consultations would be intensified, with a view to clarifying Caricom's position on Canada's interest in the inclusion of labour and environment in their agreement.

It was also noted that there was a lack of progress in the WTO Doha Development round of negotiations, and concern was expressed that this could put at risk the gains which have been achieved by Caricom in the negotiations to date. The need for the region to accelerate the development of a major Caricom Aid for Trade Project that would have the widest impact on the region for submission to international development partners was emphasized. In that context, they welcomed the convening of a World Trade Organization's sponsored Caribbean Aid for Trade Forum in January 2011, which will bring together regional officials, the International Trade Centre, the Inter-American Development Bank and other co-operation partners and institutions.

Heads of Government also welcomed the extension of the Caribbean Basin Trade Partnership Act to 2020 by the United States of America and commended the bipartisan approach which made this possible.

Mr. Speaker, it was recognized that countries in the Caribbean were still struggling to achieve positive economic growth owing to the sluggish nature of the global recovery from the financial and economic crisis. The fragile nature of the global economic recovery is linked to persistent credit, home foreclosures and employment crises which have resulted in weak aggregated demand and related outputs. In addition, the Caribbean rate of recovery in the short and medium term is threatened by a number of factors including its very own high level of indebtedness; non-concessionary status with respect to access to resources of the

international financial institution; an increasing rate of erosion of preferential access to the markets of its major development partners; and the place of its offshore financial services industry is in doubt as a result of OECD imposed standards for greater transparency and effective exchange information. Heads of Government encouraged the relevant national and regional authorities to continue with their economic recovery efforts.

Mr. Speaker, a lot of discussions took place over the Caricom Development Fund. The Caricom Development Fund was established under Article 158 of the Revised Treaty of Chaguaramas to provide technical, financial and developmental assistance to those countries, region and sectors, so designated by the Community Council as disadvantaged countries, regions and sectors adversely affected by the implementation of the CSME. At the time of the signature of the Revised Treaty, the OECS countries made the early start up of the fund a precondition for their signature.

The role of the CDF is to support implementation of the CSME and to promote cohesion in the Community, rather than seeking to address wider developmental issues such as physical challenges. The CDF is expected to:

1. Address:
 - i. economic dislocation and other adverse economic impacts arising from the operations of the CSME;
 - ii. adverse social impact arising from the operations of CSME; and
 - iii. structural diversification and infrastructural development needs.
2. To facilitate:
 - i. regional investment, promotion and mobilization; and
 - ii. business development and enterprise competitiveness.

This fund was launched in July 2008 and commenced operations in the last quarter of 2008. In fact, Dr. Shelton Nicholls, the Deputy Governor of our Central Bank, held the position of Chairman of the Board of Directors from September 2008 until his untimely resignation in July 2009, purportedly on the grounds of pressure of work in regard to his substantive position.

Contributions to the capital fund of CDF. It was agreed that to be effective, the fund should be capitalized at US \$250 million of which \$120 million will be

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contributed by Caricom member states and the balance would have been raised from international development partners and the private sector; also, that the fund would be replenished every four years.

Mr. Speaker, the contribution formula for the fund is two-tiered to accommodate the differences in the MDC and LDC contribution capacity—more developed countries; less developed countries. In keeping with the formula, the contribution of Trinidad and Tobago to this fund is US \$37.07 million. When the formula was applied to the fund's initial capitalization of \$100 million, there was a shortfall of US \$9.66 million, and the Conference agreed that this shortfall would be sourced from the Petroleum Fund established by Trinidad and Tobago.

2.00 p.m.

It was further agreed that in order to bring the fund to US \$120 million, the minimum level deemed appropriate to attract international donors, a further \$20 million would have been provided as a one-off payment from the Petroleum Fund. This payment has not yet been made.

With regard to the current status of contributions, the CDF is significantly undercapitalized. In fact, only 68 per cent of the \$120 expected contributions from member States have been realized and the Government of Australia is the only external partner to have contributed directly to the capital fund.

Mr. Speaker, if the US \$20 million from the petroleum fund is excluded, our calculations show that 82 per cent of the contributions from member states would have been received. But the governments of the OECS received a grant from the Government of Turkey which they contributed to the CDF to partially offset their contribution. The current balance in the CDF capital fund is US \$82 million. This excludes \$2 million set aside by the board for start-up operations, but includes total interest earnings of US 1.3 million.

The Petroleum Fund—Trinidad and Tobago expressed its concern as to the use of the Petroleum Fund, to which it has contributed between 2005 and to date, a total of \$1,681,020,316, and from which amount \$1,671,944,431 has been withdrawn, all between 2005 and 2010.

Trinidad and Tobago has emphasized that the use of the fund must follow the original objectives of the fund and as well that some of funds should be used to realize and establish a Life Fund for children in the Caribbean, similar to the Life Fund for children in need of life saving surgeries in Trinidad and Tobago; in other words, to carry this fund on a Caribbean basis. [*Desk thumping*]

Mr. Speaker, the matter of crime and security in the region and the regional crime and security agenda—In accordance with her Caricom quasi-Cabinet responsibility for crime and security, the hon. Prime Minister indicated that greater attention needed to be paid to resources to fund this agenda, to be paid also to the legislative framework to support it and the effective implementation of a regional strategy and action plan to engage international partners. The Implementation Agency for Crime and Security (IMPACS) based in Port of Spain, is the Caricom institution with primary responsibility for the implementation of the regional crime and security agenda and reports directly to the Council of Ministers responsible for national security and law enforcement; as such, it is responsible for day-to-day administrative and technical functions required to fulfil its mandate with a focus on implementation.

The key functions of IMPACS include research, evaluation, monitoring, analysis and the preparation of background documents, project development and implementation, information centralization and information dissemination. With its sub-agencies, the Joint Regional Communication Centre and the Regional Intelligence Fusion Network, it is a nerve centre of the crime and security management frame in the Caribbean.

As a result of the operations of the Regional, Crime and Security Management Framework, the region is now one of the safest, most secured venues for major international events. By way of practical example, as a result of the activities of the JRCC and the RIFN, some 49 million travellers have been screened and 5,000 persons on watch lists registered. As a result of the shortfall in the payment of member states assessed contributions to the budget of IMPACS, its financial resources would not sustain operations beyond August 2010.

Heads of Government accordingly agreed to give consideration to a proposal for the introduction of a passenger security fee of US \$2 per ticket for all travelers to the region, to sustain the Caricom Crime and Security Agenda. It was also noted that a US \$5 fee could also benefit affiliated regional institutions such as the RSS, the Regional Security System, CDEMA and the Caricom Secretariat's crime prevention elements.

Heads of Government also urged the completion of implementation of the Caricom travel card, CARIPASS, to contribute to financing the agenda and development of a Regional Crime and Security Resource Mobilization Plan. They also agreed that the implementation of the Caribbean Basin Security Initiative with the US should receive focused attention with the establishment of a technical working group to advance the action plan agreed by both sides. As such, there are

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several important policy issues requiring in-depth attention of the Heads of Government, including a review of the management framework for crime and security. It was agreed that one day in the month of October, a special meeting of Heads of Government would be devoted to crime and security.

Bilateral meetings—Several very cordial bilateral meetings were held in the margins of the Thirty-First Meeting of Caricom Heads of Government. Our hon. Prime Minister, accompanied by myself, met with the Secretary General of the United Nations, His Excellency Ban Ki-moon. I myself met with the Secretary of State for Foreign Affairs and Cooperation of Portugal, the Special Representative of the Minister of Foreign Affairs of Finland, Ambassador Pasi Patokaillio, and the Deputy Secretary General of the Commonwealth, His Excellency Ransford Smith.

In the meeting with the Secretary General of the UN, His Excellency Ban Ki-moon discussed the following matters with the hon. Prime Minister: The participation of the hon. Prime Minister in the forthcoming 65th Session of the United Nations General Assembly, in her own capacity and also in her capacity as the Chair of Commonwealth and in the summit to assess progress in the attainment of the Millennium Development Goals which would precede it.

Secondly, they discussed the impact of the drug trade on the region and collaboration with the UN Office on Drug and Crime.

Thirdly, they discussed the status of support for the Copenhagen Accord, the status of the advisory group created by the Secretary General on the mechanism to raise long-term financing for adaptation to climate change; this group is co-chaired, of course, by former United Kingdom (UK) Prime Minister Gordon Brown and former Ethiopian President, Meles Zenawi. They discussed preparations for the Conference of Parties regarding climate change to be held in Cancun in November and they also addressed matters that came out of the Sixth Conference of Parties to the Kyoto Protocol.

Our Prime Minister also discussed with Mr. Ban Ki-moon the use of the Petroleum Fund to establish the Pan Caribbean Life Fund, the establishment of environmental projects and to support underprivileged women and their families in the Caribbean. She invited his attention to these projects.

With the Deputy Secretary General of the Commonwealth, I discussed preparations for the meeting of Commonwealth Foreign Ministers, which would take place in the margins of the 65th Session of the UN. The agenda would include conclusion of the recommendations for the reform of the Commonwealth Ministerial Action Group (CMAG). I also discussed the status of requests from our Government for Commonwealth

assistance in three areas: Capacity building for the Ministry of Justice, the role of private and public representatives in state owned enterprises and constitutional and parliamentary reform.

At Montego Bay, the Minister of Foreign Affairs of Mexico, Her Excellency Patricia Espinosa, briefed Caricom Foreign Ministers or their representatives on preparations for the COP 16, the 16th Conference of Parties on climate change that would take place in Cancun, from November 29—December 10 and the expectations of Mexico for the negotiations and outcomes of the meeting.

In conclusion, a high level bilateral meeting was held between Trinidad and Tobago and Jamaica, whose delegation was led by their hon. Prime Minister, Bruce Golding. Our delegation was led by our Prime Minister. In this meeting, three issues were discussed: The purchase of Air Jamaica by Caribbean Airlines, the cost of energy to Jamaican manufacturers, which was seen as a disadvantage to compete with Trinidad and Tobago manufacturers, and the perception that a disproportionate number of Jamaican nationals were being denied entry into Trinidad and Tobago.

Mr. Speaker, the Prime Minister of Trinidad and Tobago assured her Jamaican counterpart that the Air Jamaica commitment would be honoured and as well that the name "Air Jamaica", given its brand equity, would also be retained.

The announcement of the Kamla's Children Life Fund—Caribbean Cement Limited and Trinidad Cement Limited, which owns over 70 per cent of CCL. Our Prime Minister announced that they would be making a contribution of J \$50 million for start up of the Kamla Children's Life Fund in Jamaica.

In addition, a concept paper on collaboration in making the services of the Sickle Cell Unit at the Mona Campus of UWI available to the region and beyond is to be prepared by the Jamaican authorities. Both sides in that bilateral meeting committed to fair trading and the encouragement of private sector joint ventures.

The possibility of a Trinidad and Tobago business delegation visiting Jamaica would be pursued. Jamaica has long expressed concern that the price at which natural gas is sold locally affects the competitiveness of their product. Discussions would continue on this matter.

The value of closer collaboration in security, including exchanges between the Attorneys General of T&T and Jamaica, ministers of national security and commissioners of police and model legislation such as anti-gang legislation was agreed to. The hon. Prime Minister and the Minister of Trade and Industry met with a wide cross-section of approximately 100 business executives and entrepreneurs in Fort Lauderdale, including

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the mayor of Fort Lauderdale. Several of these persons who met during that meeting are due to visit our country later this year.

I thank you, Mr. Speaker.

ARRANGEMENT OF BUSINESS

Mr. Speaker: Hon. Members, I understand that two further statements under this item are to be made; however, these statements are not ready at this time. I seek the House's indulgence to return to those statements at a later stage in the proceedings. Do I have the consent of the House?

Agreed to.

ANTI-GANG BILL

Bill to make provision for the suppression of associations established for unlawful purposes and for the better preservation of public safety and order and for other related matters [*The Attorney General*]; read the first time.

BAIL (AMDT.) BILL

Bill to amend the Bail Act, Chap. 4:60 [*The Attorney General*]; read the first time.

MISCELLANEOUS PROVISIONS (REMAND) BILL

Bill to amend the Summary Courts Act, Chap. 4:20 and the Indictable Offences (Preliminary Enquiry) Act, Chap. 12:01 [*The Attorney General*]; read the first time.

SENIOR CITIZENS' GRANT (AMDT.) BILL

Bill to amend the Senior Citizens' Grant Act, Chap. 32:02 [*The Minister of the People and Social Development*]; read the first time.

RELATED MOTIONS

The Minister of National Security (Sen. The Hon. Brig. John Sandy): Mr. Speaker, I beg to move Motion No. 2 on the Supplemental Order Paper which stands in the name of the Leader of the House.

In moving this Motion, I seek leave of the House to debate along with this matter, Motions No. 3, 4, 5 and 6 which are interrelated.

Mr. Speaker: Is this the wish of the House?

Agreed to.

Mr. Speaker: I take this opportunity to advise Members that you can speak at the appropriate time on all four Motions, although they would be placed separately before the House at the appropriate time, for a decision on each of them.

2.15 p.m.

**POLICE SERVICE COMMISSION
(APPOINTMENT OF MR. NIZAM MOHAMMED)**

The Minister of National Security (Sen. The Hon. Brig. John Sandy): Mr. Speaker, I beg to move the following Motion:

Whereas section 122(3) of the Constitution of the Republic of Trinidad and Tobago, Chap. 1:01 ("the Act") provides that the President shall, after consultation with the Prime Minister and Leader of the Opposition nominate persons, who are qualified and experienced in the disciplines of law, finance, sociology or management, to be appointed as members of the Police Service Commission;

And whereas section 122(4) of the Act provides that the President shall issue a Notification in respect of each person nominated for appointment under subsection (3) and the Notification shall be subject to affirmative resolution of the House of Representatives;

And whereas the President has nominated Mr. Nizam Mohammed to be appointed as a member of the Police Service Commission;

And whereas the President has on the 7th day of July, 2010 made a Notification in respect of the nomination;

And whereas it is expedient to approve the Notification:

Be it resolved that the Notification of the nomination of Mr. Nizam Mohammed be approved.

Mr. Speaker, hon. Members, please permit me, first of all, on this my inaugural address in this august Chamber [*Desk thumping*] to offer sincerest congratulations to you on your ascension to the Chair. My colleagues and I remain confident that you will preside over proceedings with the necessary dignity and justice that is synonymous with your appointment. [*Desk thumping*]

Additionally, I wish to embrace this opportunity to convey thanks and appreciation to Members on both sides of this honourable House who have welcomed me with warmth and cordiality. [*Desk thumping*] In particular, I express heartfelt gratitude to our distinguished Prime Minister, hon. Kamla Persad-Bissessar, for the confidence reposed in me by allowing me to serve my beloved country at a higher level. [*Desk thumping*]

As you are aware, I was fortunate to be afforded the opportunity to serve Trinidad and Tobago with immense pride and success in this country's military for 36 years,

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from "Best Recruit" in 1966—[*Desk thumping*]—and culminating as Chief of Defence Staff in 2002. It is my intention, therefore, to continue serving the people of Trinidad and Tobago with unrelenting vigour and humility—[*Desk thumping*]—as most faithful and dedicated soldiers do.

Please allow me as well, to warmly congratulate my dear friend and representative for Diego Martin West, the hon. Dr. Keith Rowley, [*Desk thumping*] not only on his appointment as Leader of the Opposition in this Parliament, but also on his election as Political Leader of the People's National Movement.

Mr. Speaker, hon. Members, before I propose the nominations for membership of the Police Service Commission, I crave your indulgence and that of the Members of this honourable House in allowing me to share with you some of the measures the Government of the People's Partnership will be engaged in the short term aimed at diminishing the incidents of criminal activity in Trinidad and Tobago.

While the Ministry of National Security will quite naturally retain the vanguard thrust in this initiative primarily through the medium of law enforcement, other ministries and state agencies will be engaged to provide a multifaceted approach to this national challenge. The plan recognizes pillar number 3 of the 2010 Manifesto of the People's Partnership labeled: "National and Personal Security: Humanity Security for Peace and Security". It is designed to reduce crime and fear of crime; diminish gang warfare; restrict the use of unlicensed firearms; improve road traffic management; improve customer service delivery; enhance public trust and confidence; engender community patriotism and reintroduce family values and virtues.

These will be achieved through law enforcement; amended legislation in specific areas and pro-societal and community-based applications. Criminal activity has transcended to criminal levels in Trinidad and Tobago with a trend that frequents senseless homicides. In an attempt to circumvent and curtail this avalanche of criminal activity, a number of measures are being taken as follows:

Law enforcement:

- Enhancement of police visibility with an increase in joint police/army road blocks and patrols both foot and mobile;
- More aggressive criminal investigations to secure arrest of perpetrators;
- Increased vigilance and police raids in the known gang areas with more stop-and-search operations;

- Redeployment of law enforcement personnel and assets to deter the frequency of criminal activity;
- Adoption of a zero tolerance policing strategy, especially with regard to traffic and minor offences;
- Increased postings of CCTV cameras throughout the country;
- Recall and employment of former members of the Defence Force and protective services to man stations while allowing the younger policemen to supplement our requirements on the streets and in our neighbourhoods;
- Increased deployment of canine units to detect firearms, in particular;
- Enhanced community policing nationwide;
- Maintenance of a more user friendly and customer friendly atmosphere at police stations with victim support systems in place;
- Expedite disciplinary proceedings against errant officers;
- Increased municipal police and transit police patrols;
- Increased coastal patrols by the Trinidad and Tobago Coast Guard.

In this regard, Cabinet is considering all the possibilities pertinent to the acquisition of the three offshore vessels (OPVs) sourced by the previous administration. Primarily, three ingredients are contributing to the decision-making process. These are the security requirements and its worth to Trinidad and Tobago in the marshaling of our territorial waters; the financial aspect as it relates not only to the cost of the system, inclusive of four helicopters, but also to the maintenance factor and there are, as well, the legal considerations. The citizens of Trinidad and Tobago are invited to rest assured that their Government will make the best decision in the interest of our country.

- Establishment of traffic surveillance bays on the highways governed by CCTV cameras.

And if I may elaborate here, on our highways and byways we see motorists speeding with no specific reason. We are proposing that we place these traffic surveillance bays along the highways which would allow our police vehicles to park and wait for such personnel on the roadway who would want to break our laws. It would afford them the ability to traverse any direction dependent on where the perpetrator is going. It would also allow them to, with radio contact, communicate with

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their fellow policemen on the route along which the perpetrator would be travelling. We would also ensure that only police vehicles use those bays and vehicles of the Defence Force and protective services in cases of emergency and with the CCTV cameras posted thereat, we should be able to determine whether the law is being breached.

- Establishment of an Estate Police Network Commission.

This initiative will engage the services of in excess of 20,000-plus security officers of several recruitable security companies whose eyes and ears would contribute to law enforcement and national security. This will be realized with the establishment of the Estate Police Network Commission which will comprise an executive, including senior personnel of top private security firms in Trinidad and Tobago, chaired by the Deputy Commission, Crime, Trinidad and Tobago Police Service. The commission's mission will be to assist the civil police in the execution of their duties.

This will be achieved primarily through the introduction and utilization of a dedicated communications network that would allow interconnectivity among most of the reputable security companies. The idea is to give security officers on duty at private locations, an exclusive medium to communicate with their respective command centres which, in turn, will possess facilities dedicated to instant connectivity with the nearest police station. Private security officers could report any suspicious activity in their respective area of operations and in so doing, contribute to the security effort.

The private security officers will not be called upon to do much more if during the course of their duties they observe unusual occurrences with the potential for criminal activity, they would be required to utilize the communications network to inform the civil police.

- Legislation:

Mr. Speaker, a number of Bills will be tabled in this Parliament at the earliest opportunity in pursuit to criminal activity in Trinidad and Tobago. Among these are: The Evidence (Amdt.) Bill, 2010, which essentially seeks to extend the use of video recording evidence to encompass all criminal proceedings and to allow admissibility of the video recorded statements of both accused persons and witnesses even where witnesses are absent at the trial.

The Anti-Gang Bill, 2010: It is well recognized that gangs and gang-related activities are a serious scourge on law-abiding citizens and in an effort to reduce violent crimes associated with gang activities, this Bill seeks to criminalize associations created for unlawful or criminal purposes. Offences created under this Bill include: being a

member of a gang; being in possession of a bulletproof vest; firearms or ammunition for use or benefit of a gang; participating or contributing to the activities of a gang; supporting or inviting support for a gang; harbouring or recruiting children in a gang.

The Bail (Amdt.) Bill, 2010: This Bill seeks to amend the Bail Act, Chap. 4:60 (the Act) to confer on a court the jurisdiction to deny bail to a person who is a gang member or for certain offences involving the use of a firearm where the person was either previously charged or convicted for a similar offence. This Government recognizes that issues with bail abound in the courts and all too often, alleged gang members are granted bail only to be released to continue committing similar crimes.

The Bill also provides for the retention of a gang member for up to five days without bail and without being charged.

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The Firearms (Amdt.) Bill, 2010 seeks to amend the Firearms Act, Chap. 16:01, to increase the penalties for certain offences involving a firearm or any prohibited weapon, as defined by the Act, by an average of 50 per cent.

One clause seeks to increase the penalty for using or having in his possession a prohibited weapon appropriate or without licence, or without lawful authority and to make a person who is convicted of such offence for the third time, liable to imprisonment for life. The Bill will also make unlawful, the possession of any firearm or ammunition a strict liability offence.

Mr. Speaker, the Crime and Problem Analysis Unit of the Trinidad and Tobago Police Service reported that in 2007, firearms were used in 303 murders. In 2008, there were 437 murders; 2009, 365 murders and of the 288 murders to date in 2010, firearms were used in 222.

Pro-social initiatives: It is accepted that efforts at rebuilding family life and community patriotism remain critical to the positive transformation of our society. As a consequence, a number of programmes piloted in challenged communities are being pursued.

The Citizens Security Programme, mounted by the Ministry of National Security having identified 22 such communities, has laid the foundation of the community patriotism initiative. This initiative is being designed to build community patriotism with the establishment of community competitions. Too often, we hear of young people in particular being unable to visit certain communities if they are from a

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particular neighborhood. We must, therefore, stop competing with guns and violence and instead compete in the following areas:

- environmental cleanliness and beautification;
- year-round competition for the cleanest and most beautiful neighbourhood would be instituted. Judges will be allowed to inspect at any time, day or night, unknown to residents;
- sports, including cricket, soccer, basketball and athletics in their respective seasons. Each community will provide two teams in categories over 16 years and under 16. All-fours teams will also be representative of each community; and
- culture, calypso, soca chutney and steel band competitions at carnival time, parang at Christmas time, folk singing at prescribed time. Sponsorship will be sought for all communities with sponsors being advertised on shirts, caps, banners, steel pans, et cetera.

We feel that these measures will bring back that sense of community spirit and allow neighborhoods to grow and compete in an atmosphere of cordiality. Partnering in this initiative will be the Ministries of Sport and Youth Affairs, Education, Community Development, Works and Transport and Arts and Multiculturalism, among others. We are, as well, returning to the big brother big sister programmes in schools. Here is where we will take members of the Defence Force and the protective services into schools and target our youngsters, so that the proper role models would be at their doorsteps.

We are also inviting those people from respective communities who would have been success stories, the John Sandies and people like that, to return to those communities and interact with our youngsters, guiding, nurturing and responding to them as role models, unlike what they have at their disposal at present. Mr. Speaker, these are some of the immediate measures that will be augmented by several others that are constituents of a more detailed plan, elements of which will unfold and will be shared with the national community in due course.

This Government remains committed to the restoration of law and order and will continue to pursue measures in and out of this Parliament to realize that objective. One of these measures is the timely proposal of nominees for appointment on the Police Service Commission.

Mr. Speaker, hon. Members, I thank you for providing the opportunity to debate Motions Nos. 2 to 6, which deal collectively with the appointment of Members to the

Police Service Commission. We are here today to deliberate on these presidential nominations, as the three-year tenure of the previous commission ended June 30, 2010. At present, therefore, there is no Police Service Commission in existence and we must act quickly to correct this situation, as such a significant function ought not to be neglected for any inordinate period, especially given the current crime situation.

I wish to remind hon. Members that the purpose of this Motion relates to the appointment of members of the Public Service Commission, not its chairmanship. That responsibility lies with His Excellency the President, who is authorized by the Constitution to, in his own discretion appoint a Chairman of the Public Service Commission from among its members.

Before delving into the details of the appointment, allow me to speak briefly on the existence of service commissions in Trinidad and Tobago. Under the Constitution of the Republic of Trinidad and Tobago, there are four services commissions. These are the Public Service Commission, section 120; the Police Service Commission, section 122; the Teaching Service Commission, section 124; and the Judicial and Legal Service Commission, section 110. The framers of the Constitution, in their wisdom, deemed it necessary to establish such bodies with the sole purpose of maintaining neutrality. The members of the service commissions are all appointed by His Excellency the President, after consultation with the Prime Minister and the Leader of the Opposition, usually for a period of three years. Contracts of members can be extended for a further period.

The membership of these commissions follow a particular structure with very little variation. With respect to the Police Service Commission, the current law regarding the PSC is distinct, in that it is the only service commission whose members are appointment by the President, subject to affirmative resolution of the House of Representatives. We believe it is the responsibility of Government to demonstrate that it is transparent in all its operations and we are therefore in support of this measure of parliamentary scrutiny, which ensures that there is a degree of oversight, with regard to selecting persons who have such an important role to play.

Hon. Members, the Police Service Commission, by its very nature, retains its independence without government's involvement or interference, except in obtaining parliamentary approval of its membership, which is being addressed today. Government also ensures the provision of administrative logistic and technical support through the Public Service Commission secretariat.

Permit me to provide some background to the current proceedings and to put this particular Motion into perspective. In 2006, the police reform package,

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comprising a new Police Service Bill, an amendment to the Constitution and a new Police Service Authority Bill was successfully debated in Parliament and served to create a legislative framework for a fully professional police service. This framework was based on many precepts such as internal accountability, requisite supervision and the promotion of processes that may encourage or facilitate the environment of integrity.

The various enactments assented to in 2006, were all proclaimed with an operative date of January 01, 2007. By the constitutional amendment in 2006, the members of the previous Police Service Commission were allowed six months to deal with transition issues and the first Police Service Commission, under the new legislative regime, assumed office on July 01, 2007.

Mr. Speaker, I would like to take this opportunity to remind hon. Members of the new role of the Police Service Commission. In summary, their responsibilities which are circumscribed in the Constitution, are to:

- (a) appoint persons to hold or act in the office of Commissioner and Deputy Commissioner of Police;
- (b) make appointments on promotions and to confirm appointments;
- (c) remove from office and exercise control over persons holding or acting in the Office of Commissioner of Police and Deputy Commissioner of Police;
- (d) monitor the efficiency and effectiveness of the discharge of the function of the Commissioner of Police and Deputy Commissioner of Police;
- (e) prepare an annual performance appraisal report in such form as may be prescribed by the Police Service Commission, respecting and for the information of the Commissioner or Deputy Commissioner of Police; and
- (f) hear and determine appeals from decisions of the Commissioner of Police or for person to whom powers have been delegated as a result of disciplinary proceedings brought against a police officer appointed by the Commissioner of Police.

From what I have outlined, it is evident that the Police Service Commission is expected to operate as an overarching control and monitoring mechanism which will be accountable to the Parliament.

The functions of the PSC are, therefore, critical insofar as ensuring that the police service is efficiently managed by its top executive, the Commissioner of Police and the Deputy Commissioners of Police.

Mr. Speaker, if I may be allowed, I wish to point out some of the achievements of the PSC since its restructuring:

- (i) The PSC kept the public abreast of developments including, but not confined to its functions, its activities and matters relating to the appointment of the Commissioner of Police, acting appointments and extensions thereto.
- (ii) The PSC played a vital role in formulating and/or revising the selection process order, the qualification and criteria order, as well as the acting appointments, all of which served to guide the selection and appointment of the Commissioner of Police and Deputy Commissioners of Police in addition to guiding acting appointments;
- (iii) the PSC had oversight on two occasions of the selection process to appoint a commissioner and deputy commissioners of police;
- (iv) the PSC created the Police Service Commission Appeals Regulations;
- (v) the PSC engaged in outreach programmes with stakeholders in the stakeholders' forum;
- (vi) the PSC formulated a template for periodical reports that must be submitted by the Commissioner of Police; and
- (vii) the PSC ensured that in the absence of a substantive commissioner of police, the nation's law enforcement needs were adequately met through the provision of continued acting arrangements.

Mr. Speaker, I would therefore like to take this opportunity to thank the members of the previous PSC for their demonstrated commitment and initiative, particularly, since this would have been the first commission to operate under the provisions of the amended legislation. I say thank you, therefore, to the Chairman,

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Mr. Christopher Thomas and members: Mr. Seenath Jairam, Mr. Jewan Singh, Ms. Jacqueline Cheesman and Pastor Clive Dottin.

Mr. Speaker, section 122 of the Constitution mandates that the members of the Police Service Commission be qualified in disciplines of law, finance, sociology or management, before every member is the curriculum vitae for each presidential nominee, and I have no hesitation in supporting these nominations, as we feel confident that the required expertise is resident in this proposed PSC.

As the nominations reflect, Ms. Jacqueline Cheesman is qualified and experienced in the area of management and finance, and has the added experience of being a former member of the PSC; Mr. Martin George is an attorney at law and is qualified and experienced in management; Mr. Addison Khan is an attorney at law and former president of the Industrial Court; Mr. Nizam Mohammed is also an attorney at law and former Speaker of the House of Representatives; and Mr. Kenneth Parker is qualified and experienced in the disciplines of finance and management having been an economic consultant with the Organization of American States.

Mr. Speaker, we support these nominations as they have the requisite qualifications and experience as prescribed by the Constitution that would enable them to perform in the way that the nation expects.

Mr. Speaker, I wish to assure you, this House and the public in Trinidad and Tobago that the Ministry of National Security is committed to maintaining a functional environment for a fully professional police service, and will continue to provide its support to the members of the Police Service Commission in attaining established goals.

The Police Service Commission has a vital, necessary and constitutional role to play in ensuring that the police service is effectively managed. This is our defining moment as policymakers and leaders of our beloved country, to show that we can focus on the real issues; enabling qualified persons to manage the Police Service Commission and, in so doing, contribute to the growth and development of our beloved Trinidad and Tobago.

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

Question proposed.

Dr. Keith Rowley (*Diego Martin West*): Mr. Speaker, thank you. I would like to begin by sincerely congratulating the hon. Minister of National Security on his maiden speech, and to point out to him that those of us on this side, as every other citizen in the country, wish him well in his endeavours as Minister of National

Security, because his success is our success. If he is successful in bringing about the kinds of improvements that he mentioned, we will all live in Trinidad and Tobago a little more peacefully and securely.

However, it is with a little regret that I would have to take issue with his maiden contribution, in that maybe by happenstance, it has fallen that what he has brought to the House does not find complete favour with us today, but he should not take it personal. What should happen is, the next time we have a new person speaking, I would expect that his colleagues on the other side would guide him away from anticipation and from broadening the debate into a full fledged debate on crime.

What we did have this afternoon from the Minister is a presentation which, time permitting, and outside of the realm of our consultation between the Leader of the House and Chief Whip, we could have had a full fledged debate on crime. The elements are there in the Minister's presentation. I would let that pass as part of the development of the maiden contribution, because there will be time in the future for us to discuss those things.

I would like to focus this afternoon on the matter in front of us, which is our requirement as a House, to affirm or provide affirmative action on the President's notification. Mr. Speaker, while not pretending to or attempting to violate any Standing Order to take issue with any action of the President—that in itself could be a violation of the Standing Order—I must, as Leader of the Opposition, indicate that this legislation seems to have the propensity to create confusion. This is the same package of legislation that we dealt with recently, with respect to the appointment of a police commissioner. At that time, we on this side said that we would like the Government to revisit this legislation very quickly and to make some changes.

However, one of the most important things in the package of legislation, the amendment to the Constitution of section 122 has to do with the matter of appointment of a police service commission, and it is the same issue about removing political influence from the police service as it was with respect to the appointment of a commissioner of police. In the case of the appointment of the Commissioner of Police, the problem that generated the legislation and its changes that caused the confusion was that there were those who felt that the Prime Minister should not have the kind of role and the veto with appointing the Commissioner of Police. That was carried on to the commission itself where it was said that the Prime Minister, the Cabinet or the consultation with the President was allowing the Prime Minister to appoint the Police

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Service Commission so, therefore, the Commissioner of Police and the Police Service Commission could have had some flavour of political involvement. That is the reason this legislation was brought to the Parliament and new conditions were created.

What we saw with the Commissioner of Police, in our attempt to effect the legislation, it created even more political involvement and partisanship than might have been expected. In this case, a slightly different nuisance appears.

In my capacity as Leader of the Opposition, I was required to be consulted, and I was consulted. A group of names came to this House—the process ended and a group of names came to this House. Subsequent to those names coming to this House, Members of the Government began to advise the country as to who the commission would be and who the chairman of the commission should be; senior spokesperson for the Government; politicians. That is a fact!

As I am taking part in this debate now, I heard the Minister, I think it was, talk about what is before us arose out of consultation, but he does not know that. He was not part of any consultation, so he does not know that. He is simply saying that because he thinks so. What he does know is that the legislation requires that. Once again, the legislation does not give us the protection and the insulation from political involvement as we thought it would.

The very first thing that this Minister is asking us to do in his maiden speech is to take us back to the Marlborough Conference in 1962. In 1962, when we sought to become independent, in London, there were serious discussions which even threatened the whole idea of independence to Trinidad and Tobago. Arising out of those discussions came the independent commissions, which would satisfy those who were concerned that the activities of these commissions would insulate the agencies from political or undue political involvement. It was those commissions that gave the comfort to those who were opposing independence, because there were those persons who did not want independence for this country, because they were concerned about certain developments, and one of them was political control of the police service. That is part of our history; a fear of political control of the police service and that aspect of our concern is still there.

The Minister himself pointed out this afternoon that the Police Service Commission is the only one of the four commissions he mentioned that has a certain requirement in the legislation, and the other commissions are not required to be brought here for parliamentary involvement. So, there was always a unique recognition of the Police Service Commission. If you go right back to the discussions, the texts and the scripts of the independence discussions, you will see

what was said and how important the control of the police service was in our independence negotiations.

Out of that came an independent commission. The word "independent" is important, because all along we recognize, as a country, that we did not and we still do not want politicians to serve on that independent commission. That is how it has been up until a few days ago, when I saw Members of the Government advising the country that the Government is supporting, advocating or advancing or whatever the Government did, the Government is presenting to the House today a politician as a member of the Police Service Commission.

Notwithstanding the attempt by the Minister to let us believe that the Government has no involvement or any intention or any preference for who is the chairman, he cannot raise the fact that one of his colleagues—I think two of them—were out there championing, not advising, but telling the country who the chairman is; total disregard for the presidential discretion that is written in the law that the chairman is to be appointed on the sole discretion of the President. Notwithstanding the requirement that the commission be seen to be independent, to act independently and to be appointed as an independent body, you have a Member of the Cabinet telling the country this.

3.00 p.m.

The President could go jump in a lake; we know who we want for the chairman—and then a list appears from the Parliament which is quite different to the one on which I was consulted. I put that for the record. [*Interruption*]

But you know what is interesting? Notwithstanding the fact that if the PNM had done this every single Member on the other side would have known exactly what to say; they would have known exactly what issue to raise; they would have known exactly what problems would have been created, if any similar person with a similar political profile was appointed by any PNM Prime Minister. But apparently, this Government believes that because they have a handsome majority, which we do not begrudge, they could do anything in this country. Well the PNM will have none of that! None of it! If we are the only voice in this country, [*Desk thumping*] we will say to you, go down that road and see how far you will get, because I am sure that when the partners in the so-called PP were formed, that those of the COP who promised us new politics, I am sure that it was not their intention that the independent service commission would have been chaired by political elements. [*Interruption*] I am sure that was not it!

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What happened is that they are prepared to sit there and allow this to happen to maintain their crumbs from the table. Insofar as they get crumbs from the table they will allow this to happen and if you are going to support it as part of the partnership—we are not part of any partnership, we have a responsibility and a duty to ensure that the people's interest is protected in Trinidad and Tobago. [Desk thumping]

Mr. Speaker, what I find alarming—[*Interruption*] I would like to find out, in fact—[*Interruption*] Why are you calling people's name and think that this is a joke? You think this is child play, right? This is serious business.

Mr. Roberts: Where is Calder Hart?

Dr. K. Rowley: Mr. Speaker, I want to make it quite clear; I am not here taking issue with Mr. Nizam Mohammed as an individual.

Mr. Mohammed sat in that chair and he did well. He served as Speaker of the House, he is a distinguished lawyer, he is an upstanding citizen, but all of this was known to the people at the Marlborough Conference that there would have been people in Trinidad and Tobago who were good lawyers with good CVs and they all might have had good experience in the chair, but that did not prevent them from saying that the Police Service Commission must be independent and be seen to be independent. So I do not think anybody can tell me about Mr. Mohammed's qualification—the only relevant part of it in this debate is his qualification as a politician. I defy anybody on the other side or those at the back of us to get up and tell me here this afternoon and tell this country that in the true sense of defray of the word that Mr. Nizam Mohammed, over and above being everything else that he is, that he is not a politician.

You know I do not think that is the dispute, because if one looks at the document supplied to the House you will see they are telling you that, so therefore what we are being asked to do today is to change the position that we have adopted over the years that the commission must be independent, to one, if we vote for this today we are saying that independence that we desired from 1962 is no longer relevant and we could now put anybody. Nobody who presented this to the House, none from any level, any office, could say he did not know. Let me tell you what it says: Political activities—and listen to me very carefully if you did not read it—and that means—and these are my words now—of a politician. 1975 founding member of the ULF; 1976—1981, Member of Parliament for Princes Town; 1981—1991, Member of Parliament for Tabaquite; 1979—1986, chairman of the United Labour Front; 1979—1986, Opposition Chief Whip in Parliament; 1986—1991, Speaker of the House of Representatives; 1986—1990, vice-chairman, founder, member of the NAR. This man is a serial politician.

[*Interruption*] He formed political parties, he serves as an antagonistic MP; and for some reason the CV stops at 1990.

Mr. Hypolite: No, 1997—1999, leader of the NAR.

Dr. K. Rowley: Oh yes, thank you colleague. 1997—1999, political leader of the NAR, whatever that was.

Mr. Warner: [*Inaudible*]—but you talk too much.

Dr. K. Rowley: You did not know I had that, right? [*Laughter*] That is why it was put in a separate section. [*Interruption*] That was after you jumped ship.

Mr. Speaker, the more recent of the political parties in the country is the COP. So, Mr. Mohammed has a colourful, not a low-level function but high-level function in the ULF, in the NAR. Leadership level, MP level and then the COP was formed and he was functioning there too. I draw your attention to this document; you see those little dots there [*Shows document*] that is the COP. [*Laughter*] Right, Congress of the People.

This is the anti-Constitution, Manning's 2009 draft. Notice “eh”, not the Constitution draft to whatever you know; there is a flavour to it; it is an anti-Constitution Manning draft, so taking sides in a way that we know which side you stand on. A response by the Congress of the People Constitution Committee published by the Congress of the People—new boys on the block. If you go to the website you will see there is a media briefing that took place on January 16, 2009, on crime, economy and Tobago—they said—and I quote for you one paragraph and the paragraph is this:

“The COP has set up a team to review the latest version of the draft Constitution and make recommendations to the party. The team under the chairmanship of deputy leader, Prakash Ramadhar...”

my friend from St. Augustine who I understand is now the leader. Congratulations.

Mr. Warner: You have “no” friend; your friend is from San Fernando East. [*Laughter*]

Dr. K. Rowley: “Eh”?

Mr. Warner: Your friend is from San Fernando East.

Dr. K. Rowley: No, I am not like you, I “doh” have one friend. I have a lot of friends starting with the forty of you in here.

Mr. Warner: The twelfth man is your friend.

Dr. K. Rowley: You just leave my team alone. You are a mischief maker; troublemaker, right. *[Interruption]*

The team under the chairmanship of deputy leader Prakash Ramadhar includes—*[Interruption]*

Mr. Speaker, listen carefully to the COP team, the party's team to respond to the anti-Manning draft.

Mr. Roberts: It included you?

Dr. K. Rowley: Prakash Ramadhar, Desmond Allum, Vernon De Lima, Clyde Weatherhead, Timothy Hamel-Smith—

Mr. Roberts: Dr. Keith Rowley.

Dr. K. Rowley: Keep quiet, you might learn something. Keep quiet. *[Interruption]* Bhoë Tewarie, Nizam Mohammed, Robert Torrey, Alloy Lequay and somebody called Lequay Rika Ramjit; that is the only name I do not know. *[Interruption]*

That is January 1990. That is the COP team to engage—*[Interruption]*—2009. That was about a year ago, but that was the COP's high powered team of active politicians advancing the COP's position on a matter of reforming the Constitution. So nobody in this Parliament or in this country can tell us that Nizam Mohammed is not an actively engaged politician. If that is so, what are we doing advancing to this Parliament that we should make him head of the Police Service Commission? Because to do that is automatically saying that the Police Service Commission is no longer an independent body because it is now headed by a politician of serious persuasion.

Dr. Moonilal: Thank you very much, Member for Diego Martin West, for giving way. Is the Member for Diego Martin West aware that the former chairman in the name of Mr. Kenneth Lalla was also a Member of Parliament in this House in the '60s and later went on to become chairman of the Police Service Commission?

Dr. K. Rowley: You playing smart with foolishness, you see, and that is the problem *[Interruption]* Mr. Lalla came out of politics for years before he became chairman of anything.

Hon. Member: “Oooh”.

Dr. K. Rowley: Right? What I am saying here is that you are asking us to appoint an active politician to the Police Service Commission. *[Interruption]* You know how they are deceitful? And if you want examples I can give you examples because your behaviour has never—

Hon. Member: Give us?

Dr. K. Rowley: You want examples?

Hon. Member: Yes.

Dr. K. Rowley: Mr. Speaker, he raised Mr. Lalla. Our President Noor Hassanali had run for election a long time ago; he came out of politics, had no political involvement—*[Interruption]* I am sure he maintained a political vote but the bottom line is, one has—

Mrs. Persad-Bissessar: And Justice Lucky?

Dr. K. Rowley: One has to—*[Interruption]* you will have the opportunity. *[Interruption]*

Mr. Speaker, I do not know, maybe the Government can tell you; we are saying here that there is a requirement for the service commission to be independent. That is a requirement of the Constitution.

Hon. Member: Correct, he is correct.

Dr. K. Rowley: So I do not know what requirement there was with Mr. Lalla. He was not an active politician.

My colleagues will have to accept one side or the other; they cannot be talking from both sides of their mouth. Understand? Because they take positions conveniently. There is a High Court judge now who was a Member of Parliament, served in antagonistic politics, left the House, went out and we had assumed that she had come out of politics and advanced her career somewhere else and became a judge and the government accepted it. We accepted it. There was never an issue about it. It was okay. She was not a PNM politician, but later on in this same country the name of another member from the bench was mentioned as somebody who was being considered for the bench and they came to the House and rioted because her husband was deemed to be a friend of the Prime Minister. *[Interruption]* On the basis of her husband being a friend of the Prime Minister she was made persona non grata and her name was raised in this House and attacked mercilessly and that was the end of her career. You understand? So I do not expect them to take any position on principle; it is all convenience.

So you are free to get up in this House and say that what I have said with respect to Mr. Nizam's involvement in politics and his political profile, that he is not to be deemed to be a politician in the true sense of the word, or that you are not advancing a politician to be a member of the commission. Now, I still expect

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that section 6 allows the President to appoint the chairman, but the Government has already been telling us who the chairman is. The Government has the majority to pass it, notwithstanding what we say. Our first line of defence from this was not in this House, it was outside of this House. If it was not here before us today as part of the nomination the Government with the best will in the world, with all the seats in the world could not have a politician in line to be chairman or a member. We are saying, not just any chairman, he should not be on the commission, because to do so is to accept tacitly and otherwise that the commission has at least one person who is a known active politician and can no longer be viewed as independent.

The police service does something which other commissions do not do in a similar way. There are thousands of men under the Police Service Commission. *[Interruption]* One of the actions that the Police Service Commission is required to do on an ongoing basis, which is the most contentious one, is the whole question of promotion of officers, how they advance through the system.

And from the time you put a politician on the Police Service Commission, from here on in the whole question of advancement in the service becomes even more cantankerous, because persons who are advanced on merit or otherwise will now become the subject of debate by others who were not so fortunate, who will begin to muse as to whether or not the advancement of those persons had to do with their political persuasion.

3.15 p.m.

If I know that the Chairman in the Police Service Commission is a big UNC or a big COP, or whatever it is, it will do me well to show them how well I can serve and how well I could be involved in that party because "Heavy D Buck is meh boy". So you may very well find officers behaving in a certain way to please certain people in the commission who have influence over their career. That is not how it is supposed to be and that is the very thing that they spent their time complaining about all these years, numerous acquisitions that the Police Service Commission was favouring PNM people and so on and so on, without any evidence to support it of course. It might have been a thought, it might have been a suspicion, but they advanced it as though it was fact. But the one thing you had was a Police Service Commission against which no finger could be pointed saying that, Mr. X or Miss Y is an active politician in this party or that party. At least you had that comfort. When you go forward now as the Government is attempting to do here—and they will blame the President. I do not know whose blame it is, but I

am saying my fault, your fault, anybody's fault, it is in front of us here now, advanced by the institutions, advanced by the Office of the President and advanced by the Government asking the House to put an active politician as head of the Police Service Commission.

Mr. Roberts: Define active.

Dr. K. Rowley: I do not know if the Minister knows what he is doing, because I do not know if he knows anything about this. This was done elsewhere. He would have read it in the newspapers just like me, because the way they go about making policy on the hoof every time they see a newspaper or a camera, he would have heard that from some other Minister. So when he gets up to move this Motion, he is simply doing his job, carrying it, but he is not going to impress any one of us here that he knows anything about this. This is a matter between the Prime Minister and the President. I do not know which Prime Minister, but it is a matter between one of the Prime Ministers and the President [*Laughter*] and they are asking us to do something which runs against the grain of our independence document. My colleague, the Member for D'Abadie/O'Meara, you better keep quiet because you are just a recent arrival. If you do not understand where this country came from, you cannot take it anywhere—Mr. Speaker, through you. [*Laughter*]

So this matter is a matter which we have serious concerns about because it will have the effect of further demoralizing the police service. I want to repeat that, Mr. Speaker. In the last debate we had on the commissioner of police, we had reason to raise the developments as having the potential to demoralize the police service. This is even worse because there are people in the police service who will believe that their careers will now be influenced by the political persuasion and they could point to the existence in the commission of politicians. That is not going to do us any good. I want to appeal to the Government—
[*Interruption*]

Dr. Khan: Just a point of clarification. Thanks for giving way, Member for Diego Martin West. I am reading the Motion here and it says nothing about Mr. Nizam Mohammed to be appointed as the chairman. Are you assuming that, or is your argument that he is not going to be a member of the PSC?

Dr. K. Rowley: I know you worked very hard. Clearly, you were not listening to what I was saying. I said senior persons of the Government usurping the authority of the Office of the President—section 6 of the relevant Act—have been telling the country who the chairman is going to be, and what I did not say then I

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want to say it now. Mr. Mohammed himself told the country that Members of the Government asked him to be the chairman. So what are you asking me?

Dr. Khan: Just to clarify.

Dr. K. Rowley: Are you clarified now?

Dr. Khan: Very much so.

Dr. K. Rowley: Thank you very much. The point I am making is this, Mr. Speaker. We have a development here which is unsavory, and it is not acceptable. So, therefore, I am asking the Government, notwithstanding the fact that these notifications have come from the President, that in keeping with the requirement to have the commission be independent and be seen to be independent, that the Government does not use its majority and support Mr. Mohammed as a member of this commission. For to do so, is from henceforth to say that we no longer have independent commissions in Trinidad and Tobago. Commissions will be what the Government wants, partisan or otherwise. This as an appointment that should never take place within the confines of our Constitution, where commissions are required to be independent. We are a plural society, one that we have done well to keep together with seams that can open at anytime, and we are not to play fast and loose with our community by taking the kinds of decisions that we are seeming to want to take that can have the effect of allowing citizens to believe that their advancement in the country can either be a progress or impeded because of political, religious or wherever persuasion they may have. That is why those independent commissions were structured and made part of our independence documents, our Constitution. The Act that we are operating under here is an amendment to the Constitution, 2006, to allow this to happen.

So here it is, we want to interfere with the section 122 of the Constitution, and the outcome of that is to strip an independent commission of the independence that existed there in the Constitution. I ask this Government, not to play fast and do so in our Constitution from an operational standpoint. It is not something you could pass the blame to somebody else. Even if somebody else did not do what they were supposed to do and protect us from this, the Government has a responsibility to stay true to the Constitution of this country. The oath of office that we all take in this Parliament says that we will uphold that Constitution and the law. You are required now to give substance to that, uphold the Constitution. Outside of that oath, someone brings to you a politician to chair an independent commission, let me see you uphold the Constitution by saying no; by saying that you will not undermine the Constitution by putting a politician to chair an independent commission.

Mr. Dookeran: I thank the Member for giving way. Member for Diego Martin West are you saying that in your judgment, because Mr. Nizam Mohammed was at one time and perhaps in your view continues to be a politician—all of that is subject to question—that he is not able to impartially discharge his function in Trinidad and Tobago, given his many other attributes in public life in this country including that of being the Speaker of this House, and including many other things which you have refused to admit in your explanation of his curriculum vitae? Are you saying in your judgment that he is not able to discharge his function impartially, which to me is the fundamental issue before us? [*Desk thumping*]

Dr. K. Rowley: I would have thought that if there was any person in this House who would have understood what I was saying, is you because you are in a position to confirm that he is an active politician working for you. Therefore, what you are trying to tell me now is that there is an absolute wastefulness about the requirement for independence of a commission. If you are telling me that you are satisfied that the appointee can separate his politics from whatever decision he has to make in the commission, I can say to you that will go for anybody in the country. That can apply to anybody in the country. Drug dealers have been known to be very generous to people who are hungry, to buy clothes for their children, transport to go to school, and with the same hand they hand them relief, the same trigger pulls a gun and kills their father and says it is business.

So what separation are you talking about? There is a requirement of the Constitution that there may be independent not only in thought, but be seen to be done, and it is precisely because it is not left up to the person's goodwill and good judgment or ability to separate the two hats, that is said that you keep it clear. What guarantee do you have that is going to be so? I have said before, I have no problem with Mr. Nizam Mohammed as an individual, as a man, as a lawyer, as a politician. I have no problem with him at all. I quite admired the man, but I am saying the requirement to have an independent commission automatically means that he should not be serving there. He is disqualified by virtue of being a politician. That is what I am saying. Is that difficult for you to understand? [*Interruption*]

Mr. Dookeran: No.

Dr. K. Rowley: Well, then get up in this debate and tell us that the new politics that you have advocated, the new politics is that we can now appoint prominent politicians to the service commission. I wonder if the Member for San Fernando East would want to chair a commission next week. [*Crosstalk*]

Dr. Moonilal: You support it.

Dr. K. Rowley: I am not asking him. I am not asking you. Why are you so nervous? Are you afraid of that?

Mr. Speaker: Order! Order!

Dr. K. Rowley: You all are too convenient. You know it is wrong because you do not know where it came from. You know it is wrong, but you come here and try to argue it and try to present an argument to make it right. That is high school debate. When I was in high school, a topic is put out, they either put you on a side and whether you agree or not, you are required to argue in favour of the point.

Mr. Warner: You stayed in high school? [*Laughter*]

Dr. K. Rowley: I am glad you did not teach me. If I had gone to Polytechnic, I would have had to teach myself.

Mr. Speaker, nobody on the Government side can convince me they do not know what I am talking about. They are presenting arguments of convenience to be able to undermine the letter and the spirit of the Constitution. I am quite disappointed with my colleague, the Member for Tunapuna, who gets up to give support to this rather than feel affronted by it, given that he offered the country a new way of doing things, to take us in this direction where persons who feel they have influence over stations and locations can get what they want, and the rest of us will have to accept it. This is wrong, it is dangerous, it is the thin end of a wedge, and this country will do well to take note of who is advancing this, and the police service will be no better of once the impression is there that the top management, the commission, is heavily influenced by political considerations.

Mr. Speaker, I appeal to the Government to rethink this and not use its majority to confirm this appointment.

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

The Minister of National Security (Sen. The Hon. Brig. John Sandy): Mr. Speaker, I have listened intently to the Member for Diego Martin West and wish to thank him for his contribution and his arguments.

I see the appointments including Mr. Nizam Mohammed as all professionals, and as someone had indicated earlier, the nominee in question at one time occupied the seat that you, Mr. Speaker, are occupying at present.

3.30 p.m.

At no time during his tenure, did I hear anyone in this honourable House refer to him as being biased or non-professional. It would be an affront to the

gentleman's integrity if we were to assume that having been placed in such a position with expectations of him, he would not conform to what is required of him. I think it is unfair to sit here and cast aspersions on the gentleman's integrity. [*Desk thumping*]

We are a small country and it is very rare to find professionals without some element of political persuasion or preference, but I believe that as a professional once you are placed in a situation with responsibility, as is expected of Mr. Mohammed, I would be disappointed if his sense of integrity did not dominate the seat which he would occupy if approved.

I remember not too very long ago, one of our esteemed Prime Ministers was elevated to the presidency of this country. I do not think that anyone in this room could say that there was any element of bias or preferential treatment demonstrated by that honourable gentleman. [*Crosstalk*]

As I indicated earlier, the gentleman of whom we speak, we see him as a professional. He was involved in politics as other former Members of this House would have been. I feel it is totally unfair to sit here and try to pre-empt what the gentleman would do if he is appointed to this post. [*Desk thumping*]

In the circumstances, and having regard to the fact that most of the persons sitting in this august gathering would agree that the gentleman of whom we speak is of impeccable character.

Mr. Speaker, I wish to reiterate our proposal for the appointment of Mr. Nizam Mohammed.

I beg to move.

Question put.

The House divided: Ayes 24 Noes 10

AYES

Moonilal, Hon. Dr. R.

Persad-Bissessar, Hon. K.

Warner, Hon. J.

Dookeran, Hon. W.

McLeod, Hon. E.

Sharma, Hon. C.

Gopeesingh, Hon. Dr. T.

Peters, Hon. W.
Rambachan, Hon. Dr. S.
Khan, Dr. F.
Cadiz, Hon. S.
Roberts, Hon. A.
Baksh, Hon. N.
Griffith, Hon. Dr. R.
Ramadharsingh, Hon. Dr. G.
Ramadhar, Hon. P.
De Coteau, Hon. C.
Indarsingh, Hon. R.
Baker, Hon. Dr. D.
Partap, Hon. C.
Douglas, Hon. Dr. L.
Ramdial, Miss R.
Seemungal, J.
Khan, Miss N.
NOES
Mc Donald, Miss M.
Rowley, Dr. K.
Cox, Miss D.
Hypolite, Mr. N.
Mc Intosh, Mrs P.
Jeffrey, Mr. F.
Thomas, Ms. J.
Hospedales, Miss A.
Gopee-Scoon, Mrs. P.
Manning, Mr. P.
Question agreed to.

That the Notification of the nomination of Mr. Nizam Mohammed be approved.

**POLICE SERVICE COMMISSION
(APPOINTMENT OF MR. ADDISON MASEFIELD KHAN)**

The Minister of National Security (Sen. The Hon. Brig. John Sandy): Mr. Speaker, I beg to move the following Motion:

Whereas section 122(3) of the Constitution of the Republic of Trinidad and Tobago, Chap. 1:01 ("the Act") provides that the President shall, after consultation with the Prime Minister and Leader of the Opposition nominate persons, who are qualified and experienced in the disciplines of law, finance, sociology or management, to be appointed as members of the Police Service Commission;

And whereas section 122(4) of the Act provides that the President shall issue a Notification in respect of each person nominated for appointment under subsection (3) and the Notification shall be subject to affirmative resolution of the House of Representatives;

And whereas the President has nominated Mr. Addison Masefield Khan to be appointed as a member of the Police Service Commission;

And whereas the President has on the 7th day of July, 2010 made a Notification in respect of the nomination;

And whereas it is expedient to approve the Notification:

Be it resolved that the Notification of the nomination of Mr. Addison Masefield Khan be approved.

I beg to move.

Question proposed.

Question put and agreed to.

That the Notification of the nomination of Mr. Addison Masefield Khan be approved.

**POLICE SERVICE COMMISSION
(APPOINTMENT OF MR. MARTIN ANTHONY GEORGE)**

The Minister of National Security (Sen. The Hon. Brig. John Sandy): Mr. Speaker, I beg to move the following Motion:

Whereas section 122(3) of the Constitution of the Republic of Trinidad and Tobago, Chap. 1:01 ("the Act") provides that the President shall, after

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consultation with the Prime Minister and Leader of the Opposition nominate persons, who are qualified and experienced in the disciplines of law, finance, sociology or management, to be appointed as members of the Police Service Commission;

And whereas section 122(4) of the Act provides that the President shall issue a Notification in respect of each person nominated for appointment under subsection (3) and the Notification shall be subject to affirmative resolution of the House of Representatives;

And whereas the President has nominated Mr. Martin Anthony George to be appointed as a member of the Police Service Commission;

And whereas the President has on the 7th day of July, 2010 made a Notification in respect of the nomination;

And whereas it is expedient to approve the Notification:

That the Notification of the nomination of Mr. Martin Anthony George be approved.

I beg to move.

Question proposed.

Question put and agreed to.

That the Notification of the nomination of Mr. Martin Anthony George be approved.

POLICE SERVICE COMMISSION
(APPOINTMENT OF MS. JACQUELINE CHEESEMAN)

The Minister of National Security (Sen. The Hon. Brig. John Sandy): Mr. Speaker, I beg to move the following Motion:

Whereas section 122(3) of the Constitution of the Republic of Trinidad and Tobago, Chap. 1:01 ("the Act") provides that the President shall, after consultation with the Prime Minister and Leader of the Opposition nominate persons, who are qualified and experienced in the disciplines of law, finance, sociology or management, to be appointed as members of the Police Service Commission;

And whereas section 122(4) of the Act provides that the President shall issue a Notification in respect of each person nominated for appointment under subsection (3) and the Notification shall be subject to affirmative resolution of the House of Representatives;

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And whereas the President has nominated Ms. Jacqueline Cheesman to be appointed as a member of the Police Service Commission;

And whereas the President has on the 7th day of July, 2010 made a Notification in respect of the nomination;

And whereas it is expedient to approve the Notification:

That the Notification of the nomination of Ms. Jacqueline Cheesman be approved.

I beg to move.

Question proposed.

Question put and agreed to.

Be it resolved that the Notification of the nomination of Ms. Jacqueline Cheesman be approved.

**POLICE SERVICE COMMISSION
(APPOINTMENT OF MR. KENNETH M. PARKER)**

The Minister of National Security (Sen. The Hon. Brig. John Sandy): Mr. Speaker, I beg to move the following Motion:

Whereas section 122(3) of the Constitution of the Republic of Trinidad and Tobago, Chap. 1:01 ("the Act") provides that the President shall, after consultation with the Prime Minister and Leader of the Opposition nominate persons, who are qualified and experienced in the disciplines of law, finance, sociology or management, to be appointed as members of the Police Service Commission;

And whereas section 122(4) of the Act provides that the President shall issue a Notification in respect of each person nominated for appointment under subsection (3) and the Notification shall be subject to affirmative resolution of the House of Representatives;

And whereas the President has nominated Mr. Kenneth M. Parker to be appointed as a member of the Police Service Commission;

And whereas the President has on the 7th day of July, 2010 made a Notification in respect of the nomination;

And whereas it is expedient to approve the Notification:

That the Notification of the nomination of Mr. Kenneth M. Parker be approved.

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I beg to move.

Question proposed.

Question put and agreed to.

That the Notification of the nomination of Mr. Kenneth M. Parker be approved.

ARRANGEMENT OF BUSINESS

Mr. Speaker: Hon. Members, I seek your leave at this time to revert to “Statements by Ministers” and I now call on the hon. Minister of the People and Social Development.

Assent indicated.

STATEMENT BY MINISTER

Senior Citizens Act Amendment

The Minister of the People and Social Development (Hon. Dr. Glenn Ramadharsingh): Mr. Speaker, it is with a deep sense of pride that I wish to report to this honourable House that once again the People's Partnership has delivered on another one of our promises. [*Desk thumping*] We promised the reinstatement of the Old Age Pension Act where pension must be an entitlement and not a grant. [*Desk thumping*] We promised to increase the value of the monthly old age pension entitlement to \$3,000 and we laid the Bill today. [*Desk thumping*]

For far too long, living on fixed incomes has been a challenge for many, more so in the life of rising prices in our country. For those who are young and flexible it may be more manageable as they could change jobs, continue their education, reskill and retool themselves; they could adopt and change their dance modes to the musical variance of the economic times, but the elderly person who is a victim of rising costs and saddled with a fixed income, is like a nomad with a leaking tent—things could only get worse.

In the manifesto of the People's Partnership, the second pillar for sustainable development deals with poverty eradication and social justice. It state:

“For an energy rich nation”—poverty—“is totally unacceptable. Social Justice demands that abject poverty be reduced and ultimately eradicated. All our citizens are entitled to a sustainable livelihood and the gap between the haves and the have-nots must be closed.”

This people centred measure will not only lend support in the fight for the eradication of poverty, but it will also help to provide a steady income to those

who have served their country with honour and distinction and who have given so much and was just hoping only to be treated as kindly as they have been to multitudes in the society, just wanting and waiting to travel lightly and easily in the twilight of their lives.

3.45 p.m.

Mr. Speaker, it was, as you know, the labour struggles of the 1930s that caused the issue of pension to become an issue. It was not until July 1939 that the Department of Social Welfare was inaugurated to administer social assistance and the old age pension. Several adjustments have been made over the years. Today marks another significant milestone in the evolution of this Act under the hands of a government brought to power in partnership with labour and a government for the people, by the people and of the people. [*Desk thumping*]

We stated in our manifesto that a government of People's Partnership will be guided by the principle that the highest mission of society is the development of our people. We gave a commitment to protect the rights of the elderly and a fair deal for the elderly. We gave a guarantee to our citizens to a decent life, where they can realize their fullest potential. To this end, among other things and other initiatives, we promised to increase the value of the monthly pension and, today, all of this country knows that this Government has vision; it truly cares and it certainly delivers. Old age pension entitlement will be increased to \$3,000. For all time the record will be that this was one of the first major decisions of the People's Partnership Government, in less than 30 days on the resumption of Parliament. [*Desk thumping*]

In the amendment of the Senior Citizens' Grant Act, Chap. 32:02 to the Senior Citizens' Pension Act, Chap. 32:02, we have removed "Grant" and our older persons are now entitled and guaranteed a monthly pension to which they are entitled. [*Desk thumping*]

I am sure you can trace your mind back to 2007 when the former administration amended the Old Age Pension Act, Chap. 32:02 to give effect to the Senior Citizens' Grant Act. There was mass confusion regarding whether the payment now called a "Grant" could be withdrawn at any time as opposed to a pension which is seen and felt to be an entitlement. Today we legislate to bring comfort, security and serenity to elders. It is the benefit of their participation in a people's resolution and revolution to bring back people into governance post May 24th, 2010.

The People's Partnership is committed to treating our elders as heroes and flag bearers of our great developing nation. We do not wish them to be the poor and

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suffering lot of society, begging at the mercy of a government for a gift that can be taken back at their whim and fancy. Our elders have been exposed to too much abuse and insecurity in Trinidad and Tobago in recent years due to poor management, inadequate services and just pure lack of care and hopeless abandon.

Poverty, according to Gandhi, is the worst form of violence. We in the People's Partnership are optimistic as to the development of our country. From this time and from this place we look beyond the horizon and see a bright future. Today, our older persons are constantly faced with big challenges that dramatically influence almost every aspect of their lives, some for the better and some for the worst. How we respond to these challenges will define the security and prosperity of all the older persons of this great nation. We can either wait for these challenges to consume us and be left behind or we can embrace them and respond now while there is time.

It is said that the best time to fix the roof is when the sun is shining. The truth is, the sun is shining right now on all of Trinidad and Tobago and the Government of the People's Partnership is committed to seizing the opportunity to secure a bright future for all older persons in our land.

As part of the advanced payment structure that has benefits for all, Cabinet has agreed to the introduction of a new payment structure that will ensure that no person will receive an income less than \$3,000 per month, that is, their income and the quantum of the Senior Citizens' Grant will not be less than \$3,000 at the lowest end and up to \$4,000 at the upper limit. This new payment structure has effectively resulted in an increase of the maximum pension allowable to \$3,000 per month with effect from September 1st, 2010. [*Desk thumping*] Translated, this policy decision will ensure that no senior citizen, 65 years and over in this country would be required to exist on an income that is lower than \$3,000 per month.

Poverty in most countries, Trinidad and Tobago included, is measured in terms of income. Sustainable poverty reduction is the subject of great debate. For older persons, old age poverty is best measured in terms of consumption rather than income. The PAHO 1989 study found that most older persons who had a regular income perceived that their basic needs were not being adequately met, given their income. Poverty has a relevant age dimension. People's needs and income potential change over their life cycle, increasing the chances of old age poverty.

Health issues are of great importance when considering older persons' well-being. Ageing is strongly linked to health deterioration, all things being equal.

The health of an older person is expected to be worse than the rest of the population. According to a PAHO 1989 publication, it cited that the most important issues that confront older persons in their daily lives pertained to economic and health matters.

The National Policy (Page 7) further postulates that “the increasing cost of medical care, especially medications and access to health care, including transportation problems also contributed to the deteriorating quality of health experienced by older persons.”

The phenomenon of poverty continues to exist across the landscape. Older persons living among extended and large families continue to bear a great burden. The fact is, the situation of older persons is compromised because their income is shared among all household members. Many older persons sever formal employment arrangements at the age of 60 and are forced to live off the assets they have accumulated during their lifetimes. Income from other sources is usually inadequate and the major social protection strategy of senior citizens is the pension, which usually begins at age 65.

Older persons’ ability to afford safe and secure housing is severely compromised and in the event of assisted living, their income is less likely to pay for homes that provide quality accommodation. In general, older persons’ ability to meet the demands of their ever changing environment is of great concern as they are more likely to be negatively affected given their fixed income. We are guided, on this side, by the principle that the highest mission of society is the development of our people.

Not only did crime and violence affect thousands of lives in Trinidad and Tobago over the last few years, but the policies and programmes pursued affected and created more and more poor and less and less redress from a life of misery and pain. But where there is hope, it is said, it springs eternal.

Today, with this measure, this country continues to move into a new dawn, a new day. Our Government has demonstrated quite clearly an undeniable commitment to ensure that our older persons maintain a decent standard of living. We give our commitment to continue to be vigilant and to scan the landscape so as to ensure that our response to all our senior citizens continue to be relevant and to enhance the chances that they will enjoy the highest quality of life. The Government’s consensus is that the ability to manoeuvre the challenges of the senior years in a degree of personal comfort, without worry and with dignity, is the least that older persons can expect in a modern and vibrant economy.

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Let me at this point indicate that the Ministry of the People and Social Development has already embarked on a comprehensive review of all the policies regarding the senior citizens' pension and I assure you that sweeping changes will be proposed in this honourable House in the shortest possible timeframe so as to ensure that the senior citizens' pension is more responsive to the growing needs and realities of our older persons. It will put smile, after smile, after smile on the faces of the forerunners who toiled to build this great nation, for there is no value or price that can be put to their happiness in the sojourn of their trek in life.

Today we have done it and we shall do it again. For as our leader exhorts: Serve the people; serve the people; serve the people. [*Desk thumping*] It is the call that you failed to answer. It is the mantra we keep.

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

**SESSIONAL SELECT COMMITTEES
(APPOINTMENT OF)**

Mr. Speaker: Hon. Members, may I revert to the matter that I sought your indulgence in earlier, that is under "Announcements" the appointment of Sessional Committees.

Hon. Members, in accordance with Standing Order 71(2), I wish to announce that I have appointed the following sessional select committees for the period 2010/2011:

Standing Orders Committee

Hon. Wade Mark MP	Chairman
Dr. Roodal Moonilal	Member
Mr. Colin Partap	Member
Dr. Delmon Baker	Member
Mr. Jairam Seemungal	Member
Mr. Colm Imbert	Member
Miss Marlene McDonald	Member

House Committee

Dr. Roodal Moonilal	Chairman
Mr. Anil Roberts	Member

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Mrs. Vernella Alleyne-Toppin	Member
Miss Nela Khan	Member
Dr. Keith Rowley	Member
Mr. Nileung Hypolite	Member

Committee of Privileges

Mr. Wade Mark	Chairman
Dr. Roodal Moonilal	Member
Mr. Prakash Ramadhar	Member
Mr. Chandresh Sharma	Member
Mr. Rodger Samuel	Member
Dr. Tim Gopeesingh	Member
Mr. Colm Imbert	Member
Miss Donna Cox	Member
Mrs. Patricia Mc Intosh	Member

Regulations Committee

Mr. Wade Mark	Member
Mr. Rudranath Indarsingh	Member
Mr. Nizam Baksh	Member
Miss Ramona Ramdial	Member
Dr. Amery Browne	Member
Miss Alicia Hospedales	Member

**CPA REGIONAL CONFERENCE
(REMINDER OF)**

Mr. Speaker: Hon. Members, may I take this opportunity to remind all Members of the 35th Regional Conference of the Commonwealth Parliamentary Association. It starts on the 26th of July in Trinidad and Tobago at the Hyatt Regency

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Hotel. It will be preceded by a two-day women's conference here on the 24th and the 25th of July. There will also be a coming together of the youth of the region and they will be holding a youth debate here in the Parliament on the 28th of July. I look forward to the participation and involvement of all Members of the Parliament at this the 35th Regional Conference of the Commonwealth Parliamentary Association.

ADJOURNMENT

The Minister of Housing and the Environment (Hon. Dr. Roodal Moonilal): Mr. Speaker, I beg to move that this House do now adjourn to Friday, July 30, 2010, and on that occasion, may I indicate, it is the intention of the Government to deal with three Bills, namely: the Senior Citizens' Grant (Amdt.) Bill, 2010; to be followed by the Anti-Gang Bill, 2010 and time permitting, the Bail (Amdt.) Bill, 2010.

Thank you very much.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 4.00 p.m.