

HOUSE OF REPRESENTATIVES*Wednesday, November 07, 2012*

The House met at 1.30 p.m.

PRAYERS[MR. SPEAKER *in the Chair*]**LEAVE OF ABSENCE**

Mr. Speaker: Hon. Members, I have received communications from the following Members who are currently out of the country: the hon. Anil Roberts, Member for D'Abadie/O'Meara, has asked to be excused from the sittings of the House during the period October 30, 2012 to November 10, 2012; Mr. Colm Imbert, Member of Parliament for Diego Martin North/East, has asked to be excused from sittings of the House during the period November 05, 2012 to November 09, 2012, and the hon. Stephen Cadiz, Member of Parliament for Chaguanas East, has also asked to be excused from sittings of the House during the period October 30, 2012 to November 13, 2012. The leave which the Members seek is granted.

PAPERS LAID

1. Annual audited financial statements of the National Gas Company of Trinidad and Tobago Limited for the year ended December 31, 2011. [*The Minister of Finance and the Economy (Sen. The Hon. Larry Howai)*]
 2. Annual audited financial statements of the Seafood Industry Company Limited for the financial year ended September 30, 2011. [*Sen. The Hon. L. Howai*]
 3. Annual audited financial statement of the CEPEP Company Limited for the financial year ended September 30, 2011. [*Sen. The Hon. L. Howai*]
 4. Annual audited financial statement of the National Broadcasting Network Limited for the financial year ended December 31, 2011. [*Sen. The Hon. L. Howai*]
- Papers 1 to 4 be referred to the Public Accounts (Enterprises) Committee.*
5. Annual report of First Citizens Asset Management Limited for the year 2011. [*Sen. The Hon. L. Howai*]
 6. Annual report of First Citizens Investment Services Limited for the year 2011. [*Sen. The Hon. L. Howai*]

7. Annual report of First Citizens Brokerage and Advisory Services Limited for the year 2011. [*Sen. The Hon. L. Howai*]
8. Annual report of The National Insurance Board for the year ended June 30, 2011. [*Sen. The Hon. L. Howai*]
9. Annual report of the Police Service Commission for the period January 01, 2011 to December 31, 2011. [*The Deputy Speaker (Mrs. Nela Khan)*]
10. Draft Elections and Boundaries Commission (Local Government and Tobago House of Assembly) (Tobago) (No. 2) Order, 2012. [*The Minister of Local Government (Hon. Dr. Surujrattan Rambachan)*]
11. Annual administrative report of the Diego Martin Regional Corporation for the period October 01, 2009 to September 30, 2010. [*Hon. Dr. S. Rambachan*]

STATEMENT BY MINISTER

Securities Regulatory Framework

(Amendment)

The Minister of Finance and the Economy (Sen. The Hon. Larry Howai):
Mr. Speaker, one of the next items of business will be the laying before this honourable House of the Securities Bill, 2012. I appreciate the opportunity to just make some short remarks; make a short statement, prior to the actual laying of the Bill. It is a significant piece of legislation and it is certainly being laid at a time when securities regulators across the globe are amending and reviewing their securities regulatory framework and looking to establish stronger and more efficient and effective regulation to deal with their capital markets.

Over the past four years, the world has entered into a significant downturn. The financial system of the United States was brought close to collapse, the financial system of Europe was brought close to a position of collapse, and most of the world's economies suffered dramatic slowdowns. These occurred because, by and large, poor regulation resulted in an overstatement of risk and an acceptance of levels of risk that are totally unacceptable which created a situation where a number of financial institutions went into distress. Part of what we are seeking to do here is to ensure that we have a regulatory framework which would ensure that those kinds of meltdowns, those kinds of difficulties which other financial systems found themselves in, would not occur in Trinidad and Tobago.

Mr. Speaker, as you know, we operate under the Securities Industry Act, 1995, and at the time when that legislation was put in place it was a relatively small number of players. Today the number of players have grown quite

considerably, and the size of the market has grown commensurately. Today the size of the market is in the vicinity of \$260 billion. So, this is an important piece of legislation because the size of that market is almost twice the size of the GDP of Trinidad and Tobago on the whole. A major disaster in this particular area can create very significant hazard for the economy as a whole.

Mr. Speaker, you would be aware that the former administration did, in fact, bring a Bill to this honourable House about three years ago. It was passed by this House and it went to the Senate, and actually it was passed in the Senate but then I think we had some difficulty because the term of office of the Government came to an end and, therefore, we had to revisit—[*Interruption*]

Dr. Moonilal: A minor difficulty.

Sen. The Hon. L. Howai:—the whole issue of this legislation. In addition, what happened is that during the course of revisiting the legislation, the International Organization of Securities Commissions internationally indicated to us that there were a few areas where the Bill was deficient. So this required us to go back into the Bill and deal with issues of confidentiality, information sharing, access to bank records and so on. So, as a result of this, the entire process immediately had to be literally redone.

In addition, the process of consultation needed to be undertaken again, because these were very substantial changes, and, in fact, two public consultations were held in Trinidad and one in Tobago. A stakeholder consultation was also held in which all the major players in Trinidad and Tobago were involved who would be affected by this Bill. So, for example, the Securities Dealers Association, the Mutual Funds Association, the Stock Exchange, the Bankers Association, the Institute of Chartered Accountants, all these organizations had an opportunity to take a look at the Bill.

In addition, there was consultation among the regulators; the SEC; the Central Bank; the Solicitor General; the Ministry of National Security and, of course, a consultation with the legal fraternity, the Law Association and so on, as well as all the major trading houses and players were also consulted.

Mr. Speaker, in keeping with the importance of this Bill, the whole process of consultation was extremely wide-ranging and we think that we have come to the place now where we have a document, we have a Bill, which reflects the importance which one should attach to something as important as the

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regulation of a market, the value of which is twice the GDP of Trinidad and Tobago. We are hopeful that coming out of the discussions concerning this Bill, we will be able to implement a framework which will ensure the continuing stability and strength of the financial system of Trinidad and Tobago. It is a very important Bill, Mr. Speaker, and we do propose to ensure that all the required resources are put behind it, to ensure that it is done in the best possible way.

Mr. Speaker, with these very short words, I thank you for allowing me the opportunity to make this statement, and to recognize the historic importance of this particular Bill and the importance which it has for the regulatory system in Trinidad and Tobago. I thank you, Mr. Speaker. [*Desk thumping*]

STATE SUITS LIMITATION BILL, 2012

Bill to repeal and replace the Crown Suits Limitation Ordinance [*The Attorney General*]; read the first time.

REGISTRATION OF TITLES OF LAND (AMDT.) (NO. 2) BILL, 2012

Bill to amend the Registration of Titles to Land Act, 2000 [*The Minister of Legal Affairs*]; read the first time.

LAND ADJUDICATION (AMDT.) (NO. 2) BILL, 2012

Bill to amend the Land Adjudication Act, 2000 [*The Minister of Legal Affairs*]; read the first time.

SECURITIES BILL, 2012

Bill to provide protection to investors from unfair, improper or fraudulent practices; foster fair and efficient securities markets and confidence in the securities industry in Trinidad and Tobago; to reduce systemic risk, to repeal and replace the Securities Industry Act, Chap. 83:02 and for other related matters. [*The Minister of Finance and the Economy*]; read the first time.

RELATED MOTIONS

The Minister of Local Government (Hon. Dr. Surujrattan Rambachan): Mr. Speaker, I beg to move Motion No. 1 standing in my name. In moving this Motion, I seek the leave of the House to debate, along with this matter, Motion No. 3 on the Supplemental Order Paper which relates to the same subject.

1.45 p.m.

Mr. Speaker: Is this the wish of the House? If it is the wish of the House, I will ask the hon. Minister to proceed, and in proceeding you can deal with both Motions simultaneously.

Assent indicated.

ELECTIONS AND BOUNDARIES COMMISSION
(LOCAL GOVERNMENT AND TOBAGO HOUSE OF ASSEMBLY)
(TOBAGO) ORDER

The Minister of Local Government (Hon. Dr. Surujrattan Rambachan):
Thank you, Mr. Speaker. This debate on this Motion is a very important debate for it represents a moment in time when the Government of Trinidad and Tobago, the People's Partnership, once more affirms its commitment to free and fair elections in Trinidad and Tobago; where it confirms its commitment to ensuring that democratic institutions and democratic principles are upheld by this Government. [*Desk thumping*]

Mr. Speaker, people have the right to vote for the government of their choice, and this Government has been known in 2010 to respect the right of people in the sense that when we were elected to office on May 24th, one of the very first acts of the Government, in terms of democracy, was to ensure that the local government elections were held shortly thereafter. One must recall that three local government elections, in fact four local government elections were postponed by the former administration; once in 2006, in 2007, in 2008, and in 2009; in a sense, frustrating the will and the right of people to elect their local government representatives. That was corrected when we in fact held local government elections in July of the very year which we won the general election.

Mr. Speaker, I also wish to take this opportunity to extend Divali greetings; Shubh Divali, to all members of the Hindu community and the national community, because Divali is one of those festivals that is truly recognized as a national festival in every sense of the word.

Mr. Speaker, I beg to move the following Motion standing in my name:

Whereas it is provided by subsection (3) of section 4 of the Elections and Boundaries Commission (Local Government and Tobago House of Assembly) Act...that as soon as may be after the Elections and Boundaries Commission (hereinafter referred to as "the Commission") has submitted a report under paragraph (a) of subsection (1) of section 4 of the Act, the Minister shall lay before the House of Representatives for its approval the draft of an Order by the President for giving effect, whether with or without modifications, to the recommendations contained in the report;

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And whereas the Commission has submitted a report to the Minister in accordance with the provisions of subsection (1) of section 4 of the Act;

And whereas the draft of an Order entitled the “Elections and Boundaries Commission (Local Government and Tobago House of Assembly) (Tobago) Order, 2012” giving effect to the recommendations of the Commission was laid before the House of Representatives on the 4th day of May, 2012:

Be it resolved that the draft of the “Elections and Boundaries Commission (Local Government and Tobago House of Assembly) (Tobago) Order, 2012” be approved.

Mr. Speaker, as leave has been granted to debate the Motion to approve the draft Elections and Boundaries Commission Order, 2012, together with the Motion to approve the draft Elections and Boundaries Commission (No. 2) Order, 2012, I will now proceed with the first Motion, the draft EBC Order, 2012.

Mr. Speaker, the first Motion seeks the approval of the House of Representatives to the draft of an Order of the President in accordance with section 4 of the Elections and Boundaries Commission (Local Government and Tobago House of Assembly) Act, in respect of the Ninth Report of the Elections and Boundaries Commission.

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

And whereas under subsection (1) of section 4 of the Elections and Boundaries Commission (Local Government and Tobago House of Assembly) Act (hereinafter referred to as “the Act”)—the Commission is charged *inter alia* with responsibility for defining and reviewing—“the boundaries of the electoral districts into which an electoral area is, or is to be, divided...

Mr. Speaker, section 4, subsection (1)(2) of the Act states as follows:

“...the Commission shall define and review the boundaries of the electoral districts into which an electoral area is, or is to be, divided and shall submit to the Minister reports either—

- (a) showing the constituencies into which it recommends that an electoral area should be divided in order to give effect to the Rules set out in the Second Schedule; or

- (b) stating that, in the opinion of the Commission, no alteration is required to the existing number of boundaries of electoral districts in order to give effect to the said Rules.”

In accordance, therefore, with paragraph (a) of the said subsection (1) of section 4 of the Act, the Commission on December 22, 2008, submitted to the Minister the Ninth Report in which it recommended that no adjustment is necessary to the boundaries of any of the 12 electoral districts in the electoral area of Tobago.

The Ninth Report was submitted on December 22, 2008, outside of the four-year time frame stipulated for such submission as is required by subsection (2)(c) of section 4 of the Act, which states that: “Reports under subsection (1) shall be submitted by the Commission—

- (c) in the case of a report in reference to Tobago, not less than two nor more than four years from the date of submission of the last report.”

It should be noted, however, that by virtue of the Elections and Boundaries Commission (Local Government and Tobago House of Assembly) validation of the Ninth Report of the Elections and Boundaries Commission Act, No. 8 of 2010, the Ninth Report was deemed to have been validly and effectually submitted within the stipulated time period for submission, thereby paving the way for the laying of the draft Order.

Mr. Speaker, the Second Schedule of the Act prescribes the Rules to be followed by the Commission in its review of the number of boundaries of the electoral districts into which an electoral area is or is to be divided. For Tobago, Rules 1, 2, subsection (2) and (3) of the same schedule provide the following directions:

- (1) The number of electors in each electoral district of a regional electoral area shall, so far as practicable, be the number obtained by the application of rule 2, but the Commission may, in consideration of rule 3 vary such number provided that in no case shall the number of electors in any one electoral district of an electoral area exceed or be less than the number of electors in any other electoral district of that electoral area by more than twenty-five per cent.
- (2) There shall be twelve electoral districts in the electoral area of Tobago.
- (3) In the division of electoral districts in regional electoral areas natural boundaries such as major highways and rivers shall be used wherever possible.”

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Mr. Speaker, the Ninth Report of the Commission, on its review of the electoral boundaries in the electoral area of Tobago was based on an electorate of 41,899 as at June 25, 2008. This represented an increase of 3,757 or approximately 9 per cent over the 2004 electorate of 38,142. On the basis of this increased electorate in 2008 and after applying the relevant rules the Commission concluded that:

- (a) There should be no change in the boundaries of the 12 electoral districts in the electoral area of Tobago.
- (b) The names of the electoral districts now known as Belle Garden/Goodwood and Roxborough/Delaforde, should be changed to Goodwood/Belle Garden West and Belle Garden East/Roxborough/Delaforde respectively, to more accurately reflect the communities they represent.

And the Commission further noted that the electorate in each of the 12 electoral districts fell within the maximum and minimum levels permitted and there were no other changes in the Ninth Report regarding the boundaries of electoral districts in the electoral area of Tobago.

Mr. Speaker, I now turn my attention to the Motion to approve the draft EBC (No. 2) Order, 2012 relative to the Tenth Report. The second Motion seeks the approval of the House of Representatives to the draft of an Order of the President in accordance with the said section 4 of the Elections and Boundaries Commission (Local Government and Tobago House of Assembly) Act, in respect of the Tenth Report of the Elections and Boundaries Commission.

Mr. Speaker, in accordance with paragraph (a) of the said subsection (1) of section 4 of the Act, the Commission on the eighth day of October 2012, submitted to the Minister the Tenth Report in which it recommended that for the purposes of the Tobago House of Assembly elections, no adjustment is necessary to the boundaries of the electoral districts of the electoral area of Tobago.

Mr. Speaker, the Tenth Report of the Commission on its review of the electoral boundaries in the regional electoral area of Tobago was based on an electorate of 46,095 as at August 02, 2012. This represented an increase of 4,196, just about 10 per cent over the June 25, 2008 electorate of 41,899. The basis for the Commission's recommendations in the Tenth Report was based on its analysis of data provided in the table at Appendix A of the Tenth Report.

Mr. Speaker, when you look at the analysis, it reveals that in relation to the electoral area of Tobago:

- (a) The highest electorate is equal to 4,250, and is represented by the electoral district of Black Rock/Whim/Spring Garden.
- (b) The lowest electorate is equal to 3,473, and is represented by the electoral district of Bacolet/Mount St. George;
- (c) The highest electorate is 22.4 per cent above the lowest electorate;
- (d) The lowest electorate is 18.3 per cent below the highest electorate;
- (e) 25 per cent below the highest electorate is 3,187. This figure represents the minimum number for the lowest electorate given the highest electorate of 4,250; and
- (f) 25 per cent above the lowest electorate is 4,341;

and this figure, of course, would be the maximum limit for the highest electorate given the lowest electorate of 3,473.

So, Mr. Speaker, the Commission by its analysis of the revised electorate concluded that the electorate in each of the 12 electoral districts in the electoral area of Tobago, neither exceeds nor is less than the number of electors in any other district of the electoral area by 25 per cent.

Further, the Tenth Report reaffirmed the recommendation made in the Ninth Report regarding the change of the names of two electoral districts from:

- (a) Belle Garden/Goodwood to Goodwood/Belle Garden West and Roxborough/Delaforde to Belle Garden East/Roxborough/Delaforde.

Mr. Speaker, further particulars on the Commission's recommendations, the boundaries of the proposed electoral districts, and the map delineating the 12 electoral districts in the electoral area of Tobago, could be found and are contained in the appendices to the draft Order No. 2.

Mr. Speaker, the Commission has recorded, approximately, a 10 per cent increase in the electorate of Tobago of 4,196, and this is up from 41,899 as at June 25, 2008 to 46,095 as at August 02, 2012. Further, this increase suggests that there would be a commensurate rise in the demand for the provision of public goods and services such as: education; health; utilities; food; physical infrastructure; and recreational facilities, to name a few. But, Mr. Speaker, when you have a rise in population and a rise in expectations, it will in turn call for visionary leadership; it will call for the judicious management of financial and other resources; it will call for an increased responsiveness to the needs and

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demands of the populace; and, of course, it will call for more effective and purposeful representation.

Mr. Sharma: Excellent points.

Hon. Dr. S. Rambachan: We have witnessed in Tobago the rather slow, or one might say slow pace of delivery of public projects by the current THA administration. A pace of delivery that is not only slow but has been shown to be accompanied by massive cost overruns and, ultimately, very severe delays in the delivery of those services, and in some cases non-delivery to the people of Tobago, much of course to their detriment. And this pace of delivery, Mr. Speaker, comes in light of the fact that the People's Partnership Government has kept to the law in terms of meeting its commitments to Tobago by financial contributions that it has to make to Tobago. It has never deviated.

2.00: p.m.

In fact, Mr. Speaker, this Government of Mrs. Kamla Persad-Bissessar as Prime Minister, has held more Cabinet meetings in Tobago over the last two and a half years than any other Government in the history of Trinidad and Tobago. [*Desk thumping*] This Government has been reaching out in a very substantial way to the people of Tobago, announcing many projects that will help in developing the educational needs and the potential of the people of Tobago as well as with dealing with their other social and community needs.

Mr. Speaker, every time the hon. Prime Minister and the Cabinet visited Tobago something new has been added to the range of services that has to be made available to Tobago, especially in the field of education which we believe is the passport to the future, because you cannot have a future if you do not develop the potential of your people to compete in a global environment.

Mr. Speaker, given this Government's thrust towards the devolution of greater powers to the THA in the form of internal self-government for Tobago, a new enlightened leadership with a strategic vision for the holistic and balanced development of Tobago is required. Mr. Speaker, Trinidad and Tobago understands its obligations to Tobago, and this is why so much emphasis is being paid by this Government in terms of the development of the tourism potential in Tobago, including the investment in the Magdalena Hotel which was recently rehabilitated and which is now a major attraction for tourism. This is why this Government is appointing ambassadors who will be able to work in Europe, in Toronto, and New York and so on, in order to attract tourists to Tobago.

Mrs. Gopee-Scoon: Not Therese.

Hon. Dr. S. Rambachan: Mr. Speaker, this Government as I said, and I wish to repeat, understands its obligations, understands its responsibilities to the people of Tobago and will do all in its power to fulfil that in their interest and to their satisfaction. [*Desk thumping*] We believe that there must be equal development of both Trinidad and Tobago. The sustainable development of Tobago must match that of Trinidad, while maintaining its alignment with the development profile, focus, imperatives and aspirations of Tobagonians all within the unitary constitutional framework of Trinidad and Tobago.

Mr. Speaker, subsection (3) of section 4 of the Elections and Boundaries Commission (Local Government and Tobago House of Assembly) Act provides that:

“...As soon as may be after the Elections and Boundaries Commission...has submitted a report under paragraph (a) of subsection (1) of section 4 of the Act, the Minister shall lay before the House of Representatives for its approval the draft of an Order by the President for giving effect, whether with or without modifications, to the recommendations contained in the report;”

Mr. Speaker, the Ninth Report was laid in Parliament on the fourth day of May, 2012, but was not dealt with due to Government’s heavy legislative agenda. A review of the Tenth Report would show that it did not vary any of the boundaries in the electoral districts in the electoral area of Tobago, nor did it make any changes to the recommendation previously made in the Ninth Report. In fact, the Tenth Report other than recording an increase in the electorate, in the electoral area of Tobago of 4,196, included no additional changes to the recommendations made in the Ninth Report.

Mr. Speaker, the Tenth Report of the EBC on the boundaries of the electoral districts in the electoral area of Tobago that was dated October 8, 2012, is now before the honourable House and is submitted for approval without modification. In this regard, the Government seeks the agreement of the Members of this honourable House to approve the draft Order entitled:

The Elections and Boundaries Commission and (Local Government and Tobago House of Assembly) (Tobago) Order, 2012, and the Elections and Boundaries Commission (Local Government and Tobago House of Assembly) (Tobago) (No. 2) Order, 2012.

Mr. Speaker, I beg to move.

Question proposed.

Mr. Speaker: Members who are joining the debate at this stage can deal with both Motions, 1 and 3, respectively.

Dr. Keith Rowley (*Diego Martin West*): Thank you very much, Mr. Speaker. I rise to make just a brief intervention on this fairly straight forward matter. I will not, Mr. Speaker, do much more than to acknowledge the initial one-third of my colleague's presentation which was quite useful, but the rest of it I will leave for the appropriate place and the appropriate time.

Mr. Speaker, at the time when there is a view that many of our institutions in the country are under stress of one kind or another, this Order before us, representing the work of the Elections and Boundaries Commission, should give us some comfort that we can do some things well.

At least one of our institutions appears to be functioning effectively and as intended, because what is in front of us, Mr. Speaker, is the work of the Elections and Boundaries Commission as required by the law to present to this House within the prescribed time, as described by the hon. Minister a moment ago, that not less than two years and not more than four years the Commission is required to present to the Parliament the status of the electorate in Tobago with respect to its numerical strength and the division into various electoral districts. The Commission has done that, Mr. Speaker, and what the Minister was saying to the population was that there are two reports in front of us, and basically the two reports are the same. We did not deal with the earlier one, and by the effluxion of time the second report was due, it came, and that report made no change to the first report.

So, even though we are being asked to debate two reports, substance-wise, the two reports are the same. That means the Commission is saying to us that nothing has happened within the context of the numbers in Tobago to warrant any change in boundaries or strength of electoral districts. Mr. Speaker, we have no basis to take any issue with what the Commission has put before this House and as you know the House has the authority to make adjustments if we see it fit. Having examined this report and having monitored the Commission's work in Tobago, I can tell you that we are satisfied that the commission is aware of what it has to do and has been doing so in the face of what is required.

In one instance we did point out to the Commission that there was a shortage of personnel required to ensure that the registrations are checked and the Commission did duly respond by committing to make the appropriate additional staffing available in Tobago. There are a couple of issues which will go with this report and those issues are quite reasonable.

As you know, Mr. Speaker, the Tobago House of Assembly is the executive body in Tobago, elected by the operations of this report and there is a point of view, which is up for a lot of discussion as the discussions continue, that if Tobagonians are going to be the ones who will be responsible for the executive body in Tobago elected by Tobagonians, then the question of three months being the residency requirement is something that should be reviewed. That is for another time and maybe in this place, but since the current arrangements are in place for the three-month arrangements, it is important that the Commission ensures that persons who are coming onto the list as new voters are in fact bona fide Tobagonians who are qualified, and the Commission has been doing that to the best of my knowledge.

Mr. Speaker, there is one point that probably needs to be addressed, maybe at another time, but I will raise it now so that the Commission, when it does another report sometime later, I do not know how much further away—we may want at some time, in the not too distant future, to change the number of electoral districts in Tobago from 12 to an odd number, because, you know, Mr. Speaker, we used to have 36 seats in this House, and we did end up with a tie and it did cause a lot of unnecessary aggravation. The same thing is possible in Tobago having 12 seats, not this time of course, but maybe some time down the road there might be a tie and 6-6 will put us in the same situation that we were in with the 18-18. So it might be that sometime in the not too distant future the Commission may want to consider 13 seats in Tobago so as to ensure that there is always a clear winner and that a tie is not the outcome of any election.

The fact that we are accepting from our Elections and Boundaries Commission reports of this nature, without contention and without any agitation, tells us that we are in a much better place than many people who—sometimes you hear an election is due and the biggest issue is whether or not the Commission is fair, whether the Commission is efficient, whether the list is good, and all of that. On this occasion we have none of those issues. So, it is a pretty straightforward matter. We heard the little *en passant* from my colleague from Tabaquite, about the performance of the THA and all that. That is what the election campaign is about, and we are, we are ready, willing and able to engage all—[*Desk thumping*] and because there is no issue here other than to subscribe to what the law requires us to do, which is why we are gathered here, and having looked at the work that the Commission has done and having no issue with the Commission's work, Mr. Speaker, I do not want to prolong this into any other debate and I look forward with great gusto to the election campaign in Tobago, and I welcome you to the celebration—[*Interruption and desk thumping*]

The Minister of Tobago Development (Hon. Dr. Delmon Baker): I thank you, Mr. Speaker, for allowing me to contribute, briefly of course, on the debate of the Motion entitled: The draft Elections and Boundaries Commission (Local Government and Tobago House of Assembly) (Tobago) (No. 2) Order, 2012.

The Motion, though its title appears very simple—and indeed it is a simple Motion which would not require too much effort for Members of this honourable House to be engaged in at this point in time. However, because of the current circumstances in which the Tobago House of Assembly, and of course both sides of this House find themselves, we indeed would have to raise a few issues in which we of course—one must look at the efforts and the work of the Commission, and as I am standing we must congratulate the work.

I agree in most part with the Member of Diego Martin West that the commission overtime has demonstrated a keen capacity to manage the affairs under its remit and I must say of the Chairman—I have not seen him recently engaged in any photograph publicizing or watching any politicians, so therefore he is therefore doing his duty.

In addition to that, as we commend the hard work of those members we must recognize that in supporting the Motion we give effect to a very important section of the Constitution, section 71, which gives the EBC the authority to delineate the electoral districts in Tobago and therefore gives individuals in each specific area the right to choose their representatives in the Tobago House of Assembly.

2.15: p.m.

That is an important right for which many Tobagonians have fought. In fact, the island has a history of changing hands even before this nation was formed, and it is a right that Tobagonians guard as sacrosanct. It is one which this Partnership Government seeks to move a little further beyond what we now see as a Tobago House of Assembly Act to an enshrined Tobago House of Assembly Bill, giving greater autonomy to the island. That was the commitment of the People's Partnership when we got into office. It continues to be the commitment of the Partnership as we are in Government and we are governing, and under the leadership of the hon. Member for Siparia, it will be done. [*Desk thumping*]

Mr. Speaker, I have been asked, as a representative, to raise a few issues, not attacking the Commission—the Commission itself, we must say, is an independent body and, therefore, in that environment it uses—[*Static from phone*] My phone is a bit too close—it uses its best wisdom in determining the boundaries for the electoral districts or the electoral area called Tobago.

In my respectful view, Mr. Speaker—and I mentioned this in the course of the last debate—we were hoping that there would have been some mechanism by which the recommendations of the Commission can enter into, as a discussion paper, at least for the members of the Assembly, because they are the ones who will be operating under the system which we, as Parliamentarians, are either validating or approving through these measures today. So it may be fitting to give them the opportunity to discuss those issues, because the body to which these decisions go—the body that would be affected by them—should be given an opportunity to deal with the issues—and the attendant issues—that would relate or would come out of those decisions.

In addition to that, Mr. Speaker, because the first principle of a democracy is to give the individual units, whether they be people or organizations or a body, the ability to treat with the issues related to their own governance—that is the fundamental issues related to democracy—it may be very fitting over time as Tobago gains legislative autonomy that the discussion on the report for that area should be moved from this honourable House to that new law-making body.

In addition, Mr. Speaker, as I have continued in my admiration of the Prime Minister, the EBC, in defining the rules for the next contest, should give the Assembly a bit more time. I think 12 weeks before an election may be a bit close in relation to giving the contestants, the parties, the individuals who seek to hold office in Tobago, a chance to be vetted properly by a community. If you do not allow for enough time for a community to pick and vet its eventual candidate or assemblyman, you may not be able to get the best representation going forward for the next four years. Maybe that is what happened over the last 12 years. Because the reports were so close, not enough time was given to vet the current assemblymen and we ended up with what we did.

Tobago will soon get a chance to make a decision that will change, I think, in my respectful view, the entire slate of candidates there. In fact, Mr. Speaker, I do not think we will have a situation where there will be a tie. We are looking for a 12-nothing Assembly [*Desk thumping*] in favour of the Tobago Organization of the People this time round. A very strong signal will be sent this time around.

A few more things. In order to give effect to the policy, the Partnership did, in fact, take the time to put in the manifesto—which then became Government policy—specific statements indicating the intent of the Government, and I just want to state those again for the record.

“In order to give effect to this policy the People’s Partnership government will...

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[HON. DR. D. BAKER]

- Review the matters listed”—in the legislation.
- “Bring to Parliament a Bill to amend Section 75(1) of the Constitution so as to give the THA Executive and Legislative authority...”

You see, in defining the boundaries, as the EBC is doing, this Parliament also has the responsibility of defining the boundaries in relation to the Tobago House of Assembly to the Parliament of Trinidad and Tobago. I heard some unfortunate statements from the other side indicating that they may not be prepared to support the Partnership Government in any serious constitutional matter. What that would mean for Tobago, as we are the closest we have ever been to getting full constitutional reform for this island—greater autonomy for Tobago—we would require, in addition to the number of seats which the Government currently has to get the requisite majority to enshrine autonomy for Tobago, two additional seats from the members of the opposite side.

If they state and they keep to that statement that they have made in the public domain that they are not prepared to support this Government in moving Tobago forward, it would mean by their actions, they would have left Tobago in the same position as we would have met it when we came into office. That would be sad, indeed, Mr. Speaker, and I am hoping and I am pleading on behalf of my constituents from Tobago West—and I dare say from Tobago East—that we are appealing to the Leader of the Opposition who happens to be a man who calls himself a born and bred Tobagonian, to reconsider that position of his party and to move with the people of Tobago who are asking for change—[*Desk thumping*]—who are begging for change at this point in time, and soon, if they do not hear our pleas, they will feel the brunt of the people of Tobago as we go to the polls when it is called.

We are prepared, as a people, for the change and we will let no politician stand in the way of that. That is what I am hearing from my constituents and they have asked me to bring that to you in this House and to those who will listen to the people. Member for Siparia, we are fully behind you in Tobago, as we make progress on that Bill. [*Desk thumping*]

Mr. Speaker, the electoral districts—and I made these statements as Minister of Tobago Development—we wish them to become administrative foci for economic development for the people of Tobago. One fly over the island would indicate that at night you see most of the lights on the western end, and northeast Tobago and most of the east have very large areas of darkness. There is not

enough economic activity going on in Tobago because we have not been able to correctly match the village councils with the electoral districts, with the governance centre of Tobago and, unfortunately, the administration in the Assembly now has not been spreading across the island sufficient of the developmental wealth.

In fact, as we have noted over the last couple of months, much of the wealth from Tobago is not even staying on the island. Much of it is going to friends and family and party hacks and party supporters. That we must change.

Mr. Sharma: It is Divali. There will be light.

Hon. Dr. D. Baker: There will be light all throughout because of the spirit of Divali through Tobago too. [*Desk thumping*]

Mr. Speaker, of course we will deal with more of those issues as we go on the hustings. We are prepared; we are strong; we are ready, and even with some of those changes that we have suggested, we are prepared to support the Commission and its report in these matters, and I am looking for the day when the lights will go on throughout all of Tobago. The wind of change is blowing; the district and the contest are defined; the Partnership is strong and ready and we will see a clean, washed and bright Assembly come the end of January 2013.

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

The Minister of State in the Ministry of the People and Social Development (Hon. Vernella Alleyne-Toppin): Mr. Speaker, it gives me great pleasure to address this honourable House today. I want to say, first off, Shubh Divali to our Trinidad and Tobago community and I want to make that as broad and as wide as it could be. [*Desk thumping*]

I think, first off, we will create that 13th seat and we will invite the Member for Diego Martin West to contest that seat, and we will call that 13th boundary area, Landate. I think that is what we are going to do next.

Mr. Speaker, the Tobago House of Assembly elections are due and we are all ready and raring to go. We have found that there has been much gerrymandering in the past. The boundaries have been changed and now we see the boundaries have settled down. We just find that some names have been changed and different areas have been given different designations.

Notwithstanding, we are going to wipe Tobago clean. We are going to paint Tobago yellow. [*Desk thumping*] Mr. Speaker, even as I talk about a few of the things that concern the Tobagonians, I want to give you an idea of what has been happening in Tobago over the period of time that we have undergone the horror of 12 years of PNM rule in Tobago. Twelve years! I want to quote from a few bits of newspaper clippings, from the Uff Commission and some other notes.

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Mr. Speaker, we in Tobago love our country, but we have identified that the PNM has underdeveloped Tobago and has underdeveloped Trinidad and Tobago to the point that especially—[*Interruption*]

Miss Mc Donald: Mr. Speaker, 36(1); irrelevance.

Mr. Speaker: Hon. Member, I think the resolution is very clear on what we have before us. Unless you can link those points I will have to sustain the point of irrelevance. So kindly link your points. This is not an open debate on Tobago. There will come a time when there will be such a debate. This is a matter where we are seeking to approve the Elections and Boundaries Commission Report, Draft Order. So just tie it up.

Hon. V. Alleyne-Toppin: Thank you, Mr. Speaker. I am sticking with the boundaries, Mr. Speaker, on your insistence. The boundaries are—the Tobago House of Assembly—the Elections and Boundaries Commission had sliced up Tobago into some areas where you have bits of housing estates deliberately put down, coming into areas that were not traditionally Opposition areas. The boundaries have been gerrymandered, as I said, to ensure that certain people benefit.

Dr. Browne: By the EBC?

Hon. V. Alleyne-Toppin: Not by the EBC. The boundaries have been gerrymandered in order to have that happen. Mr. Speaker, what has happened is that we had a former Minister of Housing who set out to put houses in particular areas to influence the boundaries; to put certain houses in certain polling divisions; to put housing projects in agricultural areas, as the Minister of Housing and as the Minister of Planning and as the Minister responsible for where houses were built.

Hon. Member: “How he get that approval?”

Hon. V. Alleyne-Toppin: So no approvals that we know of had been for those things. Mr. Speaker, we endured that and today we have overcome that, and we are ready, with the boundaries that have been given now, to go straight into this election and come out victorious.

Mr. Speaker, when I acted as Prime Minister, I was privileged to bring this Bill to the Parliament. [*Desk thumping*] I discovered some things during that period. I spent a few days in Tobago and then came over to Trinidad. When I was about to come to Trinidad, you know the security forces told me I have to come over to Trinidad. I said, “Okay. The ferry leaves at 6.30 in the morning.”

They said, “You cannot go in the ferry. We have the air guard jet.” And I came over. I noticed that when I flew over Trinidad and part of Tobago I found that Trinidad and Tobago looked so beautiful from the air, and we all know that. It looks as if there is a garden there in your way. Then, I sat on that side and then I am sitting now on this side and I am talking about the boundaries—[*Interruption*]

2.30 p.m.

Miss Mc Donald: Mr. Speaker, I am having problems here—36(1). This thing is coming out of the realm—36(1), irrelevance. Thank you.

Mr. Speaker: Member, I would plead with you again. I think everyone who has spoken so far has been able to make the connection. This is not a debate that is as wide as you would like it or I would like it. It is confined to an Order. So please connect and make your contribution relevant to the Order and not go and expand this debate. That is not permitted. Hon. Member, be guided please.

Hon. V. Alleyne-Toppin: Thank you, Mr. Speaker. We on this side, we want to support the elections and boundaries designation of the delineations for the Tobago House of Assembly elections. We want to support that now because we think that these boundaries are in keeping with the population demographics, in keeping with the numbers that need to be achieved in order for maximum and minimum as far as the Elections and Boundaries Commission is concerned. So even as we agree and we are ready to move on that, we are ensuring that we in Tobago are safe and our democracy is safe and well.

Mr. Speaker, Tobago is a very small community. We have 300,000 Tobagonians living in Trinidad and we have only 55,000 Tobagonians living in Tobago. In Tobago very small numbers determine who wins and who loses. The boundaries are therefore very critical, very critical to whatever happens at the end. We are also moving into constitutional reform and these boundaries will also become very critical.

We on this side are supporting this Bill and we know that when we come to the point where we have to contest, the contest will be well fought and won.

Mr. Speaker, these polling divisions are: Roxborough/DelaFord, now becomes Belle Garden East/Roxborough/DelaFord. This does not change the number of people, it does not change the boundary lines, it changes just the nomenclature, just the name of the district. The Goodwood/Belle Garden West nomenclature just changes the name, and that again is very important to the demographics in Tobago.

Mr. Speaker, whatever happens when we move into the next election, we know that we have a democracy that is well and strong and at work, a democracy

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that is going to benefit all of us in that all of the Elections and Boundaries Commission's workings are relevant and beneficial to all of us. Trinidad and Tobago is well served by the Elections and Boundaries Commission. Mr. Speaker, I thank you.

The Minister of Local Government (Hon. Dr. Surujrattan Rambachan): Thank you, Mr. Speaker. Let me thank those who have contributed to this short debate and at the same time, thank the Elections and Boundaries Commission for their professionalism and excellence with which they have gone about their duties. Mr. Speaker, with those words, I beg to move.

Question put and agreed to.

Resolved: That the draft of the "Elections and Boundaries Commission (Local Government and Tobago House of Assembly) (Tobago) Order, 2012" be approved.

ELECTIONS AND BOUNDARIES COMMISSION

(LOCAL GOVERNMENT AND TOBAGO HOUSE OF ASSEMBLY) (TOBAGO) (NO. 2) ORDER, 2012

The Minister of Local Government (Hon. Dr. Surujrattan Rambachan): Mr. Speaker, I beg to move the following Motion in my name:

Whereas it is provided by subsection (3) of section 4 of the Elections and Boundaries Commission (Local Government and Tobago House of Assembly) Act (hereinafter referred to as "the Act"), that as soon as may be after the Elections and Boundaries Commission (hereinafter referred to as "the Commission") has submitted a report under paragraph (a) of subsection (1) of section 4 of the Act, the Minister shall lay before the House of Representatives for its approval the draft of an Order by the President for giving effect, whether with or without modifications, to the recommendations contained in the report;

And whereas the Commission has submitted a report to the Minister in accordance with the provisions of subsection (1) of section 4 of the Act;

And whereas the draft of an Order entitled the "Elections and Boundaries Commission (Local Government and Tobago House of Assembly) (Tobago) (No. 2) Order, 2012" giving effect to the recommendations of the Commission was laid before the House of Representatives on the 7th day of November, 2012:

Be it resolved that the draft of the “Elections and Boundaries Commission (Local Government and Tobago House of Assembly) (Tobago) (No. 2) Order, 2012” be approved.

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

Question proposed.

Question put and agreed to.

Resolved: That the draft of the “Elections and Boundaries Commission, Local Government and Tobago House of Assembly (Tobago) (No. 2) 2012” be approved.

ADJOURNMENT

The Minister of Housing, Land and Marine Affairs (Hon. Dr. Roodal Moonilal): Mr. Speaker, I beg to move that this House do now adjourn to Friday, November 16, 2012 at 1.30 p.m. On that day it is the intention of the Government to debate two matters: Bill No. 1. on the Order Paper, the State Suits Limitation Bill, 2012 and the Securities Bill, 2012—both Bills on that day.

Mr. Speaker: Hon. Members, before putting the question on the Motion for the adjournment, I have granted approval for three matters to be raised by the Leader of the Opposition.

Hon. Dr. R. Moonilal: Mr. Speaker, by an agreement with the Leader of the Opposition, we ask that these matters be deferred until the next sitting of the Parliament—[*Interruption*]

Miss Mc Donald: And if he is not here in the Parliament?

Hon. Dr. R. Moonilal: In the event that the Leader of the Opposition is not available on that day, for the next day that he would be available.

Mrs. Persad-Bissessar SC: “Like he planning to go somewhere.”

Mr. Speaker: Hon.: Members, before putting the Motion for the adjournment of this honourable House, all of us would be aware that Divali is being celebrated in the Republic of Trinidad and Tobago on November 13. That takes us to next Tuesday. This auspicious occasion is one that we have grown accustomed to in this nation. I think it is only appropriate at this time that I call on the hon. Member of Parliament for Fyzabad and Minister of Transport to bring greetings on the occasion of Divali 2012.

Greetings (Divali)

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**Greetings
(Divali)**

The Minister of Transport (Hon. Chandresh Sharma): Mr. Speaker, I rise to extend warm greetings on behalf of the Government of Trinidad and Tobago and to the national community, particularly our Hindu brothers and sisters, on this auspicious occasion of Deepavali.

The national observance of Deepavali, the festival of lights, is once again indicative of our diverse cultural traditions which make our beautiful twin-island Republic of Trinidad and Tobago—it makes all of us very proud to note the high regard which we hold and demonstrate for each other's beliefs and customs.

Our small twin-island Republic of Trinidad and Tobago with 1.3 million persons continues to be a wonderful example of harmony and unity in diversity, a valuable lesson which so many countries across the world are yet to learn and appreciate. Each year in communities throughout Trinidad and Tobago without distinction of religion, our citizens come together to witness Ramleela performances or the lighting of thousands of deyas as the Hindu community pays homage to Mother Lakshmi, honouring this goddess who brings good fortune and prosperity to those of pure mind and heart.

Yes, we have our differences of opinions and yes, we have challenges to overcome, but we have always been a people to unite in tolerance, respect and love, to honour, appreciate and celebrate each other's beliefs and traditions. I am proud that once again in this 50th anniversary of our independence, we stand strong as a nation in our commitment to religious freedom and diversity. Each parliamentarian here has in his or her heart the best for Trinidad and Tobago. [*Desk thumping*] It is in this vein that we sit here every week and conduct a respectful debate on the issues affecting Trinidad and Tobago. We may have differing opinions on how we reach the same goal but we do have one goal, a better Trinidad and Tobago for all of us for the next 50 years and the commitment of this Government to all the people of Trinidad and Tobago. [*Desk thumping*]

At this time I ask that we hold deeply in our minds and hearts the divine message of Deepavali, which compels us to dedicate our lives to truth, beauty and goodness. Just as the deyas light up the dark Divali night, let us through our collective efforts, light up Trinidad and Tobago with love, peace and prosperity. May God continue to bless us all and our great nation of Trinidad and Tobago. Shubh Divali. Mr. Speaker, I thank you.

Mr. Speaker: Anybody for the Opposition? Hon. Leader? The hon. Leader of the Opposition.

Dr. Keith Rowley (*Diego Martin West*): Thank you, Mr. Speaker. If you observed any reluctance on my part to accept your invitation, it is because I wanted to be particularly careful that I did not cause any Member of this House to fly out the door. [*Laughter and Desk thumping*] However, this is Trinidad and Tobago and this is the season of Divali.

We are a very fortunate people, in that, we have amongst us some of the best of what the world has to offer. Given our history, we have in Trinidad and Tobago, a lot of European, Asian and African culture, when it comes together in Trinidad and Tobago, we identify ourselves with that.

Mr. Speaker, at times like these, it is the coming together and the sharing of what the communities have brought and made Trinidad and Tobago's own that should cause us to understand our place in the world. Whatever examples we may want to teach the world in other areas, in the area of peaceful co-existence, multicultural, multi-religious, multi-ethnic communities living together and sharing experiences and working together to build a nation, there is nowhere else in the world where a better example can be found than in Trinidad and Tobago, notwithstanding the best efforts of some who may not fully appreciate what we have accomplished in the short life of our country.

The triumph of light over darkness is something which is accepted by all religions in the world and Divali represents that. In Trinidad and Tobago, there are some celebrations that transcended the communities from which they came—Christmas is one, Divali is the other—and since Divali has become a public holiday in Trinidad and Tobago, the existence of the festival, the growth of the festival and the effect of the festival in the national community has grown by leaps and bounds.

2.45 p.m.

So at this time of the year, Mr. Speaker, with Divali being celebrated next Tuesday, it is with the greatest pleasure that I speak on behalf of those of us on this side and all those whom we represent, that we extend to our colleagues and all those who celebrate Divali as part of the religious environment, as part of the national landscape, we say to you, Shubh Divali. [*Desk thumping*]

Mr. Speaker: Hon. Members, Divali is the largest Hindu festival in Trinidad and Tobago. It is celebrated with the performance of Lakshmi puja, and at night-time thousands of deyas are lit to dispel darkness.

The true meaning of Divali can be expressed: to bring light where darkness prevails, truth where untruth prevails; to bring life where death prevails, to

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brighten our surroundings; to illuminate our minds. This not only within Hinduism, but across many faiths.

As we have seen throughout the years, Divali preparation brings together communities as resources are pooled for creative deya displays. It also brings families closer through prayer and fasting. Just as a deya cannot be lit without key materials, peace and harmony can only continue through Trinidad and Tobago with tolerance of each other's opinions, and a reminder that we are even more beautiful because of our diversity.

Hon. Members, as I look around this Chamber, I see this beauty. It is important not only during the celebration of Divali, but throughout the year that this light is carried, not only for yourselves, but for each and every citizen represented by the 41 constituencies that comprise the House of Representatives.

On behalf of my own family and the Office of the Parliament, I join with the hon. Minister of Transport and the Leader of the Opposition in wishing the Hindu community a happy and holy Divali on November 13, 2012. Shubh Divali.
[Desk thumping]

Question put and agreed to.

House adjourned accordingly.

Adjourned at 2.48 p.m.