

*Leave of Absence**Friday, January 23, 2015***HOUSE OF REPRESENTATIVES***Friday, January 23, 2015*

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 Member: Mr. Patrick Manning, Member of Parliament for San Fernando East, has asked to be excused from today's sitting of the House. The leave which the Member seeks is granted.

URGENT QUESTIONS

**University of the West Indies
(Current Impasse)**

Dr. Keith Rowley (*Diego Martin West*)? Thank you very much, Mr. Speaker. To the Minister of Tertiary Education and Skills Training: In view of the current impasse between the University of the West Indies and the academic and non-academic staff which has had a negative impact on the morale of the student body as well as the access to funding for regional and international students, could the Minister state what is being done to resolve this issue?

The Minister of Tertiary Education and Skills Training (Sen. The Hon. Fazal Karim): [*Desk thumping*] Thank you very much, Mr. Speaker. I am pleased to respond to the question posed by the hon. Leader of the Opposition, and to state that an accord has been reached between the campus administration UWI, St. Augustine and the West Indies Group of University Teachers (WIGUT) [*Desk thumping*] following a meeting this morning, at 10.30 a.m., at the office of the campus principal. The arrears of \$87 million for revised terms and conditions over the period August 01, 2011 to July 31, 2014, owed to academic senior administrative and professional staff will be made in tranches by May 31, 2015.

Mr. Speaker, with respect to the non-academic staff, negotiations are currently under way with the campus administration and their bargaining unit. The campus principal of the St. Augustine campus, UWI, has advised that WIGUT will make an official release later today on the matter. I wish to thank the following persons who have assisted me in the resolution of this matter: the Permanent Secretary

and staff of the Ministry of Tertiary Education and Skills Training; pro Vice-Chancellor and campus principal UWI, St. Augustine, Prof. Clement Sankat; the registrar, campus bursar and other staff; the president and executive members of the West Indies Group of University Teachers, St. Augustine. I thank you, Mr. Speaker.

Dr. Rowley: Mr. Speaker, could the Minister tell us what role did the Government indebtedness to UWI play in triggering this impasse?

Sen. The Hon. F. Karim: Mr. Speaker, I wish to reiterate that the Government of Trinidad and Tobago stands resolute in its affirmation to ensure that all our students are enfranchised to study, and in this regard we have facilitated through our financing of the Government Assistance for Tuition Expenses the sums of money to resolve this matter with WIGUT. Thank you.

Dr. Rowley: Could the Minister tell us what is the approximate level of indebtedness by the Government of Trinidad and Tobago to the St. Augustine campus, and whether that indebtedness played any role in triggering the disturbances which we have experienced in the last few days?

Mr. Speaker: First of all, I do not think that question arose either in terms of the question or the response. But, I would leave it to up the hon. Minister to respond if he so desires.

Sen. The Hon. F. Karim: Mr. Speaker, I want to thank you. If it is possible I would like to have that framed in another question, I would be happy to return and to give full details of that question.

ANSWERS TO QUESTIONS

Mr. Speaker: Leader of Government Business, is Government prepared to answer all these questions today?

The Minister of Housing and Urban Development (Hon. Dr. Roodal Moonilal): Mr. Speaker, I will just indicate that we are in a position to answer question No. 14, question No. 19, question No. 21, and would ask that the other questions be deferred for two weeks. And for written answers, I know there is a big interest in that as well. We have the answer to question No. 24. We had it on the last occasion but the formatting was off. So, we are prepared to answer 24, I believe 60, if I am not mistaken, and 39 from that list, on the written answers. Question No. 60—Jai, 60? Question Nos. 59 and 60, I am told by the Minister of Land and Marine Affairs. Question Nos. 59 and 60, 39 and 24, and would ask for a two-week deferral of 41—which would be, well, the only other question, 41—for two weeks. Thank you.

Miss Mc Donald: Mr. Speaker, you would understand that question 41 has been long outstanding, so I am asking the Member for Oropouche East to give a commitment to this honourable House that this will be answered by the next sitting of the Parliament, please.

Hon. Dr. R. Moonilal: Mr. Speaker, my colleagues do realise that this question, not only is it for written answer, but it is a very, very heavy question, requiring a few pages well of information. The Attorney General has assured us that he is preparing the answer properly and I expect in the very short term to have the answer for submission.

Miss Mc Donald: Mr. Speaker, could the hon. Member tell this House, what this reasonable short-term is? Could you specify the period, please, for the *Hansard*?

Hon. Dr. R. Moonilal: Mr. Speaker, I would seek to consult the Attorney General later in the proceedings and get a specific time, but I prefer not to say that without talking to the Attorney General first. He is preparing this voluminous document that is required. Thank you.

ORAL ANSWERS TO QUESTIONS

The following questions stood on the Order Paper:

Oil Produced in 2014 (Details of Revenue Earned)

55. Could the hon. Minister of Finance and the Economy state the revenue earned by the State from oil produced in Trinidad and Tobago in 2014, broken down into revenue from oil from Supplementary Petroleum Tax, Petroleum Profits Tax, Unemployment Levy, Royalty, Impost, inter alia? [Mr. C. Imbert]

Trinidad and Tobago Natural Gas (Prices Paid by Downstream Producers)

56. Could the hon. Minister of Finance and the Economy state the prices paid by downstream producers in 2014 for natural gas produced in Trinidad and Tobago? [Mr. C. Imbert]

Trinidad and Tobago LNG (Details of)

57. Could the hon. Minister of Finance and the Economy state the prices earned for LNG produced in Trinidad and Tobago in 2014, and the

countries our LNG was exported to, with a breakdown by volume and destination of the exports of LNG? [*Mr. C. Imbert*]

**Upper Salazar Trace and Upper La Union Road
(Repairs to Landslips)**

22. Could the hon. Minister of Local Government state when will the landslips between Light Poles Numbers 39 and 41 Upper Salazar Trace and Upper La Union Road be repaired? [*Mr. F. Jeffrey*]

Questions, by leave, deferred.

**Abandoned Petrotrin Lands
(Grant to Retired Workers)**

14. **Mr. Fitzgerald Jeffrey** (*La Brea*) asked the hon. Minister of Energy and Energy Affairs:
- A. When will Petrotrin grant parcels of land to retired workers that have been deemed very uneconomical and as a consequence abandoned by Petrotrin?
- B. In what areas will lands be allocated to retired Petrotrin employees?

The Minister of Energy and Energy Affairs (Sen. The Hon. Kevin Ramnarine): Thank you very much, Mr. Speaker. The answer to question 14 from the Member for La Brea reads: I am advised that there is no arrangement between Petrotrin and its retirees for the granting of parcels of land as part of their retirement package. As a consequence, Part B of the question does not require an answer.

Mr. Jeffrey: Supplemental. Hon. Minister, when will the residents who have been occupying Petrotrin lands for 40 and 50 years receive either leases or permission to purchase, rather than accept the deed of comfort that is now being given out.

Sen. The Hon. K. Ramnarine: Mr. Speaker, the question refers specifically to retirees of Petrotrin, not to persons—

Mr. Speaker: Hold on. Hon. Member for La Brea, are you referring to retirees or are you making a general statement?

Mr. Jeffrey: Retirees.

Mr. Speaker: Retirees, you want to respond to that?

Sen. The Hon. K. Ramnarine: Yes, Mr. Speaker, as I said, there is no arrangement between Petrotrin and its retirees for the granting of parcels of land as part of their retirement package. However, I think there is an arrangement that happens nationally where those persons are offered the land at a certain price for purchase, and I think that arrangement applies across the country. But without specifics, to answer that supplementary question, I would have to put that on the Table as the answer.

**Belle Vue, La Brea
(Construction of Housing Units)**

19. Mr. Fitzgerald Jeffrey (*La Brea*) asked the hon. Minister of Housing and Urban Development:

Could the Minister indicate:

- (a) Whether the Housing Development Corporation (HDC) has plans to commence construction of housing units in Belle Vue, La Brea;
- (b) If yes, when will the construction begin or if no, whether the HDC will consider the possibility of constructing housing units in Belle Vue, La Brea?

The Minister of Housing and Urban Development (Hon. Dr. Roodal Moonilal): Mr. Speaker, in response to question 19, part (a): the Housing Development Corporation instructs that at this time the HDC owns no land at the Belle Vue La Brea area, and therefore has no plans to construct housing units at that location. Given the answer the part (a), part (b) is not applicable. Thank you.

Mr. Jeffrey: Supplemental. Hon. Minister, are you aware that the Housing Development Corporation did produce a plan for the development of 320 houses on the Belle Vue estate? Are you aware of that?

Hon. Dr. R. Moonilal: Mr. Speaker, let me just reiterate my answer. It is a very serious policy matter that the Member for La Brea is raising. Previous to 2010 it was the practice of the NHA and then the HDC to construct houses on property that did not belong to the HDC, and in one case incidentally it did not belong to the Government, and that practice has ceased where the HDC today constructs their homes on lands that are properly vested in the HDC, or where there is a process to vest those lands in the HDC where it is also State lands.

So, that level of lawlessness—so to speak—that obtained prior to 2010, created a situation where there were great difficulties with title transfers, there were great difficulties with private owners, and the Member may wish to know

that at this moment we are also involved in litigation on a property where the HDC prior to 2010 constructed housing units on private land, mistakenly believing that those lands were State lands. It is a multi-million dollar mistake that we would speak to more in the future.

There is also a situation, Member for La Brea, as you would appreciate as well, given the context, where you cannot embark upon the statutory approvals if the lands are not properly vested in the entity, or if the lands are not State lands in the first place, so that we have to work now with the EMA—now, previous to 2010, as you would know, a lot of these housing estates were constructed without EMA approval, and without several statutory approvals, particularly if you know Golconda. The Golconda area there we have had difficulties with that. I believe the Member for Diego Martin West turned the sod there to start construction or gave out houses there.

But, we find difficulty in getting statutory approvals for properties that do not belong to the State or are not vested in the Housing Development Corporation. So, there is no intention now to construct housing units there unless and until these properties are properly vested in the Housing Development Corporation.

1.45 p.m.

**Petrotrin Refinery
(ISO 55000)**

21. Mr. Fitzgerald Jeffrey (*La Brea*) asked the hon. Minister of Energy and Energy Affairs:

Is the Petrotrin Refinery ISO 55000 certified?

The Minister of Energy and Energy Affairs (Sen. The Hon. Kevin Ramnarine): Thank you very much, Mr. Speaker. Question 21, from the Member of Parliament for La Brea. The ISO 55000 standard was only published in January 2014, to be specific, and most of the world's oil refineries have not yet obtained this certification.

The Pointe-a-Pierre refinery, therefore, does not have ISO 55000 certification. It is expected, however, that the need for this standard will increase as it would be demanded by regulators and insurance companies in the future. The Pointe-a-Pierre refinery is in the process of drafting a procedure for an asset integrity management system.

Petrotrin is to have that draft reviewed by an international consultant to determine the gaps to be filled to achieve the ISO 55000 standard. That gap analysis is scheduled to be completed later this year.

That concludes the answer to the question?

Mr. Jeffrey: Supplemental. Hon. Minister, the safety of workers on the Pointe-a-Pierre refinery, given that you do not have ISO 55000 at present—what is the situation in terms of the security aspect for employees at the Pointe-a-Pierre refinery?

Sen. The Hon. K. Ramnarine: That is a very broad supplemental question. The substantive question was whether the refinery had ISO 55000 certification and the answer to that is, no, it does not. It is a new standard from ISO and we are working towards attaining that. Thank you very much.

STATEMENT BY MINISTER

Natural Gas Master Plan

The Minister of Energy and Energy Affairs (Sen. The Hon. Kevin Ramnarine): Thank you very much. I rise to make an important statement to the Parliament with regard to the natural gas master plan. Mr. Speaker, in November 2014, the Ministry of Energy and Energy Affairs engaged Poten and Partners to write a natural gas master plan for Trinidad and Tobago that would consider the period 2014—2025. The procurement of the consultancy was done through the Central Tenders Board. Poten and Partners is a well-known and internationally recognized energy consulting firm based in the UK with over 75 years of experience and with offices in London, Houston, Singapore, New York and Perth, Australia.

The new natural gas master plan will serve as a guide to inform policy formulation and decision making in the future as it relates to gas-based industrialization. This consultancy is expected to last six months and will cost the Ministry US \$1.4 million. A similar plan was done in 2001 and was submitted to the Ministry of Energy and Energy Affairs in January 2002 by then consultants Gaffney Cline and Associates.

The consultants this time, Poten and Partners, will work alongside the technical staff of the Ministry of Energy and Energy Affairs led by Chief Technical Officer Richard Jeremie. They have started their engagements with all energy stakeholders including upstream companies, mid stream companies,

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downstream companies, the Energy Chamber, State Enterprises and government agencies.

Two days ago, at the meeting between representatives of the energy sector and the Prime Minister, many of the companies in attendance indicated their support for the decision to engage in the drafting of a natural gas master plan. The decision by the Ministry of Energy and Energy Affairs to engage consultants to draft a natural gas master plan, Mr. Speaker, is driven by the changes in the local and international environment for natural gas. One of these factors includes the increase in natural gas production in the United States as a consequence of the shale gas revolution and the need to ensure the continuing competitiveness of our own natural gas sector.

In addition, in the coming years there are a number of important contractual obligations that will be up for renewal. These include the BG/Chevron contract with the NGC that expires in December of this year and for which negotiations will commence at the end of this month, and the BP contract with the NGC which expires in 2018. Negotiations between the NGC and BP will commence in 2015 following the signing of a memorandum of understanding between both companies. That MOU has already been drafted.

In addition, the Atlantic Train 1 contract come to an end in 2019 and a decision would have to be taken by the Government whether to extend its operations. Such decisions are best made against the backdrop of robust research.

The new natural gas master plan will speak to the road-mapping of our natural gas sector for the period 2014—2015. The plan will address natural gas resource management, contractual arrangements and allocation of exploration acreage; security of natural gas supplies; review of current arrangements for upstream portfolio development; it will evaluate the feasibility of natural gas storage; evaluate the transmission system and transportation infrastructure; and make policy recommendations for the optimal utilization of natural gas.

The plan would also address the institutional and regulatory arrangements with a view to assessing the country's competitive position, as well as assess state participation in the gas value chain and the role of a national gas company in the future of Trinidad and Tobago. The plan will evaluate how gas is utilized in our economy between LNG, petrochemicals and metals, and determine the most efficient allocation of natural gas between those industries. The consultant will examine how the energy industry can integrate with the non-energy industry.

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Mr. Speaker, in the last four years there has been a significant increase in foreign direct investment in the energy sector of this country. This is due to a number of factors. Chief among them is the range of fiscal incentives introduced in successive budgets by the Government. Put simply, Mr. Speaker, the Government has created a new environment for investment in the last five years.

Mr. Speaker, I wish to recognize the contribution of my colleagues in the Cabinet led by the hon. Prime Minister and the Minister of Finance and the Economy, Sen. the Hon. Larry Howai, for the role they have played in reshaping the fiscal system that governs the energy sector.

Evidence of this increased investment has manifested itself in a very tangible way in the last three years with an increase in rig activity, seismic acquisition and more recently commencement of construction of the Juniper platform in La Brea. These projects are signs that we have put in place, Mr. Speaker, a platform for the future of Trinidad and Tobago.

Mr. Speaker, Trinidad and Tobago has been producing more natural gas than oil on an equivalency basis since 1996. This, for all intents and purposes, is a gas-based economy. The monetization of natural gas as ammonia, methanol and LNG is in large part responsible for the economy and the standard of living that citizens enjoy today.

In order that we continue to benefit from the resource endowment of this country into the future, it is imperative that we engage in medium to long-term planning. In this regard, the natural gas master plan that will be submitted to the Ministry of Energy and Energy Affairs later this year is critical to understanding how we navigate this energy-based economy in an increasingly uncertain global economic environment. Thank you very much, Mr. Speaker. [*Desk thumping*]

ARRANGEMENT OF BUSINESS

Mr. Speaker: Hon. Members, may I advise this honourable House that I have been advised that the hon. Prime Minister will also be making a statement under Statements by Ministers. The hon. Prime Minister is not currently with us so I seek the leave of the House to return to this item sometime later on in the proceedings. Do I have the approval of the House?

Agreed to.

MINISTER OF FINANCE AND THE ECONOMY (REVOCATION OF APPOINTMENT)

Mr. Speaker: Before I call on the hon. Member for Chaguanas West, I need to put on the public record in this honourable House, developments. As Presiding Officer and Speaker it is never my intention and it will never be my intention to

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stymie, stifle or muzzle free speech or debate in this honourable Chamber. As a guardian of parliamentary privileges I stand steadfastly in defence of freedom of speech, but I must bring to the attention of this honourable House a matter that is before us.

I want to let Members know that I, as Speaker, received a Motion from the Member for Chaguanas West on December 30, 2014. I approved the said Motion on January 05, 2015.

I received only a few hours ago a notice from the High Court of the Republic of Trinidad and Tobago dated January 16, 2015, a matter involving Larry Howai and Azad Ali of the Sunshine Publishing Company Limited. I would like to remind hon. Members of the sub judice rule. Let me read for the record:

- “(1) Subject always to the discretion of the Speaker and to the right of the House to legislate on any matter, a Member shall not raise or pursue any matter which relates to active proceedings until the matter is ended by judgment or discontinuance, unless the Speaker is satisfied that—
- (a) the matter is clearly related to a matter of general public importance or a ministerial decision is in question;
 - (b) the matter does not relate to a case...?

I want to repeat this?

“The matter does not relate to a case that is awaiting or under adjudication, particularly those matters before a jury; and

- (c) the Member does not in his comments create a real and substantial danger of prejudice to the fair determination of a matter.”

Now, Members, I read this for you and for the record because I was not aware when I approved this Motion that the matter that we are going to be discussing today is in the High Court of Trinidad and Tobago. And I want to make it very clear, Members should know that there is a comity between the Judiciary and the Parliament.

Whatever matters are before the Judiciary they must deal with them, and whatever is before us we should also deal with it. But it is also important to note that we as a Parliament must not do anything to undermine the confidence of the judicial system in our country. And as a Presiding Officer, as I said earlier, I am not committed to stifling, stymieing or in any way undermining the freedom of speech, but I have to be mindful of the comity between the Parliament and the

Judiciary. And in those circumstances, unless the Member who is about to speak can tell this House that what he is about to say is not going to be, in any way, adverse to what is before the High Court of Trinidad and Tobago, I would have to deny this Motion although it has been approved.

200 p.m.

I will not preside over this House on matters that will bring this House into disrepute in the face of the comity that exists between the Judiciary and the Parliament, so I will allow the Member the opportunity to rise and to indicate to this House if the Motion that he has that has been approved by me, which is now the subject of a High Court matter, if it is that matter he intends to refer to, and if it is the same matter that he intends to refer to, I will ask him, in the interest of justice and fair play, and the comity between the Parliament and the Judiciary, not to pursue that matter and allow the courts of Trinidad and Tobago to make a final determination on the matter.

So I say this—as I said, I do not want to shut down anyone from speaking, but I have a duty, as the Presiding Officer, to ensure that whatever we are discussing does not infringe on the well-established principle that has been around for centuries, that we should not interfere in matters that are before the courts and the courts should not interfere with matters that are before the Parliament. That is the comity that we need to maintain and uphold.

I raise this as an opening so that all of us would be aware of what is at stake in this particular matter. This is an individual case; it is not about a general law. We can discuss general laws, but when it comes to individual cases, it is a different matter. We could be treading on very dangerous grounds.

So I call on the hon. Member.

Dr. Rowley: Mr. Speaker, before you call on the Member, I rise on a point of clarification because what you have raised here is very fundamental and very interesting. But on a point of clarification, for my own benefit and for the benefit of members in the general public, could you just tell me—I am not sure I have it clearly—when did you approve this Motion and when was the court matter filed? Could you just repeat that please, Sir?

Mr. Speaker: I received this Motion on December 30, 2014. I approved this Motion on January 05, 2015, and I received notification of the High Court proceedings dated June 16—January, my mistake, I beg your pardon. I withdraw that—January 16, about 48 hours ago. And in those circumstances, as I said, I was

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not aware before I approved it, that this matter was before the High Court of Trinidad and Tobago.

Dr. Rowley: Mr. Speaker, the corollary of the caution that you have raised, raises with me and this side of the House and I guess for the whole House—and I was particularly intrigued by your comment and notification, identification of your office as custodian of the privilege because we also have—mindful of what you said; I take no issue with what you have said, but to add, as a corollary that the precedent that we are going to set, we have to be careful how we set that precedent because if we take the position that the conduct of a Member, being raised on a substantive Motion, can be nullified by that Member running to the court and filing any motion, and then the House says, “Well, a case has been filed so therefore the Parliament is hamstrung”, then we have to be careful that we try to balance between what you have said and what I now raise.

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

Mr. Speaker: And that is why, as you rightly said, hon. Leader, my duty is to balance the rights of the Members of Parliament in terms of freedom of speech—freedom of speech—but at the same time we have to ensure that we do not, in any way, prejudice proceedings that are to take place in the other place.

I recognize the Leader of Government Business and then the Member for St. Joseph.

Dr. Moonilal: Mr. Speaker, just again on a point of clarity, to join the Leader of the Opposition, and with great respect to the ruling and your statement on the significance of this matter, as it is, Mr. Speaker, is it that the content of the Motion, the very narrow content of this Motion, is indeed the subject of a matter that the court has communicated to the Speaker? Or is it on another matter? If it is that the subject matter is, indeed, the subject matter of a court action involving the Minister and another party—because from what I have heard, the Member for Chaguanas West is not a party to a court matter, and I am not certain as to the locus of the Member for Chaguanas West vis-à-vis a newspaper publication.

I do not have the facts as to whether the Member for Chaguanas West is associated, legally, with a publication. I heard the name of another gentleman who, I believe, is a photographer or a writer, or something like that. But I want it to be very clear that the content of this Motion was not driven from an earlier publication that is now—the publication is the subject of the court action. It is the publication. It is not the Motion; and whether it is the same content of both the publication and the Motion.

So what I am saying is whether or not the Member for Chaguanas West lifted the content of a publication that is now the subject of a court matter because I am not sure, I have not read anything, any newspaper article about these things, so I am really not clear on it.

Mr. Speaker: I will allow the hon. Member for St. Joseph and then, as I said, I am prepared to allow the hon. Member to begin his Motion. I have no difficulty with that. What I am saying is that we, in this House, must be mindful—and I listened to what the Opposition Leader said very carefully about precedence and the dangers, and I understand where he is coming from, and that is why I made the point I am the guardian of parliamentary privileges and I will protect and defend those privileges. But I also want to remind Members that we also have to be responsible in understanding the comity between the Judiciary and the Legislature.

I recognise the Member for St. Joseph.

Mr. Deyalsingh: Thank you, Mr. Speaker. Mr. Speaker, your interpretation of the sub judice rule represents a very significant evolution in the way the Parliament is conducted. The private matter between the hon. Minister of Finance and the Economy and Azad Ali of the *Sunshine* newspaper, in my view, seems to be a private matter, and when one reads the Motion, I see absolutely no relationship between the substance and content and intent of the Motion, and any private matter between Mr. Larry Howai, in his private capacity, Mr. Azad Ali, whether he is a reporter, a photographer, in his private capacity.

This Motion strictly focuses on a very narrow issue, and that is the conduct of a person who was the managing director of a bank between 2006 to 2009. Whatever Mr. Azad Ali may have said, done, or photographed, has no bearing on the genesis of this matter. So I am just asking if this interpretation of the sub judice rule is now such a broad one, whether we will be stymieing this Parliament in the future from debating any other substantive motions, because it seems to me that if this precedent is concretized here today, it means in the future any parliamentarian from any side who wishes to escape the scrutiny of this Parliament, can simply run to the High Court, file any motion and shut down free debate in the Parliament. [*Desk thumping*]

So, Mr. Speaker, I just want to put on record that we, on this side, are prepared to debate the issue—[*Crosstalk*—we are prepared to debate the Motion and we have nothing to say on any private proceedings between Mr. Larry Howai and Mr. Azad Ali. [*Crosstalk*]

Mr. Speaker: Have your seat. Members, please. Let us have some order, please. The Member is on his feet. Allow him to be heard and speak in silence.

Mr. Deyalsingh: Could I finish?

Mr. Speaker: Yes, of course.

Mr. Deyalsingh: Mr. Speaker, as I was saying, we, on this side, have absolutely no intention of engaging in any discussion, or discussing any case filed in the High Court today between an individual, Mr. Larry Howai, and Mr. Azad Ali of the *Sunshine* newspaper, or any other newspaper. We, on this side, will confine our debate to the Motion. [*Crosstalk*]

Mr. Speaker: I will just take one more contribution, as I said. I am going to allow the Member for Chaguanas West to begin his discussion but I want to just let Members know, I raise it so that Members would be aware of what is—and forewarned.

I recognize the Leader of Government Business.

Dr. Moonilal: Mr. Speaker, I cannot let this moment go by without correcting the record. This Government is over-prepared for this Motion—very well prepared for this Motion. It is not an issue of not wanting to debate the Motion, but, Mr. Speaker, the Member for St. Joseph must understand himself when he speaks. There will be occurrences again, when the content of a Motion is a similar content in the High Court—the content of the Motion—and one has to be very careful that in a debate you are not speaking to the content of a High Court motion. That is the issue.

So the Government is most prepared today, and the Minister of Finance and the Economy is most prepared today [*Desk thumping*] to respond to this Motion, but none of us, including the Members for St. Joseph and Diego Martin West, do not know what is the subject before the court. Only one man may know that, if he connected at all to—what is the name of the papers? [*Interruption?* If he is connected to that publication—I do not read these things, Mr. Speaker, so I do not know. But it is really the Member for Chaguanas West could tell us what really is *Sunshine* and what is in *Sunshine* and what is this, and be prepared to debate his Motion. Mr. Speaker, we are ready; we are willing and we are able. [*Desk thumping?* Bring it on? Bring it on?

Mr. Speaker: I think we have aired the views well. I now recognize the Member for Chaguanas West. [*Desk thumping*]

Mr. Jack Warner (*Chaguanas West*): Thank you, Mr. Speaker. And, Mr. Speaker, when I brought this Motion on December 30, 2014, I did not lift anything from the *Sunshine*. If the *Sunshine* lift it from me, fine. But I did not lift anything from the *Sunshine*. Mr. Speaker, I would not go into the issue anymore, but I hope you would allow me, at least to talk on the Motion as far as it relates to the ability and competence of the present Minister of Finance and the Economy, who was CEO of FCB and whether he is fit and qualified for the turbulent times ahead.

Mr. Speaker, I have nothing more to mention about the—

Mr. Speaker: I do not think you are interested in debating your Motion. You have to move a Motion before we can debate it, so you must read your Motion. You first have to read your Motion, then debate it and then we get a seconder. So you have to go through—first thing is to read your Motion because I have given you the all-clear to read your Motion, then you can make your—

Mr. J. Warner: Mr. Speaker, before I read the Motion, you said you wanted to know about the content, and I was merely—

Mr. Speaker: No, no, no. I have already said what I have to say. I have given you the all-clear. I am monitoring this debate very carefully. That is all I can tell you. But read your Motion and let us debate your Motion.

Mr. J. Warner: Mr. Speaker, I will read the Motion.

Mr. Speaker: Yes, read your Motion.

Mr. J. Warner: The Motion reads as follows:

Whereas First Citizens Bank (FCB) is a State Enterprise in which the Government of Trinidad and Tobago has a majority shareholding and has made significant investments to ensure the proper functioning and viability of the Bank in its competitive environment;

And whereas any action or lack thereof of the Chief Executive Officer (CEO) of FCB can have a negative return on the Government's investment in FCB;

And whereas the Minister of Finance and the Economy was the CEO of FCB during the period 2006 to 2009 when a loan was granted to Carlton Savannah Limited for which the funds were to be used for the construction of a hotel;

And whereas the Carlton Savannah Limited has been placed in receivership and the outstanding loan balance has negatively affected First Citizens Bank's non-performing loan ratio;

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And whereas the said conduct of the Minister of Finance and Economy in his previous capacity as CEO of FCB has eroded the confidence of the public in the Minister's ability to administer over the finances of the nation in the best interest of the public;

Be it resolved that this Honorable House express its loss of confidence in Mr. Larry Howai as Minister of Finance and Economy of Trinidad and Tobago;

And be it further resolved that this House call upon the Prime Minister to take immediate steps to have the appointment of the Minister of Finance and the Economy revoked forthwith.

2.15 p.m.

Mr. Speaker, I am guided by your ruling and I want to say, many persons may be asking themselves, both here and outside, why this Motion now. This Motion is intended to identify how a decision maker can impact on the quality of life of a people, especially a people in our country.

The best indicators of future behaviour are the experiences of the past. When you look at the global economy in which we have falling oil prices, falling gas prices and all economies around the world are taking steps to ensure the sustainability to protect their people, we are being told in Trinidad and Tobago words to the effect that "God is a Trini and Trinidad and Tobago would not be affected at least in the short term". But while all of this is being done, until an hour ago, or until this morning, the university lecturers were not getting paid, large companies are reducing their cost, casual workers at Petrotrin are being sent home and, in fact, the reality is really different for the ordinary people, the ordinary man.

At this point in time, Mr. Speaker, trust has become an issue and I say it again, this could not happen at a worse time in our history. Of course, I expect to be told by those on the other side, including the Minister, about the statistics of rating agencies—you will hear Marks and whatever his name and so, Moody. They say the bank is doing well, but the people of my constituency, Chaguanas West, and, in fact, the people of Trinidad and Tobago, have difficulty coming to terms with the present situation as it affects them and the country.

Mr. Speaker, the people of this country, and again Chaguanas West, can never understand how there are those in the FCB who have been paid millions of dollars while they, the people, again I say of Chaguanas West, are asked to hold strain. I am not too much concerned about the rating agencies and their stats. I am not too

much concerned to tell us how great our institutions are and so on. I am concerned about the common sense position of the ordinary man, I am concerned about the position of the ordinary citizens of Trinidad and Tobago, I am concerned about the people who elected us to run their business because the rating agencies did not vote for this Government, they did not vote for us. The people did, and therefore, we owe it to them to give them some hope, some solace as the case may be.

If a CEO is paid \$11.2 million after losing a substantial amount of money in the bank and even saying a great job, what a great job has been done, therefore, it is difficult for him or anybody on that side to understand the plight of the ordinary man. Mr. Speaker, I go further and say that the people of this country deserve something better because we have to understand their pain, we have to be concerned about the difficult conditions under which they live. Oil prices at one time was \$100 per barrel, then \$90, then \$80, then \$70, then \$60, then \$50, and today under \$50 and, yet for all, our leaders tell us, not to worry about a thing. “God is a Trini. He will take care of you. We are told that the price will rise again and while we wait for the price to rise, we will cut here, we will sell there and everything will be okay. I ask myself: those people who have been sent home, what do we tell them?”

Dr. Moonilal: Mr. Speaker, Standing Order 48(1). I mean, when are we hearing about the Carlton Savannah?

Mr. Speaker: I overrule that. Continue, please.

Mr. J. Warner: Thank you, Mr. Speaker. Try again. They, of course, expect to be assisted in these difficult times and this is why in some ways this Motion is here today. Let me say early, I want to thank the political leader of the PNM, Dr. Keith Rowley, I want to thank the Chief Whip, Marlene Mc Donald, for taking this Motion from No. 3 and making it No. 1, because had they not done that, I would not even speak here today knowing, of course, past experience, past performance. As such, therefore, let us understand where we are today.

First Citizens Bank is a bank based in Trinidad and Tobago with assets of over \$31 billion, with 21 branches in Trinidad and Tobago and, of course, another branch in St. Lucia which, of course, sees about offshore banking and so on.

Mr. Speaker, on September 13, 1993, the Central Bank of Trinidad and Tobago merged three Government entities: NCB (National Commercial Bank), the Trinidad Co-operative Bank—we called it the Penny Bank long time, TCB—and the Workers’ Bank to form the First Citizens Bank (FCB). At that time, the Government had to pay \$314 million for this merger. The Government was told

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by many persons, including me, that they are running good money after bad and all kinds of excuses, and therefore, it is against this backdrop that for me, it is necessary to review briefly the behaviour of the former CEO of the bank, who is now the Minister of Finance and the Economy, and to see if that behaviour would in some way impact on his behaviour in these difficult economic times.

Mr. Speaker, as such, therefore, I will talk briefly about pre-2006, I will talk even more briefly about post-2009, and therefore, in doing so, I go back to 2002 when the Minister of Finance and the Economy, Larry Howai, was then CEO of FCB, and he and others met with the Mexican Cement Company (CEMEX) in January 2002, in May 2002 and June 2002. They met to discuss a proposed takeover.

Dr. Gopeesingh: 48(1), Mr. Speaker. Relevance of CEMEX.

Mr. Speaker: I am listening very carefully to the hon. Member. I just want to let the hon. Member know we have to stick to the recitals here and we cannot go all over the place in terms of other matters, but I am listening to you carefully to see where you are going. I do not know where you are going, so I want to hear what you are saying first.

Mr. J. Warner: Mr. Speaker, you will only know where I am going when you listen to me.

Mr. Speaker: Well that is what I am saying, I am listening to you.

Mr. J. Warner: And, Mr. Speaker, I began by saying I will talk about pre-2006 and post-2009. If I am not allowed to do that, fine I will sit, but I am talking about pre-2006, post-2009 and see how the behaviour of the CEO at that time and why the CEO could not take us out from where we are. That is my submission, and therefore, CEMEX is a case in point because the fact is if you looked at a document in terms of CEMEX, pages 6 and 7, a document entitled, A Report on the Preliminary Enquiry into suspected illegal insider trading, dated August 2007 and written by one, Henry Ford, a QC of—*[Interruption]*

Mr. Speaker: I now understand where you are going. Listen, a Motion of censure is a serious Motion, it is a no confidence Motion in a Member or a Minister and when approval is given to a Motion of censure, you stick to the recitals. So you cannot bring in other matters. What is before this House, is this Motion. So if you are going into pre as you said, 2'03 or whatever, you cannot raise, what I call, issues that you have not sought approval for. So you are going into a new area that the House did not approve and you might spend some time

going into that area, and I am saying that we have to stick to the contents and recitals of this Motion and do it very carefully given my earlier guidance, but I do not want you to go into any excursions into areas that we have not approved and the House has not approved.

Continue, please. Remember, hon. Member, this is a matter of no confidence. You have indicated in your Motion what you are concerned about and those are the matters that the House is interested in hearing. But I raised a matter earlier on about the High Court matter, so we proceed with these things in mind so we do not offend our relationship with the court. That is all I am saying. Continue, please.

Mr. J. Warner: Mr. Speaker, I thought when I told you I am talking pre-2006 and post-2009 and you did not object, I thought that was approval.

Mr. Speaker: No? No, you see I cannot approve or not approve until I hear you. I cannot prejudge what you are going to say. So if you say pre-2003, I have to first hear what you are saying. Now that I have heard where you are going, I am advising you, you are going down a wrong road in the context of the Motion. So continue, please.

Mr. J. Warner: Thank you, Mr. Speaker. I am through. [*Desk thumping*]

Dr. Moonilal: What about the Carlton Savannah?

Dr. Gopeesingh: No substance. No substance.

Mr. Speaker: Do we have a seconder to this Motion? [*Crosstalk?*]

Mr. Warner: It is the first time I see no pre-action protocol letter in a Motion. No pre-action protocol letter. None!

Mr. Speaker: Hon. Member for Chaguanas West, have you concluded your contribution?

Mr. J. Warner: Totally, Mr. Speaker. Totally! Absolutely! [*Crosstalk?*]

Dr. Moonilal: Mr. Speaker, I just want to get the record very clear on what is happening here. Permission has been granted to the Member to raise a Motion on Private Members' Day. The Opposition allowed the Member. The Member has several recitals here of which the Member has not referred to one recital to tell us of his Motion. So I am at a loss. I do not know what is happening. This is an abuse of the House. [*Desk thumping*] This is an abuse of the parliamentary privilege when the Member can speak without one reference to his recitals.

Adjournment

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Mr. Speaker: Listen, this debate has come to a premature end. Leader, move for the adjournment, please.

ADJOURNMENT

The Minister of Housing and Urban Development (Hon. Dr. Roodal Moonilal): Mr. Speaker, I beg to move that this House do now adjourn to Friday, January 29, 2015—Friday the 30th. You will forgive me, Mr. Speaker, I myself did not plan to be doing this at this moment, but Friday, January 29—is Friday the 29th next week Friday.

Dr. Gopeesingh: The 30th.

Hon. Dr. R. Moonilal: The 30th? No, check it please. The 30th? Mr. Speaker, Friday, January 30, 2015 at 1.30 p.m., and to serve notice that it is the intention of the Government to debate Bills on the Order Paper, Bill No. 1, the Partial Scope Trade Agreement; No. 4, the Motor Vehicles Authority for registration, licensing and regulation of motor vehicles and drivers. Bill No. 1 as I indicated, Partial Scope Trade Agreement and, Mr. Speaker, there was in circulation—

So, Mr. Speaker, we will be dealing with Bill No. 1 and Bill—*[Interruption]* I am so instructed, we will debate Bill No. 1, Bill No. 4 and a Bill that did not qualify to be on the Order Paper today, but will qualify for debate next week dealing with the National Trust. That is an amendment Bill and it will qualify.

It is our intention to deal with those three Bills next week Friday, January 30, at 1.30 p.m. Mr. Speaker, you must forgive me for being tardy at this moment. I had no anticipation that this Motion will collapse on itself in this manner.

Mr. Speaker: Hon. Members, order please! Is the Prime Minister going to be here? I did indicate to hon. Members that I have been advised that the Prime Minister has a statement to make. *[Interruption]* Hon. Members, we will have to move again.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 2.32 p.m.