

*Leave of Absence*

*Friday, February 06, 2015*

**HOUSE OF REPRESENTATIVES**

*Friday, February 06, 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 communications from the following Members: hon. Roger Samuel, Member of Parliament for Arima, is currently out of the country and has asked to be excused from sittings of the House during the period February 02—06, 2015. Hon. Winston Dookeran, Member of Parliament for Tunapuna, is also out of the country and has asked to be excused from sittings of the House during the period February 05—07, 2015. Miss Alicia Hospedales, Member of Parliament for Arouca/Maloney and Mrs. Patricia McIntosh, Member of Parliament for Port of Spain North/St. Ann's West, have asked to be excused from today's sitting of the House.

The leave which the Members seek is granted.

**CONDOLENCES**

**(MR. SIDNEY HOSPEDALES)**

**Mr. Speaker:** Hon. Members, on your behalf I would like to extend sincere condolences to our colleague, the hon. Member of Parliament for Arouca/Maloney, Alicia Hospedales, on the sudden passing of her father, Mr. Sidney Hospedales. Mr. Hospedales, described as an avid pan lover, was a father of eight and grandfather of 13. He was 70 years old. May the family be granted comfort during this challenging time. May his soul rest in peace.

I have directed the Clerk of the House to convey, on our behalf, our condolences to the hon. Member and her family.

**PAPERS LAID**

1. Annual Audited Financial Statements of First Citizens Trustee Services Limited for the financial year ended September 30, 2014. [*The Minister of State in the Ministry of Finance and the Economy (Hon. Rudranath Indarsingh)*]
2. Annual Audited Financial Statements of Trinidad and Tobago Tourism Business Development Limited for the three (3) months ending December 31, 2012, and for the year ended December 31st, 2013. [*Hon. R. Indarsingh*]

*Papers Laid*

*Friday, February 06, 2015*

3. Annual Audited Financial Statements of the Trinidad and Tobago International Financial Centre Management Company Limited for the year ended September 30, 2014. [*Hon. R. Indarsingh*]

*Papers 1 to 3 to be referred to the Public Accounts (Enterprises) Committee*

4. Annual Administrative Report of the Trinidad and Tobago International Financial Centre Management Company Limited as at June 30, 2014. [*Hon. R. Indarsingh*]
5. Civil Aviation [(No. 1) General Application and Personnel Licensing] (Amendment) Regulations, 2014. [*Hon. R. Indarsingh*]
6. Civil Aviation [(No. 8) Aviation Security] (Amendment) Regulations, 2014. [*Hon. R. Indarsingh*]

Ministerial Response to the Tenth Report of the Joint Select Committee on Ministries (Group 1), and on the Statutory Authorities and State Enterprises falling under their purview on the administration and operations of the National Insurance Board of Trinidad and Tobago [with particular focus on the Board's relations with the National Insurance Appeals Tribunal (NIAT)]. [*Hon. R. Indarsingh*]

7. Annual Administrative Report of the Office of the Prime Minister for the period October 2009 to September 2010. [*The Minister of Housing and Urban Development (Hon. Dr. Roodal Moonilal)*]
8. Annual Administrative Report of the Office of the Prime Minister for the period October 2010 to September 2011. [*Hon. Dr. R. Moonilal*]
9. Annual Administrative Report of the Office of the Prime Minister for the period October 2011 to September 2012. [*Hon. Dr. R. Moonilal*]
10. Annual Administrative Report of the Point Fortin Borough Corporation for the year ended 2011/2012. [*Hon. Dr. R. Moonilal*]
11. Annual Administrative Report of the National Institute of Higher Education, Research, Science and Technology (NIHERST) for the fiscal years ended 2011 and 2012. [*The Minister of Science and Technology (Hon. Dr. Rupert Griffith)*]
12. Annual Administrative Report of the Ministry of Science and Technology for the year ended 2012/2013. [*Hon. Dr. R. Griffith*]

*Papers Laid*

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13. Annual Administrative Report of the National Information and Communication Technology Company Limited (iGovTT) for the year ended 2012/2013. [*Hon. Dr. R. Griffith*]
14. Annual Administrative Report of the Trinidad and Tobago Free Zones Company Limited for the year ended December 31, 2013. [*Hon. Dr. R. Moonilal*]
15. Annual Administrative Report of the Ministry of Public Utilities for the period 2013. [*The Minister of Public Utilities (Hon. Nizam Baksh)*]
16. Report of the Parliamentary Delegation of the Standing Committee Meeting of the Conference of Speakers and Presiding Officers of the Commonwealth, States of Jersey, Channel Islands, for the period January 15 to 18, 2015. [*The Deputy Speaker (Mrs. Nela Khan)*]

#### VISITORS

##### **(United Kingdom Parliamentary Delegation)**

**Mr. Speaker:** Hon. Members, I would like to acknowledge the presence of a United Kingdom parliamentary delegation in the Speaker's Gallery. This seven-member delegation includes Mr. Mark Simmonds, MP, leader of the delegation and Member of Parliament for Boston and Skegness; Ms. Diane Abbott, Member of Parliament for Hackney North, Stoke Newington; Mr. Andrew Rosindell, Member of Parliament for Romford; Baronesses Rosalind Scott of Needham Market, Member of the House of Lords; Baroness Rosalind Howells of St. Davids OBE, Member of the House of Lords, and Baroness Vivian Stern CBE, Member of the House of Lords, and Mr. Mathew Salik, delegation secretary.

During their visit from January 31 to February 07, 2015, one of their goals was to gain greater insight into the workings of the Parliament of Republic of Trinidad and Tobago.

Hon. Members, join me in heartily welcoming this delegation. [*Desk thumping*]

#### URGENT QUESTIONS

##### **Sangre Grande District Hospital (Limited Industrial Action at)**

**Dr. Amery Browne** (*Diego Martin Central*): To the Minister of Health: What steps are being taken by the Minister to resolve the limited industrial action at the Sangre Grande District Hospital, by staff members who are concerned about the

attitude and actions of Ameena Ali, Chief Executive Officer of the Eastern Regional Authority?

**The Minister of Health (Hon. Dr. Fuad Khan):** Mr. Speaker, thank you very much. May I just start by indicating that the Member of Parliament for Diego Martin Central has asked some very penetrating questions, and I hope that he is not dissed as how the Penelope breakfast has been dissed—but anyway that is an aside. [*Laughter*]

**Mr. Speaker:** Please, just deal directly with the response.

**Hon. Dr. F. Khan:** Thank you, Mr. Speaker.

The question asked about the limited industrial action at the Eastern Regional Health Authority. I am very glad the Member has put in “limited”, because out of 2,000 employees, only 50 are protesting, so one could calculate that percentage.

Concerning the attitude of the CEO, I agree that the CEO does have a very deep voice. It is not melodious, and people see that and interpret it as being aggressive. I have asked her to take voice lessons to kind of tone that down, [*Laughter*] so for that I agree with the gentleman about the attitude, because it is misinterpreted, but the actions of the CEO, I just want to enumerate to this honourable House what in one year and a quarter this CEO has accomplished.

She has extended the dialysis room for five new dialysis machines; she has extended the maternity ward to 10 new beds; she has built a new neonatal intensive care unit for five cots; she has done a new administrative centre called the Sangre Grande Administrative Centre; she has extended the Accident and Emergency to the front of the building to accommodate a waiting room for patients as they wait, rather than outside in the road; she has extended the mortuary and made a new mourners’ room—[*Interruption*]

**Mr. Speaker:** All right; I think we have had enough about her achievements. Please, please, Member could you have a seat. You have two minutes to reply; your two minutes are up.

**Hon. Dr. F. Khan:** I have not used it.

**Mr. Speaker:** Do you have some supplementals?

**Dr. A. Browne:** No, I have other questions, Mr. Speaker.

**Mr. Speaker:** Do you have any supplementals to the question?

**Dr. A. Browne:** No, no.

**Mr. Speaker:** Let us go on to the next question.

1.45 p.m.

**Insect Vector Control Division  
(Unsafe St. Andrew/St. David Premises)**

**Dr. Amery Browne** (*Diego Martin Central*): Thank you, Mr. Speaker, to the hon. Minister of Health: given that the Occupational Safety and Health Authority has now deemed the Insect Vector Control Division's St. Andrew/St. David premises unsafe, hazardous and injurious to health under section 15 of the OSH Act, what immediate steps does the Minister propose to correct this situation?

**The Minister of Health (Hon. Dr. Fuad Khan)**: Thank you, Mr. Speaker. Very good question. Once again, may I say that—[*Crosstalk*] No, I would not do it? What I would like to say is that for 20 years chemicals have been housed at that area—that St. Andrew/St. David area. There was a bit of a necessity to house some more chemicals there from the main building of the Insect Vector. The workers decided that, all of a sudden, three months ago—three to four months ago, the OSH people, the OSH department et cetera—they indicated that it was now unsafe after 20 years of storing chemicals, which was a bit perplexing. However, we have taken steps to move the chemicals out, so that the workers can go back to that area. They were also being transferred to the Ministry of Transport safe building in the interim.

**Dr. Browne**: Supplemental. I thank the Minister for his response. Is the Minister aware that the Ministry of Health's Permanent Secretary was officially written by the Occupational Safety and Health Authority indicating the finding under section 15, and that no further clearance has been given by OSH, by the agency, for resumption or any further finding in terms of the safety and security of that premises?

**Mr. Speaker**: The hon. Minister of Health.

**Hon. Dr. F. Khan**: Mr. Speaker, the Minister and the Ministry is aware of what the Member has said. That is why I indicated initially that the chemicals have been removed from that area, and the workers have been housed in a safe area in the Ministry of Transport building so they can carry out their duties.

**Mr. Speaker**: Hon. Member, any further—

**Dr. Browne**: Yes. Clarification, Mr. Speaker. The Minister indicated that the workers can go back to that original site. He has not indicated whether he has obtained clearance from the Occupational Safety and Health agency. Can he clarify that?

**Mr. Speaker:** Well that is a statement. Let us go on to the next question. The hon. Member for Diego Martin Central.

**St. Andrew/St. David Insect Vector Control Division  
(Reduction in Employees)**

**Dr. Amery Browne** (*Diego Martin Central*): Thank you, Mr. Speaker.

Given that OSH Regulation 22 specifically prohibits any reduction in remuneration of employees under the aforementioned circumstances in St. Andrew/St. David, why has the Insect Vector Control Division's daily-paid workers not been paid for two fortnights of work, in violation of the OSH Act and Regulations?

**The Minister of Health (Hon. Dr. Fuad Khan):** Mr. Speaker, once again, the Member for Diego Martin Central is on the ball and I commend him again. Mr. Speaker, what I will like to say in this case is that the daily-paid workers exist under an agreement of the daily-paid agreement. The head of that union, together with the Permanent Secretary, has been in talks since January 19, and they have come to the decision that these workers were transferred to the Ministry of Transport building that is a safe building. However, these workers just come to work and just sign OSH 15 and leave to go home. They have not indicated at all what the problems are according to the Act.

So, in other words, they have been going home—just signing OSH and going home. So, the Permanent Secretary has asked the CPO about the agreement for these daily-paid workers, and they have indicated, as usual in this country—no work, no pay. That is why they have not been paid, but it is being rectified, hopefully that they will go back to work in the Ministry of Transport building that has been deemed safe, and as I indicated before, we are still clearing the chemicals from our Insect Vector building before we could deem it safe, Mr. Speaker.

**Mr. Speaker:** The hon. Member for Diego Martin Central.

**Dr. Browne:** Mr. Speaker, thank you. The question is whether the Minister is aware that what he has just described is a specific violation of regulation 22 which specifically prohibits reduction of pay or remuneration in the circumstances described.

**Hon. Dr. F. Khan:** The Minister has not done that. The Minister has indicated that the Permanent Secretary together with the CPO looked at the agreement of the daily-paid workers and came to a decision that they were signing

the OSH 15—whatever document that may be—and leaving. So, at the end of the day, the workers were not conforming to the OSH Act themselves. So at the end of the day, there will be negotiations and agreement, and this was discussed with the head of the union. So, the Minister backs his Permanent Secretary and stands on firm ground.

#### ANSWERS TO QUESTIONS

**Mr. Speaker:** Hon. Members, at the sitting held on Friday, January 30, 2015, in accordance with Standing Order 29(13), I was asked by the hon. Leader of the Opposition to write to the hon. Attorney General to seek the reasons for the delay in answering House of Representatives question number 42. Written correspondence was forwarded to Attorney General by letter dated January 30, 2015. I received a response from the Attorney General by letter dated February 04, 2015. I shall now read the correspondence into the record.

“Dear Speaker.

RE: House of Representatives on Unanswered Question #42.

I refer to your correspondence dated January 30, 2015 on the above caption. (Ref PARL: 3/1/2). I am advised that the delay in answering the question resulted from compilation of the voluminous amount of data by the Solicitor General’s Department.

Please note that this matter is currently receiving the attention of Cabinet.

Sincerely,

Garvin Nicholas

Attorney General of Trinidad and Tobago” [*Laughter*]

I have directed the Clerk to provide a copy of this response to the hon. Leader of the Opposition. Let us go.

**Dr. Rowley:** Mr. Speaker, now that we have got that position of the Cabinet having to determine who was paid, what is the status of the answer as we go forward? What do we look forward to in terms of time frame? Are we going for two weeks’ extension?—a week, whatever?

**Mr. Speaker:** Well, may I ask the hon. Leader of the House in terms of that period of time. What period of time will you now require to respond?

**The Minister of Housing and Urban Development (Hon. Dr. Roodal Moonilal):** Mr. Speaker, I just want to be very, very clear here. The Member for Diego Martin West invoked our Standing Order that triggered correspondence

from the Parliament to the Minister. The Minister has replied. The Member for Diego Martin West requires a more detailed answer. I suspect that the Parliament may write the Minister for that detailed answer, but I cannot volunteer an answer given that we are acting pursuant to the Standing Order on this matter.

So it is a matter the Member may wish to take up. But I cannot go on record here, Mr. Speaker, given the fact that the Standing Order has been invoked as to the time frame, but the matter is before the Cabinet, and I imagine in a reasonable time of a couple weeks, that matter would be dealt with. It is a very, very big document that is being requested, but I cannot fix the time at this stage. Thank you.

**Dr. Rowley:** Mr. Speaker, this novel interpretation by the Leader of Government Business surprises me. Is the Member saying that by asking the Chair to ask, as you did, that the question now remains open-ended to eternity?

**Hon. Dr. R. Moonilal:** Mr. Speaker, a question has been asked; an answer has been provided. First, no answer was provided; we had a problem. Now a question asked and an answered provided. If you wish, we would have a discussion with the hon. Attorney General and try to ascertain from him a time frame, but I cannot do so now. Thank you.

**Mr. Speaker:** Invoking this particular Standing Order resulted in a response, but the obligation is still on the Government to give an undertaking as to when the answer [*Desk thumping*] would be provided to the hon. Member who has asked the question. So, I do not know if, hon. Leader of the House, you may be in a position to indicate what time frame would be required of your good self to have the answer provided to this honourable House.

**Hon. Dr. R. Moonilal:** I would be extremely happy to consult with the hon. Attorney General and get back to the Parliament and the Member on the matter.

**Mr. Speaker:** Okay. Let us go. We now go the hon.—yes.

**Hon. Dr. R. Moonilal:** Mr. Speaker, have a few questions on the Order Paper today. The Government would be answering questions Nos. 55, 56, 57, 16. We will ask for a deferral of deferral of two weeks to question No. 17. And we are in a position to answer question No. 50 and question 62, and ask for question No. 22 to be deferred. So, the two questions to be deferred are 17 and 22.

I know our friends opposite are also very interested in the written responses. We have three questions on the Order Paper today, one of course, is the subject of a correspondence. I think it is question No. 41 on the Order Paper and not 42. We are in a position to indicate later in the proceedings, we would like to circulate the answer to No. 43 and the answer to question number 54. Thank you.

**WRITTEN ANSWERS TO QUESTIONS**

*The following question stood on the Order Paper in the name of Mr. Nileung Hypolite (Laventille West):*

**Programme for Upgrading Roads Efficiency  
Siparia Constituency  
(Information on)**

- 43.** Could the hon. Minister of Works and Infrastructure:
- (a) List all the roads that were paved under the Programme for Upgrading Roads Efficiency (PURE) in the Siparia constituency during the period June 01, 2010 to September 30, 2014;
  - (b) Provide the names of the contractors who undertook paving projects regarding (a) above; and
  - (c) Provide the contract sum for each paving project relating to (a) above?

*The following question stood on the Order Paper in the name of Mr. Jack Warner (Chaguanas East):*

**Green Fund  
(Details of)**

- 54.** With respect to the Green Fund could the hon. Minister of the Environment and Water Resources please:
- (a) state the balance of the Fund as at September 30, 2014 and how much the Fund collected annually for the period 2010 to 2014;
  - (b) provide a list of all disbursements from the fund for the period 2010 to 2014 including the names and addresses of all persons, companies or organizations to which disbursements were made, the amounts disbursed, the scope of the projects undertaken with these disbursements, and what benefit to the environment was derived

from these projects;

- (c) state whether any steps have been taken by the government to expand the use of the fund to include renewable energy and energy efficient projects?

*Vide end of sitting for written answers.*

#### ORAL ANSWERS TO QUESTIONS

*The following questions stood on the Order Paper in the name of Mr. Fitzgerald Jeffrey (La Brea):*

#### **New Port for La Brea (Details of)**

17. Could the hon. Minister of Trade, Industry, Investment and Communications state:
- A. Where will the new Port for La Brea be located?
  - B. How many consultations were held with La Brea residents?
  - C. Was an Environmental Impact Assessment conducted?
  - D. If yes, when was the Environmental Impact Assessment conducted?
  - E. Did the Environmental Management Authority give a certificate of Environmental Clearance on the project?
  - F. Are there any plans to relocate residents of Point D'Or for the construction of the Port?
  - G. If yes, when and where will Point D'Or residents be located?

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

22. When will the Landslips between Light Poles Number 39 and 41 Upper Salazar Trace and Upper La Union Road be repaired?

*Questions, by leave, deferred.*

#### **Oil Produced in 2014 (Details of Revenue Earned)**

55. **Mr. Colm Imbert** (*Diego Martin North/East*) asked the hon. Minister of Finance and the Economy:

Could the Minister 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?

**The Minister of Finance and the Economy (Sen. The Hon. Larry Howai):** [*Desk thumping*] Mr. Speaker, the revenue earned by the State from oil produced in Trinidad and Tobago 2014—I am using fiscal 2014 which would be October to September. Supplementary Petroleum Tax—\$4,989 million—and I will round to the nearest million; Petroleum Profits Tax—\$4,892 million; Unemployment Levy—\$495 million; Royalty—\$2,405 million; Impost—\$119.6 million; and Withholding Tax—\$141 million.

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

**56. Mr. Colm Imbert** (*Diego Martin North/East*) asked the hon. Minister of Finance and the Economy:

Could the Minister state the prices paid by downstream producers in 2014 for natural gas produced in Trinidad and Tobago?

**The Minister of Finance and the Economy (Sen. The Hon. Larry Howai):** Thank you, Mr. Speaker. With respect to this question the information is confidential as it forms part of individual contracts between NGC and its customers. To provide this information would erode the ability of NGC to effectively negotiate these contracts. Therefore, the provision of this information is not in the national interest.

**Mr. Imbert:** Supplemental, Mr. Speaker. Would this information provided to the energy subcommittee of Parliament, if asked?

**Sen. The Hon. L. Howai:** Mr. Speaker, I am not quite au courant with details of what is available to the energy committee and what can be provided. If it can be done, I am sure it would be. But I am not in a position to answer it at this stage.

**Mr. Imbert:** My final supplemental. Would the Minister of Finance and the Economy be prepared to tell the energy subcommittee of this Parliament what are the prices paid for our natural gas by downstream producers of petrochemicals? Yes or no.

**Sen. The Hon. L. Howai:** Thank you, Mr. Speaker, as I said, we will consider the matter [*Crosstalk*] and if it is something that can be shared with the energy subcommittee, we will certainly do so.

**Mr. Imbert:** What do you have to hide? [*Crosstalk*]

**Trinidad and Tobago LNG  
(Details of)**

**57. Mr. Colm Imbert** (*Diego Martin North/East*) asked the hon. Minister of Finance and the Economy:

Could the Minister 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?

**The Minister of Finance and the Economy (Sen. The Hon. Larry Howai):** Mr. Speaker, we export LNG to 20 different countries, and we can give the detailed information with respect to the volumes that are exported to each of these countries, and I can share that—perhaps I can circulate it to the hon. Member rather than actually going through all 20 countries.

However, Mr. Speaker, regarding the prices earned, this varies depending on market conditions at the time, and of the shipments. I am afraid however, that the detailed information and the prices of each shipment is part of commercial contracts which is governed by privity of contracts, and which we are therefore unable to disclose.

**Mr. Imbert:** Mr. Speaker, supplemental. [*Crosstalk*] Could the Minister clarify? Are you saying that the prices for our LNG exported to other countries—that the prices—that is a secret? That is what you are saying?

**2.00 p.m.**

**Sen. The Hon. L. Howai:** Mr. Speaker, I am saying that, for the specific shipments which make up the total volumes exported, those special contractual arrangements that are entered into between the companies and the persons who are purchasing, who are importing our LNG, and we are not in a position to share the details of those prices with the Opposition.

**Petrotrin  
(Rehabilitation of High-risk Oil Lines)**

**16. Mr. Colm Imbert** (*Diego Martin North/East*) on behalf of Mr. Fitzgerald Jeffrey (*La Brea*) asked the hon. Minister of Energy and Energy Affairs:

When will Petrotrin complete the rehabilitation of the oil lines for which the integrity has been classified as high risk by Shell Solutions?

**The Minister of Energy and Energy Affairs (Sen. The Hon. Kevin Ramnarine):** Thank you, Mr. Speaker. The answer to question No. 16: Shell Global Solutions has made no recommendation to Petrotrin regarding the

rehabilitation of oil lines. Shell Global Solutions has provided reports on the technical evaluation of corrosion in the vacuum unit, tank integrity and on the application of leak detection techniques on sea lines. The review of leak detection techniques was not an integrity review, rather an insight into techniques that could help identify leaks quickly. Petrotrin has a technical service agreement with Shell Global Solutions International, under which the company is provided with technical advice on matters relating to the refinery. That concludes my answer, Mr. Speaker.

**“Comfort Police”  
(Details of)**

**50. Mr. NiLeung Hypolite** (*Laventille West*) asked the hon. Minister of National Security:

- A. When was the “Comfort Police” established in Trinidad and Tobago and how were the personnel recruited?
- B. Are the “Comfort Police” under the management of the Commissioner of Police?
- C. If the answer to (b) is in the negative, can the Minister state who the officers report to?
- D. Are the “Comfort Police” authorized to restrain, arrest and subsequently lay charges upon the citizens of Trinidad and Tobago?

**The Minister of National Security (Sen. Brig. The Hon. Carlton Alfonso):**  
[*Desk thumping*] Thank you, Mr. Speaker. The Ministry of National Security, in its commitment to providing a safe and secure environment for all its citizens, proposed the establishment of the Community Comfort Patrols to address both the fear and the perception of crime by the citizens of Trinidad and Tobago through increasing the visibility of security personnel in defined geographical areas, through the implementation of mobile patrols effected by the protective service agencies of the private security industry.

The name of the programme is the Community Comfort Patrols and not “Comfort Police”. In February of 2014, Cabinet agreed to the implementation by the Ministry of National Security of this Community Comfort Patrols pilot programme for a period of four months. However, Mr. Speaker, it was formally established in July of 2014. The pilot programme came to an end on October 15, 2014, and Cabinet subsequently agreed to the implementation of the CCP for a further one year with effect from October 16, 2014. This programme is conducted

using private security companies approved by the Private Security Network Commission, which is a body comprising private security agencies registered with the Ministry of National Security and the Trinidad and Tobago Police Service.

In July of 2014, personnel were recruited to the private security agencies which are responsible for recruiting officers and screening applicants. The qualification criteria for each post are determined by the private security companies and the Office of Law Enforcement Policy, a unit under the Ministry of National Security, to ensure that applicants possess the character suited for public safety.

Applicants are required—for accreditation purposes, the accreditation process is as follows—it is a long list of—

**Hon. Member:** Read, read, read.

**Sen. Brig. The Hon. C. Alfonso:** If you want to hear them, fine. CCP officers must be accredited prior to their engagement and deployment by the respective company. This accreditation process is conducted by OLEP in collaboration with the PSNC, of which I just spoke, on behalf of the Ministry of National Security. Applicants who have been accredited will be issued with a CCP photo identification card. This card remains the property of the Ministry of National Security and must be surrendered upon request by the competent authority. In addition, applicants must submit the following documents in order to be accredited:

- a covering letter;
- a resume;
- an electronic birth certificate;
- a valid ID, driver's permit and/or passport;
- a passport size photograph;
- a letter of reference; and
- a police certificate of good character issued within the last three months.

The Community Comfort Patrols do not fall under the management of the Commissioner of Police.

**Mr. Imbert:** What? What?

**Sen. Brig. The Hon. C. Alfonso:** The Ministry of National Security engages private security companies with the Office of Law Enforcement Policy being the supervisory body for the programme. Through this channel, respective private security companies submit monthly reports to the Minister and the Permanent Secretary. Community Comfort Patrols officers have the same powers of arrest as any citizen under the Criminal Law Act. Any person so arrested must be handed over to a police officer as soon as possible thereafter. CCP officers thus have the right to make an arrest where they suspect someone to be in the act of committing an arrestable offence, make an arrest where they suspect someone to have committed an arrestable offence, and use reasonable force in the prevention of crime or in the effecting or assisting in the lawful arrest of offenders or suspected offenders. I thank you, Mr. Speaker. [*Desk thumping*]

**Dr. Rowley:** Mr. Speaker, could the Minister of National Security tell us under what specific statute are citizens allowed to operate in that way without reporting to the Commissioner of Police as their manager? And, also, who exactly do they report to?

**Sen. Brig. The Hon. C. Alfonso:** Would you repeat the question, Sir?

**Dr. Rowley:** Given the powers and operations just described by the Minister—for a group of citizens, as described to so impact upon citizens and these persons not reporting to the Commissioner of Police, who exactly are they reporting to? And under what law is that operation put into force?

**Sen. Brig. The Hon. C. Alfonso:** I know they report to the Director of OLEP. I do not know under what law, and I can find out that for you as soon as possible and report back to you.

**Dr. Rowley:** Is the Director of OLEP covered by any specific statute to operate a private security force in Trinidad and Tobago?

**Sen. Brig. The Hon. C. Alfonso:** I regret, again, that I do not have the full answer, but I can find that answer out for you as soon as possible.

**Dr. Rowley:** In the event that these persons who have been authorized to use force against citizens under circumstances given by them, who indemnifies the public in the event that persons are hurt or damaged by those persons that you described?

**Sen. Brig. The Hon. C. Alfonso:** Well, I suspect if you were to use force, “reasonable force” as I pointed out, a police officer—I think I mentioned that you must report if you arrest someone, a citizen's arrest, you must report to a police officer soon thereafter.

**Hon. Member:** Which is under the Constitution.

**Mr. Speaker:** Please! Continue.

**Dr. Rowley:** Is the Minister aware that what he has described is an operation and not an arbitrary common law citizen's arrest? It is an operation organized by the State and put in the hands of person or persons unknown and, therefore, the question I am asking: where are the privileges and immunities recorded to protect those persons and the public against whom they may act?

**Sen. Brig. The Hon. C. Alfonso:** I am certainly not in a position to answer at this time. I must and will get that answer for you and report back as soon as possible.

**Mr. Speaker:** One final question. The hon. Member for Laventille East/Morvant.

**Miss Cox:** Minister, you mentioned that the programme is now implemented, is there a report stating the justification for this expansion of the programme and at what cost?

**Sen. Brig. The Hon. C. Alfonso:** I am advised that that is a new question, however, I have not seen such a report—

**Hon. Member:** By whom? [*Interruption*]

**Mr. Speaker:** Please! Please! Yes, I think he is answering.

**Sen. Brig. The Hon. C. Alfonso:** I have not seen such a report.

**Mr. Speaker:** All right, we have exhausted—we have had five supplementals, under our Standing Orders four is permitted, so we now go on. We continue, please.

### **Invader's Bay Project (Information on Commitments)**

**62. Dr. Keith Rowley** (*Diego Martin West*) asked the hon. Minister of Housing and Urban Development:

- A. Could the Minister indicate whether any contracts, leases, licences, agreements, memorandums of understanding or other binding commitments have been made with third parties relative to the Invader's Bay Project?
- B. If the answer to part (A) is in the affirmative, could the Minister:
  - i. disclose copies of the said binding commitments; and

- ii. indicate whether it is the government's policy or practice to proceed to enter into binding agreements with third parties notwithstanding the serious concerns raised in different sectors surrounding the Request For Proposal process used by the government to allocate/distribute the lands at Invader's Bay?

**The Minister of Housing and Urban Development (Hon. Dr. Roodal Moonilal):** Thank you, Mr. Speaker. In response to part A: a head lease between the Government of Trinidad and Tobago and the Urban Development Company of Trinidad and Tobago with respect to lands at Invader's Bay was registered on August 12, 2014. Memoranda of understanding were signed between the Ministry of Planning and Sustainable Development and Invader's Bay Mariner Group on April 17, 2014, and the Ministry of Planning and Sustainable Development and Dachin on October 24, 2014.

Mr. Speaker, in relation to the other parts, I am so advised that the memoranda of understanding do not constitute a legally binding commitment. Therefore, part B, (i) and (ii) are not applicable.

**Dr. Rowley:** Is the Minister prepared to provide a copy of that document to the House?

**Hon. Dr. R. Moonilal:** Mr. Speaker, in response to the question, the question asked for the binding commitments. The memoranda of understanding is not a binding commitment. But, if the Member for Diego Martin West would still want to examine, I would seek further advice on the matter.

**Dr. Rowley:** Against the background, again the Minister is being asked to cooperate if he so wishes. Against the background of a ruling of the court that that memorandum and its origins were deemed to be in violation of Central Tenders Board Act, could the Minister indicate why the Government is proceeding with that operation?

**Hon. Dr. R. Moonilal:** Mr. Speaker, I am aware that there are matters at the court, on appeal I believe, and I prefer not to engage the Member on those matters on appeal in fear of provoking a breach of our Standing Orders. But, the Government is prepared to move forward on this matter. The matter has been aired in the public domain, notwithstanding an appeal, I believe, at the Court of Appeal, the Government will continue with the Invader's Bay development project.

**Mr. Speaker:** All right, let us go.

**Hon. Dr. R. Moonilal:** Mr. Speaker, I just want to, out of an abundance of caution and with great respect to the House, to indicate that earlier in the proceedings I had indicated that question No. 41 was the subject of the invocation of our Standing Orders, to the Attorney General. But, it is question No. 42. So, question No. 41 is an entirely different question and I would ask that the answer to that be deferred for two weeks. It is also addressed to the Attorney General from the Leader of the Opposition.

**Mr. Imbert:** Mr. Speaker, my understanding is that questions Nos. 22 and 17 were already deferred for two weeks and they have been so deferred again today. I am invoking Standing Order 29, and asking the Parliament to write to the relevant Ministers and enquire as to what is the problem? Why are we not getting an answer to these questions? When do we get an answer and so on?

**MOTOR VEHICLES AND ROAD TRAFFIC BILL, 2014**

[Second Day]

*Order read for resuming adjourned debate on question [January 30, 2015]:*

That the Bill be now read a second time.

*Question again proposed.*

**Mr. Speaker:** Persons who have spoken thus far: the Hon. Minister of Transport, the hon. Member for Diego Martin North/East. Who is next? Who is speaking? The hon. Minister of Works and Infrastructure.

**2.15 p.m.**

**The Minister of Works and Infrastructure (Hon. Dr. Surujrattan Rambachan):** Thank you very much, Mr. Speaker, and I will be using my extra time in this regard. Mr. Speaker, as I begin this morning let me also join you and Members of the House in extending condolences to the Member for Arouca/Maloney on the unfortunate loss of her father, through again, an accident on the roadways of Trinidad.

Mr. Speaker, I also want to take the opportunity to congratulate and thank some very responsible citizens of this country, including those associated with Arrive Alive, a group from south called "Road Watch" who have been providing some very important information to me, particularly Road Watch, with respect to driving behaviours as well as the condition of some of our roads, and I want to acknowledge the hard work they have been doing.

So, Mr. Speaker, I am extremely delighted to join this debate, because this piece of legislation that is being brought here before the House by the hon. Minister of Transport, Mr. Stephen Cadiz and the Member of Parliament for Chaguanas East, it really marks a paradigm in the manner in which we shall treat with the registration, licencing and regulation, not only of motor vehicles but I think more importantly treat with the behaviour of drivers in terms of how they use vehicles on the roadways of Trinidad and Tobago. I was very happy reading through the 215 pages of this particular document, the Bill that is before the House, that so much attention in it has been paid to behavioural aspects of driving in the country. Because, you know, as I often say, a vehicle is a weapon in the hands of an individual and the individual is the one who is the intelligent force behind the vehicle and has to exercise rational choice.

More and more, Mr. Speaker, it seems that we are experiencing too much irrational behaviour on the part of users of vehicles. Just about three weeks ago on my way from my constituency in Tabaquite through the Caparo Main Road—which has been fully rehabilitated and it is a very beautiful road now, [*Desk thumping*] under the People’s Partnership Government, a group of motorcyclists decided to tag both my vehicle and another vehicle that was driving towards Chaguanas. And what they will do, they will come—start in Flanagin Town, this motorcyclist, cut in front of my vehicle and then go forward and then let me pass and then come and cut again. And when I put my hand out to say, “What are you doing?”, the guy came up with his motorbike, side to my vehicle, put his hand like if he is making a gun sign to me and then went off ahead. [*Crosstalk*] Yeah, a gun, you know, making a sign like that. [*Minister made motion of a gun sign*]

**Dr. Browne:** You sure it was not a peace sign?

**Hon. Dr. S. Rambachan:** No, it is not a peace sign. And I took the liberty and I posted that motorcycle number on Facebook, because, I really and truly believe that some of us have to engage in stronger and more courageous behaviour in order to stop the carnage that is taking place in our roads. [*Desk thumping*] I really believe so, Mr. Speaker. And every day, every afternoon, and particular on weekends, you have motorcyclists who are doing all kinds of tricks on the highway to the detriment of people who are behaving in a proper manner in the use of their vehicles on the highway, particular on the highway going to south Trinidad. I remember calling Superintendent Johnny Abraham to give him those numbers of those vehicles asking him to have a cautious word—sorry, of those motorcyclists with people, because one day they cannot engage in a behaviour that leads to a loss of life. And it is incidents like that that have prompted me to

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congratulate the Minister and those who are involved in this Bill in terms of behavioural aspects of this particular Bill, Mr. Speaker.

There are certain aspects of this Bill which I believe every member of the public, every citizen, but particularly including parents, whose children are about to become drivers should become thoroughly familiar with. And I commend the public to seriously look at Part VI of the Bill dealing with the Issuance of Driver's Licence.

Mr. Speaker, while time does not permit me to examine every clause in this section, permit me, though, to discuss a couple of the clauses in this particular section of the Bill, the Issuance of Driver's Licence, and this is in Part VI. Mr. Speaker, I do believe that one of the things that can be usefully done, and I discussed it with the Minister of Transport and he has full agreement with it, is that a section like Part VI of this Bill would be brought to the attention of the schools so that people in Forms 4, 5 and 6 would be able to begin to look at this and begin to understand what is required of them and what will be required of them in terms of behaviours when they get on the roads of Trinidad and Tobago.

Mr. Speaker, the Issuance of Driver's Licence. Let us start with clause 47, subsection (2):

“A person shall not employ another person to drive a vehicle unless the person so employed is the holder of a valid driver's licence for the type or class of vehicle being driven.”

And you may wonder why I picked up on this clause where:

“A person shall not employ another person to drive a vehicle unless the person so employed is the holder of a valid driver's licence...”

Mr. Speaker, every day, every week, every month you have situations where the police are stopping people on the roads and discovering that they either do not have a driver's licence at all or that they are driving a vehicle for which they do not have the requisite permit.

**Mr. Cadiz:** Wrong class.

**Hon. Dr. S. Rambachan:** Wrong class. And, Mr. Speaker, it is when we allow that kind of infraction of the law to take place that people think they could get away with the bigger infractions. And I think that is important that we see here, that a certain level of responsibility is being placed upon the employer not to

employ another person to drive a vehicle unless the person so employed holds a valid driver's licence for the type or class of vehicle being driven.

So a person would come to you and say I want a job and they may present you with a licence and you may not ask, well, what class driving permit you have and you may employ them. But now there is an obligation upon the employer to ensure that the proper class is had or is available. And what I am very happy about is that there is a fine, there is a fine of \$5,000 or nine months in jail where this is contravened, and this is upon the employer. And, of course, the person who commits the offence, there is a fine of \$10,000 or imprisonment for two years.

A lot has been said or was said by the Member for Diego Martin North/East about the restrictions and newly licenced drivers. In discussion with the Minister of Transport he will deal with that matter when he sums up the debate. But let me say, that for far too long in our own country we have been discussing this matter of the suitability of a person to drive on the highways and byways and so on, having only passed a driving test, and whether that person is sufficiently competent to do that on the roadways. Or whether, in fact, that person as the law suggests now, should be accompanied by a person who has had a certain amount of driving experience—I believe the Bill now says five years and for a specific period of time and what have you.

Mr. Speaker, this is not new to law. In fact, if you examine the laws of many countries you will see similar provisions like this being made in other developed countries. And sometimes it is also necessary to protect people against themselves. And this is not to cast any aspersions on the maturity of our young people or what have you, but, Mr. Speaker, you will agree with me that our newspapers and our television screens have been filled over the last couple of years with young drivers who have died on the roads, sometimes three weeks, sometimes a month after getting their licences. Recently, there was a case of a young boy who got, I think, a souped-up car for his birthday and he had just gotten his driver's licence and crashed and died to the consternation and emotional disturbance of his families and friends.

And so the society and the law makers must intervene in ways that are important to protect people in their own interest but also to protect others who are users of the road.

So, Mr. Speaker, the Bill in my view is correct in placing certain restrictions on newly licenced drivers. You know what those restrictions will be? Finally we will see, but I am for the idea of the introduction of a driving supervisor to

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accompany a newly licenced driver as a very serious and important addition to the law.

Mr. Speaker, the driving supervisor under this law, while supervising the newly licenced driver shall ensure that the person complies with the requirement of the Act including conditions and restrictions. What I think is really a great addition to the law, very great addition to the law, is the fact that a newly licenced driver, within six months of receiving the licence must be enrolled in an approved driving education course. I think that is very, very, important.

In fact, Mr. Speaker, it is also important for many of us who are experienced drivers to somehow, you know, maybe re-enter the classroom, do a defensive driving course—[*Interruption*]

**Mr. Imbert:** What nonsense is that?

**Hon. Dr. S. Rambachan:**—you know, from time to time. Things change. We are building new highways and when you build new highways you have new conditions that are applying. [*Crosstalk*] Mr. Speaker, my friend, the Member for Diego Martin North/East had this habit when we were in the opposition of calling people dotish and now he is talking about nonsense. I would really wish that some of us would have better decorum in terms of how our citizens see us. [*Desk thumping*]

Mr. Speaker, you know that kind of behaviour is what the population had rejected in 2010— that arrogance, that lack of compassion for others and that is what they will reject again in 2015 when the elections come up. [*Desk thumping*] When people speak like that they are not disrespecting me, you know, they are disrespecting themselves as human beings.

Mr. Speaker, so I am very much in support of the attempts by the Minister of Transport, through this Bill, to ensure that we have more competent, capable drivers on our roadways. The driving education course as I said, in my view, is extremely important. I think, I should also say that the “driving supervisor”, the definition of it, of him or her:

“...means an experienced driver who is the holder of a valid driver’s licence for a period of at least five years;”

Mr. Speaker, as we deal with this matter there is a clause that I would like to refer to, I think it is an important clause and I think it would cause some debate in the country and it is the physical fitness clause, clause 53 of the Bill, in which it states that:

“...the Authority shall not issue a driver’s licence to any person unless the Authority is satisfied that the vision, hearing and bodily and mental fitness of the applicant are such as to warrant the issue of a driver’s licence.”

And 53(2):

“Where the Authority refuses to grant a driver’s licence to an applicant under subsection (1), the applicant may request to be subjected to a test as to his fitness or ability to drive a vehicle, or a vehicle of a particular class or description, or a vehicle of a particular form of construction, and if the applicant passes such test and is not otherwise disqualified, the Authority shall grant the driver’s licence to the applicant.”

So the law is balanced, in that, while it says that the authority has to be satisfied that the vision, hearing and bodily and mental fitness of the applicant warrants the issue of a drivers permit if there is refusal then the applicant can request that he or she be subjected to a test, which if they pass the authority will then grant the licence.

Mr. Speaker, having said, I want to refer to clause 55 of the Bill. And in this clause 55 I want to particularly refer to the section which requires a medical examination. And it says here, Mr. Speaker:

“(6) An applicant referred to in subsection (5)(b)”—which I was talking to, about, but this really refers to people over 65 years of age—“shall provide a medical certificate from a medical practitioner registered under the Medical Board Act as to his ability to drive or operate a vehicle without impediment.”

### **2.30 p.m.**

Now, Mr. Speaker, once you have reached 65 years old, your licence is only renewed in blocks of two years. Otherwise, prior to 65, you get five years. Now, what is important here is what the Act states in subclause (7). It states as follows:

“A medical practitioner who issues a medical certificate to a person pursuant to this Act without examining that person as to his ability to operate a vehicle without impediment, commits an offence and is liable on summary conviction, to a fine of ten thousand dollars and imprisonment for one year.”

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Now, Mr. Speaker, that is a very serious intervention because it goes hand in hand with the clause that says that the licence would be issued once the Authority is satisfied that the vision, hearing, bodily and mental fitness of the applicant are such as to warrant the issue of a driver's licence.

You know, I do not want to cast any aspersions on the medical fraternity at all, but we have had too many cases where very scant examinations take place, and when we are talking about determining the suitability of a person to drive on the roads, my only wish this afternoon is to appeal to the medical fraternity that in view of this Bill, that they will be very serious about the examination of people, and particularly, vision and alertness because so many accidents happen because of the lack of alertness.

An accident can happen in a split second. So many accidents are happening on our roadways because people are texting while they are driving. They are happening because people are answering the phones, even utilizing the car phone, having to just put your finger there to put on the green telephone for it to activate and you are on voice. But for that moment, you have probably compromised your alertness. So it is very important, while we speak of that kind of alertness, but also the medical practitioner has to be a little more alert himself or herself, or sensitive to what is required of them here under the law because the law now provides for a fine of \$10,000 and imprisonment for a year.

Mr. Speaker, in (8):

“Where the holder of a driver's licence suffers a change in medical condition that may impair his ability to drive or operate a vehicle, he shall forthwith inform the Authority of his medical condition.”

So, you know, the responsibility is being shared as far as possible and as it is required in order to ensure a safer environment in terms of our roadways and those who utilize the roads of Trinidad and Tobago.

Part VI of the Bill deals with the matter of driving tests, and this, to me, is a very, very important section of the Bill. This is an area that, whether we like it or not, is subject to some level of manipulation—driving tests.

Mr. Speaker, I am yet to understand how it is that people coming into our country, cannot speak a word of English, and they get a driver's licence. Now, I did some checking on that and what I have found out was that the Geneva Convention on Road Traffic, No. 1671, Final Act of the United Nations Conference on Road and Motor Transport that was signed at Geneva on September 19, 1949, Chapter 5, Article 24, paragraphs one to six—and Trinidad

and Tobago is a signatory to this Geneva Convention on Road Traffic: persons from countries that are not members of the Convention must undertake the procedure followed by all T&T residents in order to obtain their licence. Non-English speakers may obtain assistance with respect to translations from their respective embassies.

Mr. Cato, former Transport Commissioner, provided some further insight to my Ministry. He advised that non-nationals from countries under this Act, requiring a licence, must within 90 days of arriving in Trinidad and Tobago, present a valid driver's licence from their country to an authorized licensing body. These individuals will be required to undertake a driving test only.

Now, while that may be so, you know, it is very important that people be very familiar with our regulations on the roads of Trinidad and Tobago. I have seen instances myself, of nationals who cannot speak English, driving on the roadways of Chaguanas, making errors, do not understand how things work, at least from my observations, and I believe that we may have to look at this again in terms of how we certify people to actually use the roadways.

But they are getting the driver's licence and, you know, I am not here to say that people are corruptly getting those driver's licences, but I think it is something that ought to be investigated as to how these licences are being obtained, and they continue not to be able to speak a word of English because, as far as I know, the regulation test is still done in English.

You know, Mr. Speaker, in Chaguanas a couple years ago there was a driving school and that driving school was actually taking people to Point Fortin to get their licence. I do not want to go into the details of it, but that is a matter I reported at one time to the licensing authority in Trinidad. Whether anything was done about it or not, I do not know. But when you have that, that people are willing to compromise—the people that are teaching—so called training—people to drive and they are willing to take them somewhere else to get their licence, I think that itself is an offence.

This Bill also deals with the matter of driving schools and the licensing of driving schools, which I think is a very important development also in the Bill, and I commend the Minister for doing that. So you just cannot go and buy a car, put up an "L" on it and say, "Now, I am a driving instructor". It cannot be. This is dealing with the safety of persons. This is dealing with people's lives and you cannot compromise in that particular way.

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So, Mr. Speaker, you know, while we speak of all this, what we are really speaking about is a level of personal integrity that is required on the stakeholders who make up this community of persons who train people to drive, who issue the driving permits and so on. Because we can prescribe in law so many things, but unless there is a level of personal ethics and personal integrity involved, we are always going to have the system being compromised to our own detriment and the detriment, sometimes, of persons who are very law-abiding and very, very peaceful users of the roads. So this area of driving tests, to me, is a very important area and I will refer to the matter of the driving schools and that part of the legislation later on in my contribution.

The other point that I want to make is the matter of the introduction of the suspension of driver's licences by way of penalty points, which is clause 60 of the Bill. While we talk about the suspension of drivers' licences by way of penalty points, my Ministry has been taking away the bus route passes from certain maxi-taxis, and we have taken away quite a few in the last couple of weeks, on this matter of the short-drop issue. They have been taken away for a period of three months, and then if the offence continues, there is a further penalty and then it is taken away altogether.

But I just want to say that bus route passes have been taken away from people who have been fleecing members of the public, particularly school children, coming to the point of Curepe and then turning around and saying, "I am not going to Port of Spain", and then dropping them off there and so on—this kind of fleecing of the citizens of this country.

You know, a government is there to protect the citizens, and while this might seem to be a harsh way to do it, Mr. Speaker, it has to be done. You are there to uphold the law without favour, and very impartially, and in my Ministry we intend to do that with respect to these matters like that. [*Desk thumping*]

This matter of the penalty points is something that has worked very well in other countries. I have friends who live overseas and when they get some penalty points they begin to worry whether "I am going to get any other penalty points; and my licence is going to be suspended", and what have you and so on. So, Minister, I commend you for bringing this about because I believe it is going to encourage greater responsibility on the part of drivers.

You see, we have to stop fooling around with public safety. We really have to stop fooling around with public safety. We must do that. You know, I would hope, for example, that the accident—explosion—that occurred yesterday in

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Maraval will be something that will be thoroughly investigated to see where culpability lies, or what really happened there because the matter of filling gas in restaurants and so on, is something that happens every day in this country, and therefore, we must ask: where are the inspectors and so on, who are going to do that, and on a regular basis inspect the plants from which these products are taken; inspect the vehicles on which they are transported?

I am not saying that is the cause, you know, but I am saying that we have to be more vigilant in the whole matter of public safety altogether—public safety. We must be more vigilant. Sometimes I feel that we are not as vigilant as we ought to be. This is why I commended Arrive Alive and I commend all those citizens who communicate with me, as Minister of Works and Infrastructure, telling me about roads conditions, telling me about things that I need to know and I need to do.

I have developed a very good network across the country. This is why sometimes people are surprised at how I know where things are happening in my Ministry. My number, 792-1155, has been placed on the billboards so that people can communicate with me to let me know what is happening. I have no problem with that whatsoever. You know, it is public knowledge that I am available to them in order to deal with these matters.

Mr. Speaker, we must stop apologizing for taking right action, even though such action may seem, at times, strong-handed. We must stop apologizing for it. We must do what is right. You know, Mr. Speaker, today the Prime Minister is the most admired leader in this country [*Desk thumping*] because she is doing what is right. When you have leadership like that, that does what is right, it sets the moral standards for the rest of the society, and that is how the society evolves to a higher level of morality. [*Desk thumping*]

That is what you are seeing in the Prime Minister, and that is why her public rating—her national rating—is so high and has been consistently high throughout her career so far, as the Prime Minister. She is committed to doing the right thing, not because it is politically correct, but because it is right, and that is happening. When we talk about principle-centred leadership, our Prime Minister is a principle-centred leader. [*Desk thumping*]

So we must stop apologizing for doing the right thing even though it might seem strong-handed. So if it is that we want to protect the public and to engage in public safety, then this Bill must be supported in terms of the kinds of clauses that have been presented in this Bill for that.

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Mr. Speaker, I want to look at clause 65 of the Bill. This is a very important clause in my view—very important clause.

“A person who drives or is in charge of a motor vehicle on any road or a learner driver who is in a vehicle on any road or highway receiving instruction on driving or operating a vehicle, shall have on his person or in the vehicle for production as required under subsection (2), his driver’s licence or learner’s licence as the case may be.”

That is very important —very, very, important, Mr. Speaker, that you have your driver’s licence to show to:

“A constable, a Motor Vehicle Enforcement Officer or a Traffic Warden...”

Mr. Speaker, I need not go and tell you why it is important for people—

**Mr. Speaker:** Hon. Members, the speaking time of the hon. Member for Tabaquite and Minister of Works and Infrastructure, has expired.

*Question put and agreed to.*

**2.45 p.m.**

**Hon. Dr. S. Rambachan:** Thank you, Mr. Speaker. Mr. Speaker, simply to say that the failure to produce your driver’s licence to a constable or traffic warden in uniform, or a motor vehicle enforcement officer, now has a fine of \$5,000 or six months’ imprisonment.

Mr. Speaker, we also have in this country the motor manslaughter Act and, of course, there are many persons who have been charged under that Act. But an aspect of this Bill that I really agree with and I found very encouraging is clauses 90 and 91 which deal with the requirement to notify the Authority where a vehicle is involved in an accident. In particular, it places onus upon the insurer of the vehicle to notify the Authority in accordance with the Motor Vehicles Insurance (Third-Party Risks) Act, and an insurer who fails to comply is liable to a fine of \$10,000, and that to me is also important.

Sometimes, you know, a vehicle can be written off and somebody just goes and takes that number plate, puts it on another vehicle and then engages in illicit activity. Here, it is closing that loophole in the Bill, where it must be reported by the insurer so that we will know the Motor Vehicles Authority will have a record of that.

Clause 91 places responsibility on the owner of a vehicle that is destroyed, rendered unserviceable, or has been removed from Trinidad and Tobago to report to the Authority within one month.

Mr. Speaker, I wanted to speak about the assembly of vehicles, which is in clause 105 of the Bill because it is important to note that clause. You see, there was a time, and I do not know if it still exists, when people would bring in cut vehicles in the country and then weld back and bolt the chassis. We have seen accidents where these vehicles split in two and we wondered how these B12s and B14s and so on were being split in two. It is because they were bringing them as cut vehicles, beating the tax system, welding them back and selling them on the roads of Trinidad and Tobago. That is the kind of unscrupulous behaviour that existed on the part of people in this country, and those are the kinds of behaviours that the Bill seeks to deal with. So the hon. Minister, I am sure, will deal a little bit with that in his closing.

One aspect of this Bill is the radio frequency ID on the number plates that is so important. The radio frequency ID—RFID—is very important because with the red-light enforcement that we will have and the cameras we will have, we will be able to pick up the electronic ID on the number plate; and we will be able, of course, to send you then an automatic ticket, ticketing you for an offence or what have you, but it will be a very important thing even in tracing a vehicle. Let us say somebody stole a vehicle, you know, and they pass through one of these lights, you will be able to track it and you will know where this vehicle has gone.

But, Mr. Speaker, it is important for me to give you some statistics on the importance of this red-light enforcement because at Wrightson Road, just outside here, we have a camera that has been in use for some time now, where we have been tracking what has been happening with red-light enforcement and how many persons have been violating that red light.

Mr. Speaker, in the year 2013, except for two months, there were 16,055 violations right here, just by this light—for 10 months, 16,055. In 2014, there were 21,310 violations; and for the month of January this year, there have been 17,036 violations right here. So if you take 21,310 violations, that is breaking the red light, right here at this Wrightson Road—and that is only one camera, eh.

**Dr. Khan:** How much money you getting?

**Hon. Dr. S. Rambachan:** That is \$121 million if you take a thousand dollar fine. So as a revenue earner this is going to be big, but it just shows you what kind of people we have become in terms of traffic violations.

Mr. Speaker, earlier on—I have not spoken about it yet, but driving under the influence is also another matter that is taken up here under the Bill with some

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severe penalties, but the statistics on driving under the influence—DUI, as it is called—are also very startling. In 2012, according to the data provided by the Crime and Problem Analysis Unit of Trinidad and Tobago Police Service, 706 persons were charged for driving under the influence; 2013, also 706; and 2014, 731 persons were charged for driving under the influence. Now, of course, the fines have gone up for driving under the influence. But, Mr. Speaker, just quickly to let you know, in 2014, 40 per cent of the violations were in south Trinidad and 19 per cent of the violations in south-western Trinidad. So 59 per cent of the violations were in south and south-western Trinidad. Central was 7 per cent, down from 20 per cent in 2013. [*Interruption*]

**Dr. Gopeesingh:** Police better there. Police patrolling—[*Interruption*]

**Hon. Dr. S. Rambachan:** Wherever, but it does say something about what is happening. I think this is minuscule in terms of the real amount of persons who have been violating and—[*Interruption*]

**Hon. Member:** Tip of the iceberg.

**Hon. Dr. S. Rambachan:** Tip of the iceberg as we say.

The other matter that is taken up in the Bill which I find to be very important, Minister, is the registration of persons trading in vehicles, the registration of persons changing in vehicles, and that is in clauses 117 to 131. There are too many unscrupulous persons taking down payments from people and telling them they are going to bring in a vehicle for them and these people are not getting their vehicles. And there are people who are before the courts now. In fact, our good friend, Mr. Ian Alleyne, often has a field day on his programme trying to recover money for persons who have been unscrupulously dealt with by people purporting to be traders in vehicles. Well, now you have to be registered with the Motor Vehicles Authority and there is a fine of \$10,000 if you are not registered as a motor vehicle trader.

Mr. Speaker, I would have liked to speak a little more about trader registration plates and how these plates should be used because that is taken up, I believe, in clause 121 of the Bill. I see from day to day people with “D” plates and they are dropping children to school, they are going to the market, they are doing all kinds of things, misusing those “D” plates. The “D” plates were never intended, in my research, for that kind of thing. It is to be used specifically and yet, people are given these “D” plates and they are misusing them. So I like this Bill for what it purports to do with respect to the vehicle trader registration plates and the responsibilities associated with it, as well as the vehicle trader registration certificate.

Mr. Speaker, in that regard also, vehicle rental agencies. A lot of persons in this country are involved in renting vehicles for which there is sometimes no record. You go and ask them who you rent the vehicle to and they could give you a false name or what have you. A lot of people are doing that business, renting their vehicles. People buy vehicles, and people are renting them and using them as PHs vehicles on the roads.

**Dr. Browne:** To kidnap people.

**Hon. Dr. S. Rambachan:** They could do all kinds of crimes with those vehicles and we have to step in and protect the public from that kind of thing which will lead to criminal type of behaviour and criminal type of activity. So I am very happy that the Bill deals with this matter of the vehicle rental agencies and their registration, and clause 184, as I said, has to do with the registration of driving schools. Again, I commend the Minister for this particular Bill.

Mr. Speaker, you know, as I speak of all this, I got some figures—which I think the Minister may have referred to—of the number of vehicles on the roads of Trinidad and Tobago, and what I am told by the licensing authority is that currently they have on record 786,297 vehicles registered. What is interesting is that last year they sold 33,683 vehicles in Trinidad. Thirty-three thousand, six hundred and eighty-three vehicles were registered in Trinidad last year, compared to 2013 when only 26,066 vehicles were registered; 2012, 27,488 vehicles were registered; 2011, 18,837 vehicles registered. Now, does this not reflect a buoyant economy? [*Desk thumping*] Does this not reflect that? Because after a house, the second most expensive purchase you are going to make is a car, you know—after a house. People have to have money, and they are running the money in order to improve their quality of life, and it seems that they are spending on vehicles.

So, it says that something is right about how this country has been managed, something is right about how the country has been returned to a level of prosperity, [*Desk thumping*] something is right about how the people are enjoying a better quality of life under this People's Partnership administration.

Mr. Speaker, dangerous driving is also taken up under clause 198 of the Bill, and I think that is a very important—sorry, 196 of the Bill.

“(1) A person who drives a motor vehicle dangerously on a road, highway or public place”—and—“commits an offence...is liable on summary conviction to a fine of ten thousand dollars and...imprisonment for five years.”

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And again, you must have no apologies for having such strong fines. This is a country unless you have consequences for deviancy, people do not observe the law and people do not respect the law. Unfortunately so, but it is true. What is interesting here:

“(2) A person convicted of an offence under this section shall, without prejudice to the power of the Court to order a longer period of disqualification, be disqualified for a period of twelve months from the date of the conviction from holding or obtaining a driver’s licence, and on a third conviction for a like offence he shall be permanently disqualified from holding or obtaining a driver’s licence.”

Permanently disqualified. That is good law. You want to drive on the roads of this country, you must respect the other users of the road and also respect yourself.

Mr. Speaker, clause 210 in the Bill is another important clause and, I said, all I could have dealt with was aspects of the clauses. This is an important—  
[*Interruption*]

**Mr. Speaker:** You have three minutes.

**Hon. Dr. S. Rambachan:** Thank you, Mr. Speaker. It deals with parking of vehicles and one-way roads. Let us face it, this clause allows the Minister by Order to:

- “(a) prohibit or regulate the parking of vehicles on any road or highway; or
- (b) prohibit the driving of any vehicle on any specified road or highway otherwise than in a specified direction.”

We have too many roadside garages in this country that are causing traffic congestion. [*Desk thumping*] I have repeatedly made requests to the police in Claxton Bay to deal on Springvale Road with a particular garage there, where the guy just continually parks. I remember when a famous musician died a couple months ago, he did not even remove his vehicles in order to accommodate the funeral. In several parts of this country, including Chaguanas, people have these roadside garages and they are disrupting traffic on mornings and causing a lot of problems, and therefore, we have to deal with these problems.

If you want a better quality of life in your country, if you want order in your society, then that is why you elected this Government, and this Government is prepared to do what is right for this nation. [*Desk thumping*] Mr. Speaker, that is why when the Prime Minister did what was right recently, the next day this

country settled down and this country has begun to move forward again because they saw a vision. [*Desk thumping*] They realized that this is a leader that will take this country forward in a similar way that we are bringing legislation in order to create order in the society and in order to regulate errant behaviours and deviancy also in the society.

Mr. Speaker, I thank you for this opportunity and, again, commend the hon. Minister of Transport and all of those who worked with him to ensure that we have such progressive legislation before the Parliament as we continue to debate and to build a better nation and a better society.

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

### **3.00 p.m.**

**Mr. Terrence Deyalsingh** (*St. Joseph*): Thank you, Mr. Speaker, and thank you, colleagues, for that warm welcome. On behalf of the People's National Movement, I would also like to welcome the UK Parliamentary delegation. I would also like to welcome students from Forms 1, 2, 3 and 4 of the San Fernando East Secondary School.

**Hon. Member:** "Dey gone, they eh here."

**Mr. T. Deyalsingh:** "Dey gone?" Lovely. Well, the UK Parliamentary arm left right after the Member for Tabaquite started. And I would also like to offer condolences to our colleague on this side, hon. Alicia Hospedales, on the untimely passing of her father.

Mr. Speaker, we are here to debate the Motor Vehicles and Road Traffic Bill, 2014, and this Bill has serious constitutional issues which the Government has totally glossed over. It is our responsibility on this side to speak to those serious constitutional issues that have never arisen in the history of legislation dealing with motor vehicles. You and the population are probably asking: what are these constitutional issues? And I will get to that shortly.

Mr. Speaker, this is the Bill: 214 pages of legislation, 22 parts and 272 clauses and listen to the words used by the hon. Member for Chaguanas East when he was piloting: "revolutionary" and "major transformation", and he goes on to say:

"Given the number of clauses...272...it is indeed impractical to go through the Bill clause by clause."

Those were his words. Based on that alone, that is enough to recommend that this Bill go to a joint select committee. [*Desk thumping*]

**Dr. Browne:** Correct.

**Mr. T. Deyalsingh:** Based on that alone, it has to go to a joint select committee. But, I will demonstrate why it needs to go to a joint select committee or be pulled in its entirety.

Mr. Speaker, it is very easy to stand here and make promises and I remind the hon. Minister of his *Hansard* contribution on the debate on the Motor Vehicles and Road Traffic (Amdt.) Bill, 2014, where he said on March 21, 2014, that he is going to implement “a crash investigative unit”; a sort of forensic unit. To date, that has not happened. Simply saying something in Parliament in support of a Bill does not mean it happens.

But, Mr. Speaker, I want to demonstrate to you and this country, if you are serious about passing legislation which is “revolutionary”, “major transformation”—to use the hon. Minister's words in piloting—to have a successful piece of legislation that you need go no further than the Joint Select Committee Report appointed to consider and report on a Bill entitled the Motor Vehicles and Road Traffic (Amdt.) Bill, 2006. This was the Report of the Joint Select Committee chaired by the hon. Colm Imbert, then Minister and Member of Parliament for Diego Martin North/East. If you want a blueprint on how to pass successful, revolutionary, ground-changing, transformational, paradigm-shifting legislation, look no further than the PNM's attempt and successful attempt to do so in 2006.

Mr. Speaker, for the uninitiated—and this is why I am saying that this Bill needs to go to a joint select committee or be withdrawn for the serious constitutional issues I will come to. But let me just describe in brief the methodology used to bring to this country the legislation governing the use of the breathalyser, which everyone will agree has been the major transformational mechanism to reduce road accident deaths. This Joint Select Committee had 10 meetings over four months. They sat from Wednesday, December 06, 2006 to Wednesday, March 13, 2007. There are 294 pages of minutes which led to a redrafted Bill with the cooperation of the now Government, then Opposition. Let me read into the *Hansard* the blueprint because when I come to the constitutional issue dealing with blood—so I am telling you, the constitutional issue dealing with blood-taking, you will understand why we need this methodology.

Mr. Speaker, listen to the people who were Members of that Joint Select Committee: Chairman, Mr. Colm Imbert; Mr. Fitzgerald Hinds, Ms. Penelope Beckles, Dr. Adesh Nanan, Ms. Gillian Lucky, Mr. John Jeremie SC, Mrs. Joan

Yuille-Williams, Mr. Satish Ramroop, Dr. Tim Gopeesingh and Prof. Ramesh Deosaran. This Bill before us allows the State to now draw blood samples from citizens of Trinidad and Tobago and that is the constitutional issue. The State will now be allowed by law to draw blood samples.

But, listen to what went on with the breathalyser. Listen to the technical assistance and advice and provided by whom for breathalyser: Mr. Paul Griffith, Senior Legal Officer, Legislative Drafting Department, Ministry of the Attorney General; Ms. Laurelle Ralph, Legal Officer, Ministry of Works and Transport; Professor Lexley Pinto-Pereira, M.D., Professor, Department of Para-clinical Sciences, Faculty of Medical Sciences, University of the West Indies; Dr. Sandra Reid, Consultant Psychiatrist, University of the West Indies and Director of the Caribbean Institute on Alcoholism and other Drug Problems; Mr. Kirk Waithe, Mr. Brent Batson, Mr. Om Lalla, Dr. Andrew Persad - members of Arrive Alive. That was the type of expertise brought to bear on a joint select committee to deal with the breathalyser. This Bill wants us to agree to give the State the power to take blood samples by simply coming to the Parliament. No, absolutely not. Absolutely not! Follow the blueprint set out by the Member for Diego Martin North/East.

Mr. Speaker, if you want a take blood from people, you have to have proper expertise. Listen to some of the deliberations that went on:

“Your Committee having conducted Clause by Clause scrutiny...”

That is what is needed and the hon. Minister, in piloting, admitted that he cannot, in the short time frame, go through this clause by clause.

“...of the Bill agreed that certain areas of the proposed legislation needed reworking, strengthening and amending. Some of the areas of concerns raised were as follows:”

And this is in direct relationship to the taking of blood now. It was the breathalyser then, it is the same thing now, the taking of blood.

“a. The legislation should incorporate safeguards to protect the rights of motorists/individuals;”

This was for a breath analysis, non-invasive, and we are being asked here today, just by debating back and forth, to agree to let the State take your blood—  
[*Interruption*]

**Mr. Imbert:** “At the side ah the road.”

**Mr. T. Deyalsingh:**—without—yeah. On that alone, debate on this Bill should stop now and go to a joint select. You will find and the Government will find absolutely no opposition from this Opposition to bring proper legislation to decrease road deaths, to improve measures at the licensing office, but there is a way to do it. Simply coming to the Parliament with this type of legislation is not good enough.

Mr. Speaker, let us go to the actual Bill and this thing about taking citizens' blood by the State, and this is the constitutional issue—sections 4 and 5 of the Constitution. When one agrees to give a blood sample for a test, you agree to give your blood to a laboratory or a physician voluntarily. In most jurisdictions, the case law will tell you now you are taking blood involuntarily. In other words, which driver voluntarily wants to give a blood sample? Let me draw, again, the parallel between the successful implementation of the breathalyser and the unsuccessful attempt to bring in blood testing now.

In 2006, we had the Joint Select Committee and this is the report but the breathalyser testing was used in other jurisdictions for more than 20 years before that. So it is not that the use of breathalysers was new, it is a 20, 30-year-old piece of technology but it was new to Trinidad and Tobago. Therefore, we had to explore and ventilate all the issues which was done in this. Now, you are coming in 2014 and asking us on this side to simply agree to let the State take your blood. It is used in other jurisdictions, I am not saying no and that is what I am going to now.

So, let me read the Bill to alert the population as to what the Government is intending and I read from page 129 of the Bill, clause 224(7):

“Subject to subsections (8) and (9), where an accident occurs involving a vehicle on any road, highway or public place and the person who was driving or attempting to drive the vehicle is unconscious, a constable may, on arriving at the place of accident and having reasonable cause to believe that the person was driving or attempting to drive the vehicle –

- (a) while his blood alcohol level exceeded the prescribed limit; or
- (b) with a drug in his body,

cause a sample of blood to be taken from the person for laboratory testing...”

And this is where the constitutionality of this comes in. It is used in other jurisdictions but after careful consideration. As I said, when the PNM brought in the breathalyser, it was done via joint select consultations, even though it was used in other jurisdictions for 20 years and 30 years.

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- “(8) Where a sample of blood is required from a person under subsection (7), the sample shall only be taken –
- (a) at a hospital; and
  - (b) by a medical practitioner.”

And there is where you run into the first problem, at a hospital or by a medical practitioner.

In most countries, it could be done by a phlebotomist, you do not have to wait for a doctor because if you have to wait for a doctor in our crowded casualty departments, you will not get a doctor. They have other cases to see about. So that is the first bit of—can I use the word “stupidity”?

**Hon. Member:** No, that is unparliamentary.

**Mr. T. Deyalsingh:** No, I cannot. That is the first piece of—*[Interruption]*

**Hon. Member:** You can use “folly”.

**Mr. T. Deyalsingh:**—folly of this Bill.

In other jurisdictions that allow for blood taking, it could be done by a qualified registered phlebotomist but our Minister wants to have it only done by a medical practitioner. So there is no medical practitioner, the police have to sit down there with a drunk driver for eight hours to wait for a medical practitioner.

“Where a sample of blood is taken from a person under this section, the medical practitioner who took the sample shall provide written certification indicating that the sample was taken by him.”

Question: if this goes to the court, does the physician and doctor who took this sample and did the certification, does that person have to go to the court to give evidence? We would like to know. To tie up a doctor now in court.

Mr. Speaker, let me show you how other jurisdictions deal with this issue of blood taking.

“Nampa Police Officers...

October 20, 2014

Police in Nampa have 11 officers trained to take blood samples from...drunken drivers.

Most departments typically call a paramedic or take a DUI suspect to a medical clinic...”

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But, in our jurisdiction, only a medical doctor can take it according to this law. I want to show you that there is learning outside there that we can draw from.

**3.15 p.m.**

Mr. Speaker, another article:

“Police are being trained to take blood samples...”

Other jurisdictions allow trained police after 40 hours of training and doing 100 venipunctures, to take blood samples.

So if it is you want to bring blood taking to Trinidad and Tobago, let us discuss the thing in a joint select committee. Is it desirable? Or is it undesirable? Do we want it in Trinidad or do we not? If we want it, who is to take the blood—police, police phlebotomists, doctors only, labs? Ventilate the issue, but we will not support this piece of legislation which simply says we could take blood samples—cannot. Again, we have to wonder where is the LRC in all of this? Where is the Legislative Review Committee in all of this? This is a serious infringement on a person’s constitutional right that we are being asked to just flippantly debate and agree to here, and we will not. We are recommending it go to a joint select committee. Let us ventilate the issue.

Mr. Speaker, let me draw your attention, and that of the population, to some of the inherent dangers in taking blood from a drunk driver. This has engaged the United States Court of Appeal and the United States Supreme Court, especially as it has to do with the aggressive drunk driver. As I said before, when all of us go to a lab to give blood, we do so willingly because we want to find out the status of our health, but when you are taking a blood sample from a drunk driver, this is involuntary. Many drunk drivers could be aggressive, they will want to fight back, they will want to kick, they will want to scream. We have to examine the evidence that exists in other countries. Mr. Speaker, I read from:

*“PoliceChief*

*The Professional Voice of Law Enforcement*

The role of the Law Enforcement Phlebotomist”—by Robert Ticer.

It says here:

“...some civilian phlebotomists were hesitant to draw blood on uncooperative DWI suspects or after a search warrant had been secured...”

That is the reality of it.

What does the phlebotomist do? What does the doctor do in attempting to draw blood from somebody kicking and screaming? Do you know the dangers? You are handling a needle, people could have hepatitis, HIV, they could be haemophiliacs. This taking of blood, Mr. Speaker, is serious business, not to be treated lightly.

It goes on, and it speaks about the aggressive behaviour now:

“Case Law

*Schmerber v. California*...the appellate court affirmed that police may use force to obtain a blood sample...”

So we are talking about the use of force in taking a blood sample. Mr. Speaker, this has to be ventilated with experts:

“...the appellate court affirmed that police may use force to obtain a blood sample and approved an officer’s mild threat of force to obtain a drunk driving suspect’s submission to a warrantless blood”— sample.

—because these things are being done without a warrant, without a court order to take your blood, Mr. Speaker.

“The courts do recognize that use of force to obtain a blood sample becomes unreasonable at some level.”

Have we ventilated that use of force issue in Trinidad and Tobago? Have we ventilated that use of force—whether it is reasonable, unreasonable?

We heard earlier that the “Comfort Police” can use reasonable force, but are they trained to use reasonable force? Now you are telling me that we must agree to have citizens agree to give up their blood without the benefit of expert opinion. It is not that we are against legislation to do this, but please, follow the example as I have laid out in the Joint Select Committee of 2006.

It goes on—and this is what other countries who grapple with this problem have looked at. Mr. Speaker, this will shock you now:

“The use of a violent prisoner restraint chair...”—look at the words—“The use of a violent prisoner restraint chair has been very successful for completing blood draws on aggressive and resistant individuals. In those cases where the risk of injury is too great, the officer charges the suspect with failure to comply...”

Mr. Speaker, just as the breathalyser was revolutionary back in 2006, this is revolutionary, but this has much more serious implications for the rights of the person as enshrined in the Constitution—taking one’s blood.

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Mr. Speaker, just to help the Government and to help them when they go to a joint select—in an expert opinion, which will be part of joint select deliberations, will be the case of:

“*State v Woomer*”

Again, I am asking, where is the LRC in all of this? Where is the Legislative Review Committee? *State v Woomer*, which is one of the landmark cases in dealing with the drawing of blood for drunk-driving cases:

“Woomer moved to suppress the results of the test...”

So this person now, who had to give up his blood, and he moved to suppress the results:

“...on the basis that the circumstances of the blood taking violated the provisions of—”—the New Jersey State Act—“39:4-50.2(e) as interpreted in *State v. Burns*.... The trial judge agreed and suppressed the blood alcohol reading because the officer had threatened the use of force...”—case law—

“...and the statute says that it [blood] cannot be taken with force or violence or the threat of same...”

I think that case was subsequently overturned.

The point I am making, Minister, is that you are treading or attempting to go in unchartered territory without the advice of experts on the matter. With all due respect to the 41 of us here, I do not think we are equipped, as it is, to make a determination to agree to allowing the State to take blood from a DUI case, whether cooperative or uncooperative. So, Mr. Speaker, I leave the issue of blood taking alone for now, and I hope that the Government is listening. Please do not use this as an election gimmick, to say tick, tick, tick. We have to get our civil rights groups on board with this—have to. This cannot go forward as it is envisaged.

Mr. Speaker, the other part of the Bill I want deal with is this—*[Interruption]*—under Part IV, Enforcement and Administration, we are setting up this Motor Vehicles Authority. Now, I think there is no argument that the licensing office needs to be fixed; no argument, but we must ask ourselves, what it is we are trying to fix? Now, we are setting up this Motor Vehicles Authority, which is a board of political appointees, to now take over the roles and responsibilities of the Transport Commissioner. *[Continuous crosstalk]* Now, Mr. Speaker, I am trying to understand the motive for this. I looked no further than the

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*Hansard* of the hon. Minister, when he was piloting on January 30, 2015, where he said on page 9. He was saying:

“Part III of the Bill...”

Let me just go back to that. These are the words of the Member for Chaguanas East in piloting.

“Part III of the Bill—let me just go back to that. Where... you hear constant complaints of issues not being settled, you cannot even talk to the Transport Commissioner...”—his words—“you cannot even talk to the Transport Commissioner, you write to the Transport Commissioner and there is no reply, et cetera...”

Is it that the hon. Minister and the Transport Commissioner are at loggerheads, and they are fighting? So why say that? Why bring in the Transport Commissioner into this, right? He said:

“You cannot even talk to the Transport Commissioner, you write to the Transport Commissioner and there is no reply, et cetera, there is not going to be a single entity that you go to. The Board will be dealing with these issues.”

Mr. Speaker, under the last administration, the model proposed for the Motor Vehicles Authority was a model to deal with specific issues like vehicle registration, and so on. It was not this, as the Member for Diego Martin North/East said last week—this octopus-like creature that is seeing about rental fleets, that is seeing about this, that, and the other.

If we are to fix what is going on at the licensing authority, it must be fixed not on the basis of the loggerheads between the Minister and the Transport Commissioner. So they have their personal battles, okay, solve it, but do not try to circumvent him now by bringing aboard the Motor Vehicles Authority, because you see, Mr. Speaker, if it is we are to move away from a model where there is insulation of public officers—from the political directorate of the day—to one where public officers report to political appointees, we must know the rationale behind it. What is the rationale behind it? Because, let me tell you what it is these people have, they have the power of arrest. They have the immunities of police. These members of the Board have powers of—they could arrest me. They could arrest you, Member for Oropouche West.

What do the powers of arrest—explain to us the rationale for giving members of the Motor Vehicles Authority the powers of arrest? Are they going to be carrying firearms too? I think they are allowed to carry firearms. Just tell us.

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“The registrar or a Motor Vehicles Enforcement Officer may arrest, without warrant, a person who obstructs him while in the execution of his duty...”

Explain the rationale so we could support it, but you see, in piloting and the seconder on his side, the Member for Tabaquite, did not regale us with any details of those far-reaching, constitutionally important clauses. They sidestepped all of these issues.

**Mr. Speaker:** Hon. Members, the speaking time of the hon. Member for St. Joseph has expired. Would you be interested in an extension?

**Mr. T. Deyalsingh:** Yes, Sir.

*Question put and agreed to.*

**Mr. T. Deyalsingh:** [*Desk thumping*] Thank you, Mr. Speaker. I do not intend to take all 15 minutes. I am hoping that just on the blood issue alone, Mr. Speaker, that the Government will see the wisdom in what we are saying on this side. I will simply close off by asking this Government, what is the rationale from moving away from a system of insulation of public officers, to one now where public officers have to report to a political appointee?

**3.30 p.m.**

Mr. Speaker, lastly, I want to address some concerns coming out of the Minister’s piloting again because the Minister used some statistics and used some data in a very ingenious way.

**Dr. Browne:** Disingenuous

**Mr. T. Deyalsingh:** Oh, disingenuous—disingenuous way. That is right.

In an effort to drive home what he means under clause 49, issuance of a driver’s licence, 49(b), he talks about no more than two passengers. He says, “the newly licensed driver shall not drive or operate the vehicle between the hours of midnight and 5.00 a.m. unless accompanied by a driving supervisor”, but he also said there would be exceptions.

How do we decide who gets the exception to drive between 12.00 and 5.00? But this is the disingenuous use of data. He says:

“...37 per cent of fatal accidents occur between midnight and 5.00 a.m.”

This is his *Hansard*.

“There is a real reason for that.”

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And he stops there, but he does not give the reason. So he says there is a real reason for that, but he says that in piloting the part dealing with the newly licensed driver—just saying there is a real reason for that. He does not say it is due to young drivers. So the question is: who is causing these accidents between 12.00 and noon? Is it the young drivers? But this is what he goes on to say.

He quotes a report, the *Fatal Road Traffic Accidents Report*. He says 18 per cent of accidents in 2014 were caused by drivers between the ages of 18 and 24, but he did not say that those drivers drive between 12.00 midnight and 5.00 a.m. He just makes a blanket statement that 37 per cent of fatal accidents occur between midnight and five. He goes on to make another blanket statement which has no relationship to the one I just read out, saying that 18 per cent of accidents in 2014 were caused by people between the ages of 18 and 24. Well, therefore, if 18 per cent are caused by the drivers between 18 and 24 and you want to ban them, then it also means that 82 per cent of them are caused by people over 24. So ban them too. Ban everybody.

What is the nonsense in saying that 18 per cent of accidents in 2014 were caused by people between the ages of 18 and 24, which has nothing to do with the banning of their driving between midnight and five? Yes, so 18 per cent of accidents are, in fact, caused by that age group, therefore the age group 24 and over, 82 per cent of accidents are caused by them. What is the use of that data? “Leh we ban them too”.

And this is the disingenuous use of data to support a piece of legislation which cannot stand on its own. Ban! You want to have no accidents, ban everybody! You will have no accidents. So then you will have zero per cent of accidents because you have no accidents and nobody driving.

Minister, use the data, tell us what percentage of accidents between the hours of 12.00 midnight and 5.00 a.m. are caused by drivers between 18 and 24, if it is that you want to ban them. That data does not exist, but to just say 37 per cent of fatal accidents occur between midnight and 5.00 a.m. without telling us which age group causes the accident is not enough evidence to ban drivers between the newly-minted learners from driving.

You have shown no cause and effect between that 37 per cent of accidents and the young driver; absolutely none. You have just given a statistic—37 per cent of fatal accidents occur between midnight and 5.00 a.m. That is it. And based on that, you now ban drivers from driving between midnight—that is not logical.

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Tell us, of that 37 per cent of fatal accidents that occur between midnight and five, what percentage of that 37 per cent is caused by drivers between 18 and 24 so we can support this measure because those people may be earning a living driving at that time of the night.

We already have in this Bill a provision that the newly-minted driver can have zero alcohol level. I have no problem with that but on what data are you banning these people from driving between midnight and five? It is not logical—absolutely not logical, absolutely not logical.

And, Mr. Minister, tell us please what is the mechanism for granting exceptions to the young driver who has to drive between 12.00 midnight and 5.00 a.m., simply to say that there will be exceptions. Is it going to be in the regulations? Are you going to redraft the Bill? It is just ludicrous.

So, Mr. Speaker, in closing, the main thrust of my argument here today and our argument here today has to do with the constitutional issues regarding the taking of blood samples by the State. That was even mentioned in the Joint Select Committee Report of 2006. We do not have to reinvent the wheel. I turn to page 228 of that report and I quote:

**“Miss Lucky:”**—this is Miss Gillian Lucky—“With respect to...18(b), the other specimen or part was applied to the accused. Could we put the timeframe in there? Because I think blood has a lifespan in which you can do the test and, of course, you do not want them to comply when it is too late.”

This is Gillian Lucky, contributing in the Joint Select Committee, on blood.

**“Mr. Chairman:** You want to put within one hour or do you want to get expert advice on that?”

And that is what we are saying. You just cannot bring this Bill and expect us to support it *carte blanche*. These issues were raised by Gillian Lucky in 2006.

**“Miss Lucky:** I would like expert advice, but I was thinking that this one we could give forthwith. I would like the phraseology that...blood is not in any way becomes contaminated in such a way that you cannot really get a proper test.”

Mr. Speaker, the taking of blood is not to be trifled with. I have the words of Gillian Lucky here on page 228 of her over 300-page report on a joint select committee that dealt with the breathalyser. I urge the Government to withdraw this Bill and/or send it to a joint select committee so that it can be fixed.

With those very few words, I thank you. [*Desk thumping*]

**The Minister of State in the Ministry of Gender, Youth and Child Development (Hon. Stacy Roopnarine):** Thank you very much, Mr. Speaker. It is certainly an honour and privilege to be able to contribute to this ground-breaking legislation today as we create history to improve, what is considered, a very outdated system of operation of perhaps one of the most important institutions in the country, that being the Licensing Authority. So what we propose is to transform this into a Motor Vehicles Authority in keeping with international best practices and modern technology.

I wish to commend the hon. Minister of Transport for bringing this legislation to the Parliament. [*Desk thumping*] I know that a lot of work would have gone into this and I congratulate him and the team.

This Bill proposes to establish the Motor Vehicles Authority, which will deal with the registration, licensing and regulation of motor vehicles and drivers, the regulation of road use and matters connected thereto. And, furthermore, it also proposes to repeal the Motor Vehicles and Road Traffic Act, Chap. 48:50; the Motor Vehicles and Road Traffic (Enforcement and Administration) Act, Chap. 48:52 and the Maxi-Taxi Act, Chap. 48:53, which currently govern the licensing division.

So essentially, Mr. Speaker, what this seeks to do is to revise the governance framework associated with the issuance of drivers' licences, as well as motor vehicles registration and licences facilitated by the current Motor Vehicles and Road Traffic Act in Trinidad and Tobago. Therefore, this Bill will introduce new institutional and administrative arrangements which will guide the administration of drivers' licences issuance and motor vehicle registration and licensing.

I listened to the Member for St. Joseph as he started his contribution and it is interesting to note that he began his contribution by singing the praises of his colleague, the Member for Diego Martin North/East, and he claimed that we should look at that JSC report, which he called the blueprint set out by the Member for Diego Martin North/East in 2006. He referred to it as the PNM road map.

But, Mr. Speaker, this is the style of the PNM—road map/blueprint—but where is the delivery? So you have all these grand plans from 2006, but at the end of the day there is no delivery. This Minister has brought ground-breaking legislation to the Parliament today and he must be commended for that.

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But, Mr. Speaker, let us look at the track record of the PNM. Let us look at the track record of the same Member for Diego Martin North/East that you have sung these praises about. Because I recall their delivery with respect to licensing had to do with the use of the Coat of Arms on the official vehicle of the Prime Minister and that is the delivery of the Member for Diego Martin North/East as Minister of Works and Transport. You see, it was that Member for Diego Martin North/East, then Minister of Works and Transport, who gave the approval to put the Coat of Arms on the official car of the Prime Minister, then Member for San Fernando East.

Before making the legislative changes that would allow the people of this country to benefit from an improved Licensing Authority, their priority was the official vehicle of the Office of the Prime Minister. You will recall, in 2008, then Prime Minister Manning, in an article in *Trinidad Express* dated December 12, 2008, he was quoted as saying, and I quote:

“...the use of the Coat of Arms on Mercedes Benz answer ‘is a modernising of the systems that we use that was decided upon a long time ago’.”

Then Minister of Works and Transport, Member for Diego Martin North/East, was quoted in an article in the *Trinidad Guardian*, Friday, November 28, 2008, and I quote:

“He said since 1997, under section 4A of the Act, the procedures for the registration of vehicles, which included the procedures relating to identification marks, were approved from time to time by the minister with responsibility for road transport.”

And so here it is, Mr. Speaker, the then Minister of Works and Transport admits to the country that he authorized the use of the Coat of Arms on the official vehicle of the Prime Minister yet, in his contribution in this House, did not tell the Parliament what he did to improve the licensing office and their operations for the people of this country. And so their track record of delivery of the PNM blueprint is the Coat of Arms on the official vehicle of the Prime Minister. Congratulations!

Mr. Speaker, you will recall that one of the very first acts that our hon. Prime Minister did upon taking office was the removal of that Coat of Arms on the official vehicle of the Prime Minister and that is the type of leadership that this country deserves; not an abuse of power by those who were there before.

And so, as I get into the content of the Bill, I want to give you just a brief history of what had transpired. You know, the transformation of the licensing division has presented a significant challenge to successive Governments over the last 10/15 years and perhaps even more. This country has grappled with a rapid increase in road users in the past 26 years or so and this rapid increase has caused a tremendous burden on the current licensing administrative system and this is no secret that we have an outdated system and it certainly cannot keep up with the current challenges that we face on a daily basis.

**3.45 p.m.**

Mr. Speaker, the inefficiencies are so numerous that they are evident by the exploitation of the legislative and operational loopholes which currently exist, and that has really been detrimental to the overall system as a whole. Let me explain that this certainly has a trickle-down effect on the quality of customer service that one receives at licensing office and, of course, there is also a general lack of confidence by the citizenry on the operations of the licensing division even for as long as I can remember.

I think that no one would agree more that this is something that is certainly needed in Trinidad and Tobago. Even all of us at some stage, we have to go to get our licence at the licensing office, and I recall my own experience as well. So, you know, I go there to get my licence—very excited young person—and I was very disappointed because I had to come back because the cashier was closed or somewhere else was closed. So, it is really a tedious process, and what we are seeking to do here is to make that process easier so that we could offer better customer service for those persons who require services at the Licensing Authority.

You would recall that in the budget statement of 2011 the hon. Minister of Finance and the Economy stated and I quote that:

“Transforming the Licensing Authority is a top priority.”

And, therefore, it is against that backdrop that there is a great need for this revision and transformation of the framework governing the administration of motor vehicle registration and driver’s permit issuance.

The Government certainly recognizes that there is a need for a new system, new structures, to overcome these shortcomings and we also recognize that by improving these systems there can be a positive impact on other social ills such as criminal activities, because if we fix the licensing system itself, it would help the

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police and so on in terms of identifying vehicles involved in criminal activities and, therefore, this is very essential to the new framework being developed in order to have a proper registration of vehicles in Trinidad and Tobago.

And so, Mr. Speaker, you know that the model being used here is based on the Nova Scotia model. I think persons may want to know, well, why the Nova Scotia model was chosen, and I just want to give a couple points here as to why the Nova Scotia model was determined as the best fit for Trinidad and Tobago:

- Nova Scotia and Trinidad and Tobago have similar population sizes;
- They both enjoy a history of very cordial relations;
- Nova Scotia has a public management environment that is for the most part familiar with Trinidad and Tobago;
- Also, there are similar numbers in terms of drivers' licences and motor vehicles;
- Nova Scotia has a modern integrated motor vehicle department solution that meets Trinidad and Tobago's requirements; and
- Nova Scotia has extensive experience with change management, human capacity building, training and skill transfer services.

And so, all of the above are critical to the success of the transformation of the licensing division to the new Motor Vehicles Authority. This Bill will certainly demand an adjustment in the role, the function and the mindset of motor vehicle registration and administration. It will also facilitate a seamless transfer of responsibilities from the existing Transport Commissioner to the CEO of the Motor Vehicles Authority.

Mr. Speaker, I want to touch on a few things in the Bill itself. When we examined the actual content of the Bill, I think it cannot escape us that this is certainly a landmark and groundbreaking legislation. I think it certainly puts Trinidad and Tobago in the forefront in the region by having a modern motor vehicle registration and administrative system.

The Bill will bring, under the umbrella of a legal framework, other critical areas that remain unregulated and on the fringes of the licensing system. Some examples of this include:

- the registration of the vehicle rental agency;
- the certification and operation of fleet management facilities;

- the certification and operation of Vehicle Inspection Centres;
- special parking permits for disabled persons;

And this is something that is certainly needed in assisting disabled persons to park that is currently absent; and also

- the registration of driving schools.

These are areas that were not properly governed, not properly regulated in Trinidad and Tobago and, therefore, it is time that we put a proper legal framework in place to regulate it. Mr. Speaker, we also have to look at the benefit to the State as this could also assist in the collection of much needed revenue since all stakeholders would be required to operate within a structured legislative system.

And so, what are some of the objectives of this Bill?

1. It is to establish an institutional framework in the form of the Motor Vehicles Authority to better administer the issuance of a driver's permit and manage more effectively and efficiently the registration and licensing of motor vehicles;
2. Require notification of the issuance of insurance certificates, the registration of all dealers and motor vehicle rental firms in furtherance of the general oversight of the use of the national roadway.
3. To strengthen the powers of the Motor Vehicles Authority to enforce the provision of any written law under which it operates; and
4. To provide an appropriate framework which balances the demands of accountability for public funds and the impetus to improve service and convenience to the consumer.

And so, Mr. Speaker, I want to touch on a couple of clauses in this Bill. Of course, it is quite a lengthy Bill, so I would just go through just a few clauses. If we look at Part II of the Bill, which provides generally for the establishment, the functions and the powers of the Motor Vehicles Authority, and we look at, in particular, at clause 7 which provides for the functions of the MVA, the functions listed in clause 7, Part II, will contribute to the effective administration of the Bill, and some of these functions include:

- to inspect and register all vehicles in Trinidad and Tobago;
- the issuance of driver's licences; and
- the issuance of licence plates and other identifying tags.

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May I say, Mr. Speaker, that perhaps one of the biggest changes would be to the system of the licence plates. These plates would be issued in accordance with specifications as determined by the Authority. I brought samples which I would show as I sought your permission earlier. This is what the new plates would look like. [*Licence plate in hand*] The actual specifications would be based on international standards and, as you see, Mr. Speaker, on the bottom you see “private” here. You will also have “commercial”; you will also have “private, commercial, hired” and also a class for the “differently abled”. So, this is just a sample of what it would look like. If you look at this one [*Licence plate in hand*] you would see that it says at the bottom “differently abled”, and so that is one of the major changes that we expect to see. These plates would obviously be adhering to North American standard sizing and international standards and best practices.

There was some discussion on the driver’s permit, both by the Member for Diego Martin North/East as well as the Member for St. Joseph, and these drivers’ permits would also be state-of-the-art. There would be a smart card based, and can include information from other Ministries as well such as blood type and whether you want to be an organ donor or not. I know the Minister of Health would be very interested in having that function implemented.

One of the fundamental changes that we are making here is with respect to changing of the process to getting the driver’s licence. I know there is concern from both the Member for Diego Martin North/East as well as the Member for St. Joseph of that time period where you have to drive with a person, an experienced driver in the vehicle—an experienced driver of more than five years, I believe. This is, indeed, very important because it is no secret that globally road accidents are one of the major causes of death of young people and, therefore, we have to put things in place to change this.

Mr. Speaker, I refer to the United Nations Report on Global Situation of Youth—the name of the report is entitled the United Nations Report on Global Situation of Youth Shows Changing Trends, and this report revealed and I quote:

“Unintentional injury is the leading cause of death among young people, especially road traffic accidents among boys.”

The report goes on to say, Mr. Speaker, that:

“The five leading causes of death, illness and disability among young men are depression, traffic accidents, alcohol use, war and schizophrenia.”

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Furthermore, if we look at the United Kingdom as an example—and I refer to an article in *UK Guardian* dated May 02, 2012. The headline says “Traffic accidents are ‘biggest killer of young people worldwide’”. The article goes on to say that:

“Roads are now the biggest killer of young people over the age of 10, with road traffic deaths constituting a global health epidemic that has reached crisis proportions...”

That article goes on to state:

“The report blames the high numbers of fatalities on transport policies that put vehicles, highways and speed before people and road safety. The vast majority of those who die are in developing countries...

Children and young people are the worst affected...”

That is in the United Kingdom.

We can also look at the United States, and I refer to the information given from the Centre for Disease Control and Prevention in the US and this is entitled “Teen Drivers: Get the Facts” and I quote:

“In 2011, about 2,650 teens in the United States aged 16—19 were killed and almost 292,000 were treated in emergency departments for injuries suffered in motor-vehicle crashes. That means that seven teens ages 16 to 19 died every day from motor vehicle injuries.”

Mr. Speaker, that is the statistics in the United States.

And so, you see, Mr. Speaker, for far too long we see young people who now get their licences involved in road accidents which lead to death. And so, even when I wanted to get my driver’s permit, I was very excited to go and my father said: “Well no, you have to wait for a year.” So I waited the year and then I went. I was very excited to get it, and so I thought I was going to get to drive when I acquired my licence. Little did I know that I had to drive with my father for about five years before I could drive on my own.

You know, back then, as a young person, you know, you really did not understand the value in these things, but today I see the value in that because you have the ability to learn to properly drive [*Desk thumping*] before you take that vehicle out there and, therefore, it is not only the protection of your life, but it is also the protection of the lives of others on the road, whether it is pedestrians or whether it is other motor vehicle users on the roadways.

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And so, Mr. Speaker, in many countries you have a system of the graduated drivers licence system. Allow me to explain perhaps the Nova Scotia model in Canada. This is from the Registry of Motor Vehicles - Graduated Drivers Licence System from Nova Scotia Canada, Service Nova Scotia. This indicates that:

“On October 1, 1994, Nova Scotia implemented Graduated Driver Licensing. This means any new driver, regardless of age, who applies for a Learners licence after October 1, 1994, will operate under the graduated system.

Building upon existing provisions of the Motor Vehicle Act, the graduated driver licensing system is a comprehensive approach which addresses driver training and education; skills and knowledge testing; driver improvement programs and the issue of driver inexperience.

Graduated licensing is a system which places driving conditions on the beginner driver. As these conditions are gradually and systematically removed, exposure to increasingly risky situations is gradually phased in. Rather than being exposed to the full range of driving hazards at once, the novice driver is eased into full unrestricted driving situations with more competence and more experience to handle unexpected events.”

**4.00 p.m.**

So, Mr. Speaker, this provision is simply to make sure that you learn to properly drive before you operate a motor vehicle. Statistics from Trinidad and Tobago Police Service show that in 2013 there were 152 road traffic deaths. While this was the lowest in 10 years, it is interesting to note that this data indicates a consistent demographic trend in the ages of road traffic victims with over 50 per cent, comprising the category of ages 15 to 34, with males comprising over 90 per cent of that category.

So, you see, Mr. Speaker, in my new role as the Minister of State in the Ministry of Gender, Youth and Child Development, [*Desk thumping*] we are committed to ensuring that we take care of our nation’s youth as they are the future. Certainly, Mr. Speaker, I am very concerned based on these statistics of what we are saying here today. We surely have to ensure that we put the legislative framework in place to take care of these young people, to teach them how to properly drive and to safeguard themselves, and other drivers as well.

So, Mr. Speaker, there is another part of the Bill that is of significant importance, and this is that of the RFID tags. The intention of these tags, Mr. Speaker, is that they will be placed on all vehicles when they enter Trinidad and

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Tobago. This certainly allows for a very powerful platform for automated identification of vehicles. These tags will be readable at the roadside, using portable RFID readers.

If I could just explain the technology, Mr. Speaker, the RFID technology is really a technology that allows the automatic identification of an object, whether it is an animal, a person, by inserting a small electronic chip into the host; data is recorded on that chip and then it is read with the wireless RFID reader. Mr. Speaker, the implementation of RFID tags will also assist with a better management of traffic and can also assist our law enforcement officers, the police, in quickly identifying any unregistered vehicles that may be on the nation's roadway.

You would recall, Mr. Speaker, that in 2010, in our manifesto, the People's Partnership manifesto, Government promised, and I quote:

“We will enforce traffic laws. A majority of crime involves the use of vehicles. Enforcement of road traffic laws and regulation would serve as a major deterrent to such illegal activity. A variety of mechanisms including Radar Speed Detection Guns will be used in this.”

So, Mr. Speaker, this is all part of our promise of delivery in terms of efficient traffic management and, especially, the use of vehicles in committing crime. Mr. Speaker, what we are seeking to do with the introduction of these tags is to allow the police officers, law enforcement agencies, to identify stolen vehicles, unregistered vehicles, vehicles that may be used in committing crime. Certainly, the ripple effect would be a reduction in crime, as many times you have stolen vehicles, unmarked vehicles, unregistered vehicles, being used to commit crime, Mr. Speaker. We already came to this House to make the amendments for the use of the speed radar guns.

So, this is another delivery that we have promised and that is what we are doing today. The statistics will show, Mr. Speaker, that the larceny of motor vehicles for last year alone—these are statistics from the Trinidad and Tobago Police Service—it shows some 742 vehicles being reported stolen, and it is expected that once we have the RFID tagging it will be easier to identify these vehicles, and perhaps that number will be decreased.

Mr. Speaker, I want to touch a little bit on staffing of the Authority, this is in Part III of the Bill. This really deals with the establishment of the Chief Executive Officer and the Registrar of Motor Vehicles, both of which are very integral to the effective functioning of the MVA. The Bill proposes to clothe them with all the

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necessary powers in order to manage a modern motor vehicle registration system, and precepting of motor vehicle enforcement officers will empower these officers, specifically trained to enforce all aspects of the new Act when it comes into effect.

Mr. Speaker, I think the Member for St. Joseph would have raised an issue with the Board of Directors of the Motor Vehicles Authority, and he alluded to, as though there were some issues between the Minister and the Transport Commissioner, but that is not what was said. Mr. Speaker, the issue is simply that, as the system currently stands, you have one Transport Commissioner that is responsible, and so what we are seeking to do is to put a board of directors in place, specialized in various expertise who will then be able to manage. This is not something that is new. I mean, you have a board of directors existing at Port Authority, and so it is nothing new that we are seeking to do by putting a board of directors in place.

Mr. Speaker, I turn my attention to a part of the Bill which deals with the red light camera systems, and I think the Minister of Works and Infrastructure treated with this in part. I just want to add that this has been a very successful implementation by the Ministry of Works and Infrastructure, and I had the pleasure to work on this project as well. I really wish to thank, as I served in that Ministry, Members for their cooperation in that Ministry.

Mr. Speaker, you will recall that also in our manifesto of 2010, the hon. Prime Minister had indicated and promised that we will begin the introduction of camera technology at traffic lights and set into motion an efficient system of ticketing offenders. This is yet another delivery of that manifesto of the promises made in 2010.

The Minister told us that there is a red light enforcement pilot project implemented by the Ministry of Works and Infrastructure, and this is part of a bigger project, the National Traffic Management System. This has been very successful so far in taking pictures of the vehicles once they pass that traffic light. Testing integration, data collection, monitoring, evaluation, et cetera, continue, and I think that they have had a number of records, a number of violations, repeat offenders, and so on.

So, Mr. Speaker, in order to modernize the system, they did this pilot project and they also looked at the legislation. They looked at the laws of the technology used in the states of New South Wales and South Australia—*[Interruption]*

**Mr. Speaker:** The speaking time of the hon. Member for Oropouche West has expired. Are you interested in an extension?

**Hon. S. Roopnarine:** Yes, Mr. Speaker.

*Question put and agreed to.*

**Mr. Speaker:** You may continue, hon. Member. [*Desk thumping*]

**Hon. S. Roopnarine:** Thank you, Mr. Speaker.

Mr. Speaker, the data has been collected there by the Ministry of Works and Infrastructure and the problem is really the implementation of legislation. So they looked at legislation in the states of New South Wales and South Australia, as well as Canada, and they looked at how each one of these jurisdictions would have implemented the red light enforcement.

In addition to the laws and technology, they also recognized that a key contributor to the success of the red light enforcement is the reliability of the database under the purview of the Licensing Division. So, in preparation for the MVA, we had to take steps to digitize the data of the registered vehicles. This move contributed to the success of this pilot project and will assist in the introduction of red light enforcement. So, it is very important that for the red light enforcement technology to work that you digitize those data records at the licensing office.

Mr. Speaker, after several consultations with various stakeholders, the result is that this new law will be part of the MVA Bill that is before us today in clause 205, I believe. The introduction of a new definition of red light camera system means an electronic network system through which electronic devices are used to capture photographic images of a vehicle being driven by a driver who fails to comply with the indication given by the traffic sign. There is also a provision for the MVA to have electronic devices to be installed near or on the traffic signals as part of the red light camera system.

Mr. Speaker, the legislation seeks to place liability on the driver of the vehicle by requiring the owner of the vehicle to provide information, under oath, on the driver of the vehicle, on the day that the vehicle was detected to have breached the traffic lights. This is just to ensure that you put the onus on the driver and not the owner of the vehicle.

Mr. Speaker, there must also be provisions for the certification of photographs by a senior law officer or licensing officer. The photograph showing the

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registration number of the vehicle that has breached the lights, once certified, will then become admissible evidence for the sole purpose of proving the offence of breach of red light against the alleged offender. There is an express provision for this certification and authentication of vehicle registration information by the Transport Division in the Ministry of Transport.

Mr. Speaker, the work has already been laid. The groundwork has already been laid for the introduction of the red light system in Trinidad and Tobago. The legal unit of that Ministry also had a stakeholder consultation, which I was very pleased to be a part of, and, therefore, this is another landmark change to the enforcement of motor vehicle traffic laws in Trinidad and Tobago. It seeks to, once again, position us as leaders in the Caribbean by having up-to-date laws that will benefit the general society and, of course, make our roadways safer, and decrease our instances of accidents at traffic lights.

Mr. Speaker, as I close, I think that I really wish to commend all those who would have worked on this legislation. I know that it took a lot of doing. I know that it took a lot of consultations, and I am very happy to see that we have reached this place today where we are changing the landscape of motor vehicle registration and administration in Trinidad and Tobago.

It must be noted that road traffic laws need constant updating, Mr. Speaker, since this is a field that is forever evolving. This new MVA will be able to respond and adapt quickly to this environment and will ensure that Trinidad and Tobago remains on the cutting-edge by having a modern system.

We have learned from the examples of Canada, the United Kingdom, Australia, and traffic laws are constantly updated. Trinidad and Tobago must feel a sense of accomplishment that it has made this leap into the 21st Century, Mr. Speaker, by having a modern motor vehicle registration authority, and that we can now stand, side by side, together with some other leading nations across the world. I thank you, Mr. Speaker. [*Desk thumping*]

**Mr. Speaker:** The hon. Member for Laventille West. [*Desk thumping*]

**Mr. NiLeung Hypolite** (*Laventille West*): Thank you kindly. Thank you kindly, Mr. Speaker. Mr. Speaker, we are here this afternoon to debate a Bill with some 272 clauses and some 214 pages. Mr. Speaker, this is a Bill that I believe—such a Bill like this is needed. A Bill like this is needed because when we look at our roads we see that there are over 760,000 vehicles. I think the Minister indicated that there were some 730,000, but then again, you are hearing that there

are some 760,000. It seems as if, Mr. Speaker, the Minister himself is not quite aware as to how many vehicles are registered. Mr. Speaker, we are looking at well over 760,000 vehicles and, therefore, such a Bill is needed.

**4.15 p.m.**

Mr. Speaker, my colleague, the Member of Parliament for Diego Martin North/East, would have articulated our position with respect to this Bill. My colleague, the Member for St. Joseph, also would have stressed where we stand with this Bill, and I myself wish to—*[Interruption]*

**Mr. Cadiz:** Stress for all!

**Mr. N. Hypolite:** “Yeah, you does stress de whole country”—I myself wish to add my little piece to this particular Bill.

The speaker before spoke about track record, and she spoke about the People’s National Movement, something that this Member for Chaguanas East loves to speak about also—PNM, PNM, PNM, PNM, PNM. It is the People’s National Movement that laid the foundation for the modernization of the Licensing Authority. Should you go to the PNM’s 2010 Manifesto—because they love to speak about the People’s National Movement—and you go somewhere to the middle of the booklet, you would see:

“Modernisation of the Licensing Office”—and it continues:

“...a Government-to-Government arrangement with the Province of Nova Scotia, Canada is creating a new system of drivers’ permits and motor vehicle registration, as well as a Motor Vehicle Authority. By September 2010, citizens will be able to renew a drivers’ permit in no more than 15 minutes.”

The PNM’s manifesto of 2010. We are speaking about September 2010. Just to remind those on the other side, they came into government in May 2010 and they scrapped it.

**Mr. Imbert:** Almost five years.

**Mr. N. Hypolite:** Mr. Speaker, in February of 2010, the then Minister of Works and Transport, the present Member of Parliament for Diego Martin North/East, came to this House—and I want to believe it may be the same license plate that was presented here today, was presented then. So all they are doing is

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utilizing what the People's National Movement would have put in place, as a foundation to present to the people of Trinidad and Tobago at this point in time and say: "History; good things happening; deliverables".

None of those things could have taken place without the foundation being laid by the People's National Movement, [*Desk thumping*] similarly to that of the traffic wardens—and the traffic wardens are also somewhere in the Bill here. [*Member displays document*] In fact, if we go to page 29 it speaks about traffic wardens. Traffic wardens, again—within one month of this Government coming into office they were able to present, or I should say, roll out, the traffic warden system.

**Hon. Member:** Chaguanas West did that.

**Mr. N. Hypolite:** Yes, the Member for Chaguanas West did that, but when he came in, everything—every single thing was laid—everything. [*Crosstalk*] The uniform, everything was there, and all they had to do was to roll it out. So you see, when the Member speaks about all the deliverables—[*Crosstalk and laughter*]

**Mr. Imbert:** "He eh deliver nothing!"

**Mr. N. Hypolite:**—it is the work done by the People's National Movement that the Government would have come into office and met, and all they had to do was to roll out.

Mr. Speaker, at present we have what is called the "Ministry of Transport". What is the status of that particular Ministry at this point in time? That Ministry has the Licensing Office, known as the "Transport Division"; it has the Airports Authority; it has the Maritime Services Division; it has the Traffic Management Branch and also it has the Water Taxi, Port Authority and PTSC. All these agencies are under the Ministry of Transport. The question is: When you take the licensing division out of the Ministry of Transport and you turn it into a Motor Vehicles Authority, the Ministry itself will be left with just only the Traffic Management Branch and that of the Maritime Services Division.

I say that in the context of the Government speaking about authorities and authorities and authorities—[*Interruption*]

**Dr. Khan:** Could the Member please give way? [*Crosstalk*]

**Hon. Members:** No, no!

**Mr. N. Hypolite:**—and more so, Mr. Speaker—[*Crosstalk*]

**Dr. Khan:** I just want to ask a question.

**Mr. Speaker:** Please, please; order, order! Allow the Member to speak in silence.

**Mr. N. Hypolite:**—the mere idea of this Government being against a Revenue Authority. [*Crosstalk*] They are against a Revenue Authority, and their main argument is that of a number of persons would lose their jobs. I ask the Minister: When you take the Transport Division out of the Ministry of Transport and you turn it into an authority, what happens to all of those workers?

In the Bill it speaks about some of them will be able to remain, providing that there are vacancies within the various Ministries. It also speaks about some members taking early retirement. When you take early retirement, what happens? You are actually leaving the job. So it means, therefore, basically, the same thing that is being offered through this Motor Vehicles Authority is the same thing that was offered under that of the Revenue Authority, but yet still the Government would have been against a Revenue Authority.

But then, when we look at the present status of the Ministry of Transport, I ask the question: In moving away from the Licensing Office to that of the Licensing Authority, what kind of consultation would have taken place to date? Has the Ministry, has the Minister, had any proper consultation with the members of the association, be it PSA? What about the staff at that particular division of the Ministry? Tell us about the differently-abled persons. Have you all met with them and found out exactly what are their concerns and how this new Motor Vehicles Authority would be assisting those individuals, making their lives better? The rental companies, can you say how many rental companies are there? What kind of conversations you all had with those persons? What about the vehicle traders, driving schools, have you met with them to discuss how they will go about registering their schools, or are all these individuals in agreement with this 272-clause Bill?

Mr. Speaker, the Government came into office speaking about consultation and consultation and consultation, so you ask yourself: What level of consultation would have taken place with respect to this particular Bill? The next question is the readiness of the Authority. How ready are we to accept this Bill, to implement this Bill to the people of Trinidad and Tobago?

It is the Minister of Transport who indicated that there will be some 11 Motor Vehicles Authority locations. In fact, if I go to an article coming out of the

*Motor Vehicles Bill, 2014*  
[MR. HYPOLITE]

*Friday, February 06, 2015*

*Trinidad Express*, January 29, 2015, it states—and this is the Minister of Transport speaking:

“There will be 11 Motor Vehicle Authority locations, which would include the refurbishing of the present licensing offices.”

He also stated that yesterday, be it the 28th:

“...a newly designed licence plate, drivers’ permit, and new centres for the registration and licensing of vehicles will become available.”

That was available since 2010, since February 2010. We had all of those things in place since then.

Mr. Speaker, he also spoke of an Accident Investigation Service which will also be set up to deal with the quick resolution of accidents. The question is: Can the Minister state how ready are we, the people of Trinidad and Tobago, to accept this piece of legislation, this Bill?

Mr. Speaker, we also need to look at the whole question of the vehicles, PH taxis and stuff like that, of which—[*Interruption*]

**Mr. Speaker:** It is now 4.30. I think the Leader of the House would want to—

#### ADJOURNMENT

**The Minister of Housing and Urban Development (Hon. Dr. Roodal Moonilal):** Mr. Speaker, the Member for Point Fortin would like to hear this.

**Mrs. Gopee-Scoon:** What do I have to do with this?

**Hon. Dr. R. Moonilal:** Nothing, absolutely nothing.

Mr. Speaker, I beg to move that this House do now adjourn to a date to be fixed. [*Crosstalk*]

#### LEAVE OF ABSENCE

**Mr. Speaker:** Hon. Members, before putting the question, I have received communication from the hon. Kamla Persad-Bissessar, Member of Parliament for Siparia and Prime Minister, who has asked to be excused from today’s sitting of the House of Representatives. The leave which the Member seeks is granted.

*Question put and agreed to.*

*House adjourned accordingly.*

*Adjourned at 4.31 p.m.*

**WRITTEN ANSWERS TO QUESTIONS**

*The following question stood on the Order Paper in the name of Mr. NiLeung Hypolite (Laventille West):*

**Programme for Upgrading Roads Efficiency  
Siparia Constituency  
(Information on)**

- 43.** Could the hon. Minister of Works and Infrastructure:
- (a) List all the roads that were paved under the Programme for Upgrading Roads Efficiency (PURE) in the Siparia constituency during the period June 01, 2010 to September 30, 2014;
  - (b) Provide the names of the contractors who undertook paving projects regarding (a) above; and
  - (c) Provide the contract sum for each paving project relating to (a) above?

*The following reply was circulated to Members of the House:*

**The Minister of Works and Infrastructure (Hon. Dr. Surujrattan Rambachan):** Mr Speaker, the response to question No.43, is as follows:

The following table represents the responses to A, B and C:

	<b>A</b>	<b>B</b>	<b>C</b>
<b>No.</b>	<b>List of Roads Paved by PURE in the Siparia Constituency during the period June 1, 2014 to September 2014</b>	<b>Name of Contractors who undertook paving projects regarding A</b>	<b>Contract Sum for projects relating to A</b>
1	Katwaroo Branch Trace [Roadworks] Off S.S. Erin Road	KJS Enterprises Company Limited	\$2,776,639.58
2	Old Clarke Road [Roadworks] Off Clarke Road (Links to Rochard Road)	Danny's Enterprises Company Limited	\$2,727,972.50
3	Rampersad Trace Off Clarke Road (Links to Rochard Road)	Danny's Enterprises Company Limited	\$2,499,260.50
4	Seemungal Branch Trace [Roadworks] Link Road from Seemungal Trace to Mulchan Trace	Danny's Enterprises Company Limited	\$999,171.64
5	Seemungal Trace [Roadworks] Off Clarke Road (Links to Rochard Road)	Danny's Enterprises Company Limited	\$2,182,596.85
6	Oliverie Drive [Roadworks] Off Clarke Road, Penal	Jusamco Pavers Limited	\$789,024.78
7	Digity Trace & Laltoo Extension Off Mohess Road, Penal	Danny's Enterprises Company Limited	\$3,973,729.32
8	Platanite Trace Off Rochard Road to Agricultural Access Road	Seereeram Brothers Limited	\$6,149,536.91

	<b>A</b>	<b>B</b>	<b>C</b>
<b>No.</b>	<b>List of Roads Paved by PURE in the Siparia Constituency during the period June 1, 2014 to September 2014</b>	<b>Name of Contractors who undertook paving projects regarding A</b>	<b>Contract Sum for projects relating to A</b>
9	Anthony Branch Trace Off SS Erin Road, Syne Village	Super Industrial Services Limited	\$3,355,958.98
10	Deoraj Trace Off Penal Quinam Road, Mendez Village	T & H Construction Company Limited	\$3,369,311.98
11	Maraj Avenue Off Old Clarke Road	Danny's Enterprises Company Limited	\$2,375,771.20
12	Rampagat Trace Off Penal Quinam Road, Mendez Village	DJ Construction Limited	\$869,561.00
13	Rebeiro Trace Off Penal Rock Road	Carib Asphalt Pavers Limited	\$6,126,518.63
14	Penal Quinam Road [Roadworks] Village at Kay Trace to Coora Road	Carib Asphalt Pavers Limited	\$5,656,472.80
15	Kay Trace [Roadworks] Mendez Village to Penal Quinam	Raghunath Singh & Company Limited	\$3,518,622.80
16	Mendez Trace & Mendez Trace Extension [Roadworks] Mendez Village Siparia	Jusamco Pavers Limited	\$6,231,326.75
17	Railway Station Road Off S.S. Erin Road	Carib Asphalt Pavers Limited	\$1,205,393.20

	<b>A</b>	<b>B</b>	<b>C</b>
<b>No.</b>	<b>List of Roads Paved by PURE in the Siparia Constituency during the period June 1, 2014 to September 2014</b>	<b>Name of Contractors who undertook paving projects regarding A</b>	<b>Contracts Sum for projects relating to A</b>
18	Quinam Road [Macajuel Trace] Off Penal Quinam Road to River	Carib Asphalt Pavers Limited	\$6,658,729.77
19	Goodman Trace, Penal From Penal Rock Rd. to Lachoos Rd.	Jusamco Pavers Limited	\$24,958,806.73
20	Ramsabad Trace [Roadworks] Rochard Road	KJS Enterprises Company Limited	\$4,814,703.85
21	Katwaroo Trace Off S.S. Erin Road	T&H Construction Company Limited	\$4,094,817.65
22	Penal Quinam Road [Phase 2] From S.S. Erin Road to Moolai Trace	Carib Asphalt Pavers Limited	\$4,167,087.10
23	Latchoos Road [Roadworks] Off Penal Rock Road	Jusamco Pavers Limited	\$9,542,034.15
24	Penal Rock Road 0.00km – 5.00km [Roadworks] Off S.S. Erin Road	Jusamco Pavers Limited	\$15,085,352.70
25	Naipelia Trace [Roadworks] Off Clarke Road	R.B.M.R. Construction Company Limited	\$2,472,095.89

	<b>A</b>	<b>B</b>	<b>C</b>
<b>No.</b>	<b>List of Roads Paved by PURE in the Siparia Constituency during the period June 1, 2014 to September 2014</b>	<b>Name of Contractors who undertook paving projects regarding A</b>	<b>Contracts Sum for projects relating to A</b>
26	Penal Rock Road 5.00km – 10.00km [Roadworks] Off S.S. Erin Road	Jusamco Pavers Limited	\$9,982,723.47
27	Teemul Trace [Roadworks] Off Clarke Road	Carib Asphalt Pavers Limited	\$2,840,496.78
28	Napalia Branch Road [Roadworks] Off Napalia Trace	Gowkaran Transport & General Contractors Limited	\$775,389.34
29	Ramsingh Trace Extension [Roadworks] From Satnarine Trace Extension, off Ramsingh Trace, Penal	Danny's Enterprises Company Limited	\$4,123,199.19
30	Rochard Road From Corner Clarke & Rochard Road to #2, Penal	Danny's Enterprises Company Limited	\$6,291,983.50
31	Ramkallia Trace Off Ramsabad Trace	D. Mahadeo & Son Limited	\$1,608,214.74
32	Jarihar Trace [Roadworks] Off Digity Trace	DJ Construction Ltd	\$675,547.95
33	Ramdharry Road Ext Off Clarke Road	Danny's Enterprises Company Limited	\$4,175,830.78

	<b>A</b>	<b>B</b>	<b>C</b>
<b>No.</b>	<b>List of Roads Paved by PURE in the Siparia Constituency during the period June 1, 2014 to September 2014</b>	<b>Name of Contractors who undertook paving projects regarding A</b>	<b>Contracts Sum for projects relating to A</b>
34	Recreation Ground Roads #1 & #2 Off Wilson Road	T & H Construction Company Limited	\$999,456.38
35	Wilson Branch Road [Roadworks] Off Digity Trace	D. Mahadeo & Son Limited	\$1,633,140.30
36	Scott's Road Off Penal Rock Road through Mendez Village	Carib Asphalt Pavers Limited	\$14,642,304.16
37	Seebalack Trace Off Rochard Road, Penal	Carib Asphalt Pavers Limited	\$5,841,856.02
38	Sumanie Trace Off Rochard Douglas Road to Manohar Trace	Jusamco Pavers Limited	\$8,699,911.00
39	Manohar Trace Off Rochard Road	Carib Asphalt Pavers Limited	\$2,439,995.25
40	Sumanie Trace #1 Off Sumanie Trace	Namalco Construction Services Limited	\$756,577.53
41	Sumanie Trace #2 Off Sumanie Trace	KJS Enterprises Company Limited	\$1,517,063.90

	<b>A</b>	<b>B</b>	<b>C</b>
<b>No.</b>	<b>List of Roads Paved by PURE in the Siparia Constituency during the period June 1, 2014 to September 2014</b>	<b>Name of Contractors who undertook paving projects regarding A</b>	<b>Contracts Sum for projects relating to A</b>
42	Sumanie Trace #3 Off Sumanie Trace	Pave Tec Inc Limited	\$274,441.75
43	Gonzales Trace [Roadworks] Off S.S. Erin Road Siparia	Jusamco Pavers Limited	\$2,419,160.70
44	Ali's Avenue [Roadworks] Off S.S. Erin Road	Carib Asphalt Pavers Limited	\$708,918.65
45	Satnarine Trace [Roadworks] Off Clarke Road, Penal	Danny's Enterprises Company Limited	\$9,383,714.34
46	Fraser Street [Roadworks] Penal at Scotia Bank	DJ Construction Limited	\$946,997.98
47	Mora Drive [Roadworks] Off Cedar Drive	DJ Construction Limited	\$550,129.53
48	Silk Cotton Drive [Roadworks] Off Cedar Drive	DJ Construction Limited	\$55,129.53
49	Hyder Trace [Roadworks] Off Old Clarke Road	DJ Construction Limited	\$1,057,902.42
50	Clarke Road [Roadworks] Off S.S. Erin Road, Penal	Jusamco Pavers Limited.	\$13,654,612.40

	<b>A</b>	<b>B</b>	<b>C</b>
<b>No.</b>	<b>List of Roads Paved by PURE in the Siparia Constituency during the period June 1, 2014 to September 2014</b>	<b>Name of Contractors who undertook paving projects regarding A</b>	<b>Contracts Sum for projects relating to A</b>
51	Penal Rock Road 10.70km-15.70km [Roadworks] Off S.S. Erin Road, Penal	Jusamco Pavers Limited	\$10,948,726.80
52	Cedar Drive [Roadworks] Off Teak Drive	Namalco Construction Services Limited	\$1,391,044.60
53	Balata Drive [Roadworks] Off Cedar Drive	T&H Construction Company Limited	\$758,120.83
54	Teak Drive [Roadworks] Sou Sou Lands	Raghunath Singh & Company Limited	\$2,869,361.55
55	Mahogany Drive [Roadworks] Sou Sou Land	T.M. Bajnath & Sons General Contractors Company Limited	\$1,513,521.90
56	Gonzales Link Road Between Gonzales trace and Gonzales Branch Trace	Jusamco Pavers Limited	\$3,242,551.73
57	Gonzales Branch Road Off S.S. Erin Road	Jusamco Pavers Limited	\$2,621,893.65

*The following question stood on the Order Paper in the name of Mr. Jack Warner (Chaguanas East):*

**Green Fund  
(Details of)**

- 54.** With respect to the Green Fund, could the hon. Minister of the Environment and Water Resources please:
- (a) state the balance of the Fund as at September 30, 2014 and how much the fund collected annually for the period 2010 to 2014;
  - (b) provide a list of all disbursements from the fund for the period 2010 to 2014 including the names and addresses of all persons, companies or organizations to which disbursements were made, the amounts disbursed, the scope of the projects undertaken with these disbursements, and what benefit to the environment was derived from these projects;
  - (c) state whether any steps have been taken by the government to expand the use of the fund to include renewable energy and energy efficient projects?

*The following reply was circulated to Members of the House:*

**The Minister of the Environment and Water Resources (Sen. The Hon. Ganga Singh):** Mr Speaker, the response to Question No. 54 is as follows:

- a) The Miscellaneous Taxes Act, Chap. 77:01, section 67, states:
 

“67. All accounts relating to the Green Fund shall be—

  - a) kept separately by the Comptroller of Accounts but shall be shown in the general accounts of Trinidad and Tobago and laid therewith before Parliament; and
  - b) audited annually by the Auditor General in accordance with the Exchequer and Audit Act as if the Fund were established under section 43 of that Act.”

Accordingly, the most recent balance of the Green Fund, as published in the Report of the Auditor General of the Republic of Trinidad & Tobago on the Public Accounts of Trinidad and Tobago for the Financial Year Ended 30<sup>th</sup> September, 2013 (1<sup>st</sup> October 2012 to 30<sup>th</sup> September 2013) is \$3,252,186,047.97.

*Written Answers to Questions*

*Friday, February 06, 2015*

The Report of the Auditor General for the Financial Year ended 30<sup>th</sup> September, September, 2014 (1<sup>st</sup> October 2013 to 30<sup>th</sup> September 2014) and the balance of the Green Fund as at September 30, 2014 is given in Appendix I

The annual collection of the Fund for the period 2010 to 2013 is given in Appendix 11 attached. Collection data for the Financial Year ended 30<sup>th</sup> September, 2014.

- b) The list of all disbursements from the fund for the period 2010 to 2014 including the names and addresses of all persons, companies or organisations to which disbursements were made, the amounts disbursed, the scope of the projects undertaken with these disbursements is enclosed in Appendix III.
- c) The purpose of the Green Fund as stated in the Miscellaneous Taxes Act, Chap. 77:01, at section 64, currently includes financial assistance for renewable energy and energy efficiency projects as activities related to conservation of the environment.

MINISTRY OF THE ENVIRONMENT AND WATER RESOURCES

Fiscal Year	Receipts			Source Document
	Capital Receipts	Interest	Total	
2010	295,061,118.59	30,020,360.88	325,081,479.47	Treasury Statements, Funds financial statements and Appropriation Accounts of the MOF&E (pg. 166)
2011	342,599,046.27	23,140,589.41	365,739,635.68	Treasury Statements, Funds financial statements and Appropriation Accounts of the MOF&E (pg. 166)
2012	319,629,204.03	26,875,214.57	346,504,418.60	Treasury Statements, Funds financial statements and Appropriation Accounts of the MOF&E (pg. 166)
2013	348,591,677.04	21,083,064.39	369,674,741.43	Treasury Statements, Funds financial statements and Appropriation Accounts of the MOF&E (pg. 167)
2014	399,147,469		399,147,469	Treasury Statements, Funds financial statements and Appropriation Accounts of the MOF&E (pg. 167)

*Written Answers to Questions*

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Kindly note that the balance of the Green Fund as at September 30, 2014 - \$3,534,505,428

APPENDIX II

**Annual Collection of the Green Fund for the Period 2010 2013**

FY	BIR	Interest on BIR Receipts	Total Receipts	Payments	Balance
					b/f 1,906,841,158.79
2010	295,061,118.59	30,020,360.88	325,081,479.47	10,624,516.00	2,221,298,122.26
2011	342,599,046.27	23,140,589.41	365,739,635.68	5,480,144.00	2,581,557,613.94
2012	319,629,204.03	26,872,429.68	346,501,633.71	11,913,692.00	2,916,148,340.54
2013	348,591,677.04	21,083,064.39	369,674,741.43	33,637,034.00	3,252,186,047.97

## APPENDIX III

**Disbursements from the Green Fund for the Period 2010 to 2014**

Organization	Address	Certified Activity-Date	Total Grant	Disbursement	Scope	Environmental Benefit
Fondes Amandes Community Reforestation Project	Fondes Amandes Hill, Fondes Amandes St. Ann's	Sustainable Community Forestry Initiative – Dec. 21, 2009	\$1,914,806.00	Feb. 5, 2010: \$670,182.00 Jul. 5, 2010: \$668,700.00 Jan. 31, 2011: \$426,325.00 Jun. 17, 2011: \$99,733.00 Sep. 5, 2011: \$49,866.00 Total: \$1,914,806.00	Watershed reforestation.	Watershed reforestation.

Written Answers to Questions

Friday, February 06, 2015

Organization	Address	Certified Activity-Date	Total Grant	Disbursement	Scope	Environmental Benefit
Greenlight Network	5 Cupen Road, Maraval	Plastikeep – Dec. 21 2009	\$901,205.00	Feb. 2, 2010: \$295,426.00 Jun. 24, 2010: \$418,445.00 Sep. 30, 2010: \$100,710.00 Jun. 2, 2011: \$37,700.00 Aug. 12 2011: \$48,924.00 Total: \$901,205.00	Recovery of post-consumer plastic waste.	Reduction of plastic waste at landfills, watercourses, coastal areas.
Environmental Management Authority	8 Elizabeth Street, St. Clair, Port of Spain	National Restoration, Carbon Sequestration, Wildlife and Livelihoods Project – Mar. 09, 2010	\$68,545,511.00	May 13, 2010: \$8,471,053.00 Mar. 22, 2013: \$10,446,100.00 Total: \$18,917,153.00	Remediation of degraded parts of Nariva swamp, wildlife inventory and local community participation.	Increased wetland carbon sink through reforestation and wildlife protection.

Written Answers to Questions

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Organization	Address	Certified Activity-Date	Total Grant	Disbursement	Scope	Environmental Benefit
Environmental Management Authority	8 Elizabeth Street, St. Clair, Port of Spain	Pilot Installation of Solar-Powered Equipment and Solar Power for Surveillance Cameras at 13 Police Surveillance Bays along the Uriah butler and Solomon Hochoy highways – Aug. 30, 2011	\$9,635,191.00	Sep. 30, 2011: \$4,817,596.00 Nov. 2, 2012: \$4,624,891.00 Total: \$9,442,487.00	Use of renewable energy technologies as alternative power source.	Reduction of use of greenhouse gas emissions.
Greenlight Network	5 Cupen Road. Maraval	Plastikeep – Phase 2 –Oct. 03, 2011	\$8,680,532.00	Nov. 21, 2011: \$3,038,186.00 Feb 15, 2015: \$3,190,911.00 Jun. 13, 2014: \$2,206,291.00 \$8,435,388.00	Expanded recovery of post-consumer plastic waste.	Reduction of plastic waste at landfills, watercourses, coastal areas.

Written Answers to Questions

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Organization	Address	Certified Activity-Date	Total Grant	Disbursement	Scope	Environmental Benefit
Fondes Amandes Community Reforestation Project	Fondes Amandes Hill, Fondes Amandes St. Ann's	Sustainable Community Forestry Initiative – Phase 2 – Feb. 8, 2012	\$1,310,243.00	Apr. 20, 2012: \$659,810.00 Dec. 17, 2012: \$524,097.00 Nov. 7, 2013: \$126,336.00 Total: \$1,310,243.00	Watershed reforestation and micro enterprise.	Watershed protection.
Toto Foundation	Victoria Pritchard Resource Centre, Galera Road, Toco	Water Harvesting in the Northeastern Region of Trinidad – Mar. 14, 2012	\$16,938,688.00	Aug. 7, 2012: \$4,634,337.00	Storage of rainwater for agriculture.	Reduction of dependence on limited potable water resource.
Realize Road Environmental Club	211-213 Realize Road, Princes Town	Greening the Plastic Planet – May. 9, 2012	\$781,835.00	Aug. 7, 2012: \$293,900.00	Recovery of post-consumer plastic waste.	Reduction of plastic waste at landfills, watercourses, coastal areas.

*Written Answers to Questions*

*Friday, February 06, 2015*

Organization	Address	Certified Activity-Date	Total Grant	Disbursement	Scope	Environmental Benefit
Nature Seekers	101/4 mm, Toco Main Road, Matura	Matura Development Initiative of Awareness, Management and Eco Tourism for Natural Resource Conservation – Apr. 4, 2012	\$8,303,867.00	Aug 7, 2012: \$3,287,457.00	Promotion of conservation activities and local community employment.	Community participation in protection and sustainable use of natural resources.
University of Trinidad and Tobago	Lots 74- 98, O'Meara Industrial Estate, Arima	Anthropogenic Hydrocarbon Pollution Impact of Coastal Areas Along the West Coast of Trinidad – Aug. 28, 2012	\$4,485,338.00	Feb. 13, 2013: \$1,569,868.00 May 8, 2014: \$2,691,203.00 Total: \$4,261,071.00	Identification of sources of oil in coastal areas.	Strategic plan to reduce oil pollution in watercourses and coastal areas.

*Written Answers to Questions*

*Friday, February 06, 2015*

Organization	Address	Certified Activity-Date	Total Grant	Disbursement	Scope	Environmental Benefit
Institute of Marine Affairs	Hilltop Lane, Chaguaramas	Experimentation into the Feasibility of a Hatchery Management Programme for Leatherback Turtles and changes in fishing operations to reduce negative impacts on offshore foraging adults – Dec. 12, 2012	\$588,960.00	June 13, 2013: \$427,074.00	Pilot turtle hatcheries and alternative fishing methods	Protection of endangered sea turtle nesting population
San Fernando City Corporation	Harris Promenade, San Fernando	San City Green Expo 2013 – Dec. 17, 2012	\$1,064,003.00	May 21, 2013: \$798,003.00	Environmental education and awareness	Promotion of environment-friendly behaviour among citizens.

*Written Answers to Questions*

*Friday, February 06, 2015*

Organization	Address	Certified Activity-Date	Total Grant	Disbursement	Scope	Environmental Benefit
Turtle Village Trust	50 Jogie Terrace, Don Miguel Road, El Socorro	National Sea Turtle Conservation Project – Feb. 26, 2013	\$29,711,765.00	Apr. 12, 2013: \$10,130,684.00	Enhancement of national sea turtle database and sea-turtle conservation activities	Protection of endangered sea turtle nesting population
UWI	St. Augustine	The Provision of Baseline Biological Data for the Management of the Aripo Savannas Environmentally Sensitive Area – May, 16, 2013	\$5,336,813.00	Aug. 7, 2013: \$1,867,885.00	Enhanced data on species and habitats	Strategic plan to enhance protection of the Aripo Savannas ecosystem.

*Written Answers to Questions*

*Friday, February 06, 2015*

Organization	Address	Certified Activity-Date	Total Grant	Disbursement	Scope	Environmental Benefit
St. Andrews Golf Club	St. Andrews Wynd, Moka, Maraval	Engineering Surveying Services within that portion of the Maraval River falling within the boundaries of St. Andrews Golf Club – May 16, 2013	\$82,173.00	Aug. 7, 2013: \$57,521.00	Application of green technologies in river bank stabilization and erosion control.	Flooding mitigation
Environmental Management Authority	8 Elizabeth Street, St. Clair, Port of Spain	National Beverage Containers Bill Clean-up Project – Jun. 20, 2013	\$62,328,755.00	Nov. 5 2013: \$28,331,252.00 Jan. 13,2014: \$28,331,253.00 Total: \$56,662,505.00	Recovery of beverage containers discarded in the environment	Reduction of discarded waste and risks to environment and human health.

*Written Answers to Questions**Friday, February 06, 2015*

Organization	Address	Certified Activity-Date	Total Grant	Disbursement	Scope	Environmental Benefit
Institute of Marine Affairs	Hilltop Lane, Chaguaramas	Control and Management of the Invasive Lionfish (Pterois volitans) in Trinidad and Tobago – Feb. 4, 2014	\$3,929,466.00	May 8, 2014: \$2,500,000.00	Culling of invasive species.	Protection of coral reef diversity.