

HOUSE OF REPRESENTATIVES

Friday, June 10, 2016

The House met at 1.30 p.m.

PRAYERS

[MADAM SPEAKER *in the Chair*]



LEAVE OF ABSENCE

Madam Speaker: Hon. Members, the Hon. Faris Al-Rawi, MP, Member for San Fernando West; Hon. Terrence Deyalsingh, MP, Member for St. Joseph; Mr. Fazal Karim, MP, Member for Chaguanas East; and Mr. Esmond Forde, MP, Member for Tunapuna, have requested leave of absence from today's sitting of the House. The leave which the Members seek is granted.

PAPERS LAID

1. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statement of the Land Settlement Agency for the year ended September 30, 2008. [*The Minister of Finance (Hon. Colm Imbert)*]
2. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statement of the Land Settlement Agency for the year ended September 30, 2009. [*Hon. C. Imbert*]
3. Second Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Tobago House of Assembly for the year ended September 30, 2008. [*Hon. C. Imbert*]
4. Second Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Diego Martin Regional Corporation for the year ended September 30, 2003. [*Hon. C. Imbert*]

5. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Diego Martin Regional Corporation for the year ended September 30, 2004. [*Hon. C. Imbert*]
6. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Diego Martin Regional Corporation for the year ended September 30, 2005. [*Hon. C. Imbert*]
7. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Diego Martin Regional Corporation for the year ended September 30, 2006. [*Hon. C. Imbert*]
8. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Diego Martin Regional Corporation for the year ended September 30, 2007. [*Hon. C. Imbert*]
9. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Diego Martin Regional Corporation for the year ended September 30, 2008. [*Hon. C. Imbert*]
10. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Chaguanas Borough Corporation for the year ended September 30, 2010.

Papers 1 to 10 to be referred to the Public Accounts Committee.

11. Annual Audited Financial Statements of Government Human Resource Services Company Limited for the year ended September 30, 2015. [*Hon. C. Imbert*]
12. Annual Audited Financial Statements of National Enterprises Limited for the financial year ended March 31, 2013. [*Hon. C. Imbert*]
13. Annual Audited Financial Statements of National Enterprises Limited for the financial year ended March 31, 2014. [*Hon. C. Imbert*]

14. Annual Audited Financial Statements of National Enterprises Limited for the financial year ended March 31, 2015. [*Hon. C. Imbert*]
15. Annual Audited Financial Statements of Telecommunications Services of Trinidad and Tobago Limited for the financial year ended March 31, 2013. [*Hon. C. Imbert*]
16. Annual Audited Financial Statements of Telecommunications Services of Trinidad and Tobago Limited for the financial year ended March 31, 2014. [*Hon. C. Imbert*]
17. Annual Audited Financial Statements of Telecommunications Services of Trinidad and Tobago Limited for the financial year ended March 31, 2015. *Papers 11 to 17 to be referred to the Public Accounts (Enterprises) Committee.*
18. Administrative Report for the National Commission for Self Help Limited for the period October 2014 to September 2015. [*The Minister of Community Development, Culture and the Arts (Hon. Dr. Nyan Gadsby-Dolly)*]
19. Administrative Report of the Sports Company of Trinidad and Tobago Limited for the period October 01, 2012 to September 30, 2013. [*The Minister of Sport (Hon. Darryl Smith)*]
20. Administrative Report of the Sports Company of Trinidad and Tobago Limited for the period October 01, 2013 to September 30, 2014. [*Hon. D. Smith*]

URGENT QUESTIONS

Firebombing of Police Officer's Home

(Safeguarding of Protective Service Officers) Mrs. Kamla Persad-Bissessar SC (Siparia): Thank you very much, Madam Speaker. To the Minister of National Security: Given the reports of the firebombing of a Police Officer's home

yesterday, does the Minister consider that this occurrence warrants that urgent steps be taken to safeguard members of the protective services?

The Minister of National Security (Hon. Brig. Gen. Edmund Dillon): Thank you very much, Madam Speaker. This Government is always concerned about the welfare and safeguard of members of the Defence Force and protective services. With respect to this matter concerning the firebombing of the police officer's home, the Police Commissioner has indicated that investigations are ongoing and, as of now, the matter is treated as an isolated matter.

Organ Recipient Aaron Narine

(Efforts to Assist)

Mrs. Kamla Persad-Bissessar SC (Siparia): Madam Speaker, to the Minister of Health: Is the Ministry currently embarking on efforts to assist 17-year-old organ recipient Aaron Narine who is now in dire need of assistance?

The Acting Minister of Health and Minister of Planning and Development (Hon. Camille Robinson-Regis): Thank you very much, Madam Speaker. To you, Madam Leader of the Opposition, firstly I wish to apologize to the family of this young man for his personal records now being found in the public domain. I have raised this issue with the relevant authorities, and it is a pity that his medical records are now open for national discussion.

That said, I wish to confirm that this patient continues to be a patient of the National Organ Transplant Unit since 2010. The patient is dialysis independent and clinically stable. All necessary treatment protocols have been continued and continues to be instituted to prevent organ rejection. The National Organ Transplant Unit continues to provide all the necessary information, advice and support to the patient and his family.

Thank you very kindly, Madam Speaker.

Shortage of Drugs for Cancer Treatment**(Urgent/Specific Measures in Place)**

Mrs. Kamla Persad-Bissessar SC (*Siparia*): To the Minister of Health: In light of the shortage of drugs used in the treatment of cancer, could the Minister kindly state what urgent and specific measures are being put in place to treat with this issue? **The Acting Minister of Health and Minister of Planning and Development (Hon. Camille Robinson-Regis)**: Thank you very much, Member for Siparia, it is acknowledged that there has been an intermittent supply at the nation's hospitals of some of the drugs used in the treatment of cancers.

In the circumstances, the Ministry of Health through the Regional Health Authorities has adopted the following measures to most effectively manage patients:

1. The Ministry is operating with a therapeutic protocol that has standardized patient care nationally and has provided the framework for the just allocation of drugs in an evidence-based cost effective manner for patients requiring oncology care;
2. For patients requiring drugs that are in short supply, alternative regimes have been utilized to allow for treatment without compromising patient care, and to ensure that citizens continue to receive the appropriate levels of quality care;
3. For all the drugs that are in short supply, there is an alternative regime of comparable therapeutic efficacy; and
4. The Ministry of Health continues to work with the Ministry of Finance to ensure that the procurement of an appropriate supply of drugs for the public health system continues to remain in place.

Thank you very much, Madam Speaker.

Mrs. Persad-Bissessar SC: Thank you. Would the Minister kindly describe or explain what is meant by “just allocation”?

Hon. C. Robinson-Regis: Thank you very much for that question. The just allocation means exactly what it says, that all patients who require treatment are justly provided with the appropriate drugs and there is no preferential treatment for any patient.

Dr. Gopeesingh: Could the hon. Minister be kind enough to give some, if it would be possible, to give some information on the therapeutic protocols that have been established for the treatment of cancer patients when you do not have the basic drugs?

Hon. C. Robinson-Regis: Madam Speaker, it has not been said that we do not have the basic drugs. In many instances, there are two drugs that could be used for the treatment of a specific type of cancer. Sometimes we do not have the one that is originally prescribed, but we have an alternative that is just as effective. So the original one may not be available, but the alternative is just as effective and so that is the one that is used.

Hand Grenade in Central Trinidad

(Details of)

Dr. Bhoendradatt Tewarie (*Caroni Central*): Thank you very much, Madam Speaker. Question to the Minister of National Security. Could the Minister indicate whether the man carrying a bag from which a hand grenade fell, in the vicinity of Carli Bay in Central Trinidad on May 31st, has been arrested or questioned and whether the bag and its contents were retrieved?

The Minister of National Security (Hon. Brig. Gen. Edmund Dillon): Thank you very much, Madam Speaker. I have been informed by the Commissioner of Police that no one has been arrested at this time for this offence. However, the

police are continuing their investigation into what we consider to be a very serious matter.

Madam Speaker: Member for Princes Town.

Dr. Tewarie: Could I follow up on that please? [*Dr. Gopeesingh rises*]

Madam Speaker: I give way first to the Member for Caroni Central. It is his question.

Dr. Tewarie: The follow-up to that, hon. Minister: Were any patrols sent on the ocean in Carli Bay itself since this particular incident, and has anything been done on the sea itself in relation to this incident?

1.45 p.m.

Hon. Maj. Gen. E. Dillon: Thank you very much. Madam Speaker, there continues to be patrols in the maritime environment in the Gulf of Paria and also on land by the army and the police throughout Trinidad and Tobago including that area, Madam Speaker.

Dr. Tewarie: Yeah. When the police called for reinforcement from the other forces in the military, engineering specialists came, but no marine oriented forces came, so that there was no follow up to this matter. The man literally disappeared in the swamp.

Madam Speaker: Member. Member, is that a question?

Dr. Tewarie: Well the question is: is there going to be any follow up to try and find out where the bag is or who the man is?

Hon. Maj. Gen. E. Dillon: Madam Speaker, I mentioned a while ago that the matter continues to be investigated by the Commissioner of Police and the Trinidad and Tobago Police Service, Madam Speaker. Unless the Member has other information, he can provide it to the police. We will be grateful for that information. [*Desk thumping*]

Police, Fire and Prison Services Association**(Details of Back Pay Owed)**

Mr. Rudranath Indarsingh (*Couva South*): Thank you, Madam Speaker. To the Minister of Finance: Further to a commitment given to the representatives of the Police, Fire and Prison Services Association on April 26, 2016, that the Minister would communicate the final decision or Cabinet decision by the May 31, 2016 on the estimated sum of \$4.2 billion in back pay owed, could the Minister please indicate how and when will the back pay be paid?

The Minister of Finance (Hon. Colm Imbert): Thank you, Madam Speaker. Madam Speaker, when, in my capacity as Minister of Finance, I met with the representatives of the associations of police, fire and prisons in April of 2016, we discussed a number of matters relating to arrears of salary and allowances, commonly referred to as back pay. In that meeting, I reiterated our commitment to make the funds available by the end of June 2016 in the sum of 50 per cent of the amount owed in cash. The members of the association also asked me as Minister of Finance to look at some non-cash alternatives such as prioritization for the allocation of state lands and HDC housing, shares in state enterprises and other solutions that the associations of fire, police and prisons presented to me.

At the time, I indicated to them that while the money was being sourced to provide the 50 per cent of the back pay in cash, the other matters would require the consideration of Cabinet. On the 31st of May, I personally contacted each of the leaders of the associations of police, fire and prisons to indicate to them that we were fine tuning a proposal with the commercial banks for the issuance of bonds at an interest rate that would allow these bonds to be encashed at their full face value within the first six months of issuance. In other words, if these bonds were issued in September of 2016, the members of these associations who are due back pay

would have until March of 2017 to cash in the bonds and receive the full face value.

Madam Speaker: Hon. Minister of Finance, your speaking time is up. You will have to circulate that response.

Vide end of sitting for written part of urgent question.

Madam Speaker: Member for Naparima.

St. Croix Road, Barrackpore
(Completion of associated Works)

Mr. Rodney Charles (*Naparima*): To the Minister of Works and Transport: In light of the recent rains and the current rainy season, could the Minister please indicate when will the slope stabilization and associated works on the landslip located at St. Croix Road, Barrackpore be completed?

The Minister of Works and Transport (Hon. Fitzgerald Hinds): Thank you very much, Madam Speaker. As was indicated to the hon. Member and this House at an earlier date, there are two landslips located St. Croix Road, Barrackpore. They are 60 to 65 per cent completed and full completion is anticipated in roughly three weeks.

Mr. Charles: Is the Minister aware that the landslip near Jaipaulsingh Avenue on St. Croix Road, that one contractor has completed his section of the work and the other contractor, Ragoonathsingh, has not been present on the job for the past month and a half?

Hon. F. Hinds: As I indicated, the landslips are 60 to 65 per cent completed and full completion is anticipated in roughly three weeks.

National Gas Company Injunction
(Determination by Court)

Dr. Roodal Moonilal (*Oropouche East*): Thank you very much, Madam Speaker,

to the Attorney General: With respect to the confusion over the effect of a court order re: the National Gas Company injunction, could the Attorney General say what is the true status of the injunction—

Madam Speaker: Member. Member. That question is not on the Order Paper.

Dr. Moonilal: Ma'am, the question on the Order Paper is not my question. Should I read it in any event?

Madam Speaker: Well, that is up to you. If it is not your question, then I will move on to question—[*Interruption*]

Dr. Moonilal: Madam Speaker, if it is your question, I can read it.

Hon. Member: What? [*Crosstalk*]

Madam Speaker: Member. Member. Member, I would ask you to apologize, withdraw and apologize that now.

[*Crosstalk*]

Dr. Moonilal: Madam Speaker, there is a question on the Order Paper—

Madam Speaker: Member.

Dr. Moonilal:—that is not my question. [*Crosstalk*]

Madam Speaker: Member. [*Crosstalk*] May I have order, please? Member for Oropouche East, I would ask you again, to withdraw that statement and apologize. If you do not wish to continue with question 7, then we will proceed to question 8.

Dr. Moonilal: Madam Speaker, you can proceed with question 8. Question 7 is not my question. [*Desk thumping*]

Madam Speaker: But before— Member! [*Continuous desk thumping*] May we have some order, please? Member for Princes Town.

Member for Oropouche East, is it that you are refusing to withdraw and apologize?

Dr. Moonilal: Madam Speaker, there is nothing to withdraw.

Madam Speaker: Member!

Dr. Moonilal: The question is not my question.

Madam Speaker: Member, are you— I have asked a specific question.

Dr. Moonilal: Madam, what should I withdraw? Tell me what to withdraw.

Madam Speaker: Could you withdraw the statement you made with respect to question 7?

Dr. Moonilal: Which statement is that, Madam Speaker?

Hon. Member: Oh goood!

Madam Speaker: This House is suspended for three minutes.

1.52 p.m.: Sitting suspended.

2.02 p.m.: Sitting resumed.

Madam Speaker: Member for Oropouche East. Member, have you had an opportunity to consider what your position is?

Dr. Moonilal: Madam, should I read question No. 7?

Madam Speaker: Once it appears on the Order Paper.

Dr. Moonilal: Yes.

Madam Speaker: Proceed.

Dr. Moonilal: To the hon. Attorney General: is the injunction granted to the National Gas Company against the assets of specific companies believed to be linked to Super Industrial Services expected to be determined by a court today?

The Acting Attorney General, Minister in the Office of the Attorney General and Legal Affairs and Minister in the Office of the Prime Minister (Hon.

Stuart Young): Thank you very much, Madam Speaker. The injunction granted on December 23rd by the National Gas Company by the High Court of Trinidad and Tobago was an injunction with respect to SIS, Super Industrial Services Limited and its assets, not with respect to the assets of, as put forward here. The second

point as to whether it would be determined by a court today is completely within the remit of the Supreme Court of Trinidad and Tobago. My understanding is there was a hearing to be had today.

Madam Speaker: Member for Oropouche East.

Dr. Moonilal: Thank you very much, Madam Speaker. Madam Speaker, just a supplemental question to the hon. Acting Attorney General, I suspect. Would the Attorney General clarify the true status of the injunction as of this moment?

Hon. S. Young: Madam Speaker, through you, the status, not the status but the content of the injunction was widely published. I do not have it here with me today. The National Gas Company was in court along with SIS's lawyers this morning. I am not aware of what is the outcome of the matter this morning. It may have very well been just a status hearing.

St. Patrick Educational District

(Student with Tuberculosis)

Dr. Lackram Bodoë (*Fyzabad*): Thank you, Madam Speaker. To the hon. Minister of Health: Can the Minister confirm whether a student in the St. Patrick Education District has been diagnosed with tuberculosis in the past two weeks?

The Acting Minister of Health and Minister of Planning and Development

(Hon. Camille Robinson-Regis): Thank you very much, Madam Speaker. A student in the St. Patrick Education District had a positive “mantux” test.

Dr. Gopeesingh: Mantoux.

Hon. C. Robinson-Regis: M-a-n-t-u-x?

Dr. Gopeesingh: M-A-N-T-O-U-X—

Hon. C. Robinson-Regis: Oh. Well, the Ministry of Health spelt it differently, “mantux”. But, okay, Mantoux. Fortunately, my doctorate did not go into tuberculosis. [*Desk thumping*]

So, Madam, may I repeat, that a student in the St. Patrick Education District had a positive Mantoux test done at the San Fernando General Hospital. However, a repeat follow-up sputum sample sent to the Caura Chest Hospital was negative for tuberculosis. The student, therefore, does not have tuberculosis. [*Desk thumping*]

Dr. Bodoë: Just a follow-up question, just to confirm, you are saying hon. Minister, there is no confirmed case of tuberculosis in the St. Patrick Education District?

Hon. C. Robinson-Regis: Thank you very much. That is the information that we have before us.

Dr. Khan: Supplemental?

Madam Speaker: Member for Barataria/San Juan.

Dr. Khan: Thank you. Acting Minister of Health, could I ask if—I know it is not your main portfolio, could you look into it to see if the family members could be investigated for positive Mantoux tests as a result of that child having a positive Mantoux test, although the sputum samples are negative?

Hon. C. Robinson-Regis: Thank you very much for that question, Member for Barataria/San Juan. I would like to indicate that treatment of the student has begun. Contact tracing of persons who may have been exposed to the student, including family members, was done by staff of the Thoracic Division. Staff of the County Medical Officer of Health and the Thoracic Division have visited the school to deliver lectures to staff and students, and sanitization has been undertaken at the school and at the student's home. Thank you very much, Madam Speaker.

ORAL ANSWERS TO QUESTIONS

The Minister of Planning and Development and Acting Minister of Health (Hon. Camille Robinson-Regis): Madam Speaker, we are asking that all questions be deferred to the next sitting. [*Crosstalk*]

Madam Speaker: Is there an agreement with respect—

[*Opposition Members answer in the negative*]

Hon. C. Robinson-Regis: Sorry, Madam Speaker, prior to the beginning of the sitting, we did appear to have agreement to defer these questions to the end of the sitting, and subsequently I have been informed that that agreement has been rescinded. So, Madam Speaker, we are again requesting that these questions be deferred for one week to the next sitting?

Madam Speaker: Hon. Members, I do have the discretion to defer questions at the request. There are certain questions, however, that have already been deferred and these would be questions 95, 96, 100 and 104. Is the Government in a position to answer those?

Hon. C. Robinson-Regis: Madam Speaker, we can answer 95, 96 and 104 later in the proceedings.

Madam Speaker: Is there agreement with the other side?

Mr. Singh: No, Madam Speaker.

Madam Speaker: As far as questions 95, 96 and 104, in respect of which I have no discretion to give a further deferment, I would allow the request for them to be answered later in today's proceedings. As regards the other questions which have not been deferred, I grant the deferment of one week. And, as regards question 100—is it 100 or 104?

Hon. C. Robinson-Regis: Question 104.

Madam Speaker: As far as question 104—100 is the one that you are not in a position to answer today at all?

Hon. C. Robinson-Regis: Sorry, Ma'am, we can answer 100 today.

Madam Speaker: And what about 104?

Hon. C. Robinson-Regis: We can answer 104 today, later in the proceedings

Madam Speaker: So the four questions will be taken later in the proceedings. And might I ask the Leader of the House, at what stage?

Hon. C. Robinson-Regis: Madam Speaker, we are asking for 4.30, please.

Madam Speaker: That will be at the time of the suspension?

Hon. C. Robinson-Regis: Yes, Ma'am.

Madam Speaker: I would allow it to be after the suspension. Proceed.

The following questions stood on the Order Paper:

**Purchase of Two Naval Vessels
(Budgetary Allocation in Debt Ceiling)**

115. Could the hon. Minister of Finance state whether the budgetary allocation for the purchase of two naval vessels was covered within the debt ceiling prior to September 7, 2015? [*Dr. T. Gopeesingh*]

**Outstanding Credit Balance
(Details of)**

116. Could the hon. Minister of Finance state the credit balance owed by the Government as at September 30, 2015? [*Dr. T. Gopeesingh*]

**Sowing Empowerment Through Entrepreneurial
Development Programme
(Details of)**

117. Could the hon. Minister of Social Development and Family Services state:

- a) the criteria to access the \$15,000 grant through the Sowing Empowerment Through Entrepreneurial Development Programme;
- b) the turnaround time for processing applications;

- c) the amount of funds allocated; and
- d) the current balance of this Vote? [*Mrs. C. Newallo-Hosein*]

Extension of Electrification Programme

(Cumuto/Manzanilla Grounds)

- 118.** Could the hon. Minister of Public Utilities indicate whether the electrification programme will be extended to the following grounds in the constituency of Cumuto/Manzanilla:
- a) the Four Road Tamana Ground, Tamana;
 - b) the Sanatan Ground, Guaico, Tamana; and
 - c) the Clarke Road Ground, Manzanilla? [*Mrs. C. Newallo-Hosein*]

International Relations Officer

(Status Update)

- 119.** Further to the response to House of Representatives Question No. 7 on December 11, 2015, could the hon. Minister of Foreign and CARICOM Affairs provide a status update on steps taken to regularize the position of International Relations Officer at the Ministry of Foreign and CARICOM Affairs? [*Mr. R. Charles*]

Promotion of Internal Tourism

(Details of)

- 120.** Could the hon. Minister of Tourism state whether there are plans to promote internal tourism as a means of generating income and employment and if so, whether the Constituency of Naparima is included in such plans? [*Mr. R. Charles*]

Priority of Road Works

(Details of)

- 121.** Could the hon. Minister of Works and Transport state:

UNREVISED

- a) the criteria used by the Ministry to prioritize road works across the country;
- b) whether the Ministry received a priority list of road works earmarked for repair in the constituency of Naparima; and
- c) if the answer to part (b) is in the affirmative, could the Minister state the commencement dates for these road works? [*Mr. R. Charles*]

Chaguanas East/Enterprise Area

(Request for Police Station)

- 122.** With respect to the murder rate in the constituency of Chaguanas East, particularly in the Enterprise area, could the hon. Minister of National Security indicate whether a request for a Police Station will be facilitated? [*Mr. F. Karim*]

Land Tenants (Security of Tenure) Act

(Introduction of Amendment Legislation)

- 123.** Could the hon. Attorney General indicate whether the Government proposes to introduce legislation to amend the Land Tenants (Security of Tenure) Act, Chap. 59:54 (HOR Bill No. 9 of 2014)? [*Mr. F. Karim*]

ECCE Centre in Dass Trace, Enterprise

(Details of)

- 124.** Could the hon. Minister of Education state the reasons the completed ECCE Centre in Dass Trace, Enterprise has not been opened? [*Mr. F. Karim*]

Spiritual Baptist Liberation Day 2016 Celebrations

(Details of Funding)

- 125.** With respect to Spiritual Baptist Liberation Day 2016 celebrations, could the hon. Minister of Community Development, Culture and the Arts indicate:
- a) the organizations that applied for funding;

- b) the amounts requested; and
- c) the amounts approved and disbursed by the Ministry? [*Mr. B. Padarath*]

Phagwa 2016 Celebrations

(Details of Funding)

- 126.** With respect to Phagwa 2016 celebrations, could the hon. Minister of Community Development, Culture and the Arts indicate:
- a) the organizations that applied for funding;
 - b) the amounts requested; and
 - c) the amounts approved and disbursed by the Ministry? [*Mr. B. Padarath*]

Beucarro Main Road, McBean

(Stoppage of Road Rehabilitation Works)

- 113.** Could the hon. Minister of Works and Transport state:
- a) the reasons for the stoppage of road rehabilitation works along the Beucarro Main Road in Mc Bean, since September 8, 2015?
 - b) the resumption date of the works; and
 - c) the expected completion date of works? [*Mr. R. Indarsingh*]

National Academy of Sports

(Status Report)

- 127.** Could the hon. Minister of Sport and Youth Affairs give a status update of the National Academy of Sports? [*Mr. B. Padarath*]

Rapid Rail (Mass Transit) System

(Details of)

- 131.** With regard to the feasibility study for the Rapid Rail (Mass Transit) system, could the hon. Minister of Works and Transport state:

- a) the total amount paid to date;
- b) the payment dates;
- c) the total amount outstanding; and
- d) the proposed timeframe to complete the final payment? [*Dr. T. Gopeesingh*]

Public Sector Investment Programme 2016

(Details of Funds Spent)

138. Could the hon. Minister of Finance state:

- a) what percentage of the funds allocated under the Public Sector Investment Programme (PSIP) 2016 has been spent to date and the dollar value of such expenditure; and
- b) at this time in the financial year, the percentage of the PSIP the Government forecasts will likely be spent for fiscal 2016? [*Dr. S. Rambachan*]

Point Fortin Highway Project

(Details of Contractors)

139. Could the hon. Minister of Works and Transport state:

- a) whether the Government has commenced negotiations with Construtora OAS or any other local contractor(s) for the completion of the Point Fortin Highway;
- b) the total amount owed by Construtora OAS to local contractors for the Point Fortin highway project; and
- c) the number of local contractors paid to date by OAS Construtora in part/full? [*Dr. S. Rambachan*]

Foreign Used Vehicles

(Details of)

UNREVISED

140. Could the hon. Minister of Trade and Industry state:

- a) the total number of foreign used vehicles imported by foreign used cars dealers to date, for fiscal year 2016;
- b) the total number of foreign used vehicles imported by foreign used car dealers for the fiscal year 2015; and
- c) the plans (if any) to change the existing import quota for foreign used vehicles in this fiscal year? [*Dr. S. Rambachan*]

National Commission for Self-Help

(Details of Emergency Grants)

141. Could the hon. Minister of Community Development, Culture and the Arts provide the reason(s) for the delays being experienced by the National Commission for Self-Help in processing emergency grants for fire victims who submitted applications since December 2015 in the Couva North Constituency? [*Miss R. Ramdial*]

Housing Development Corporation

(Details of Home Improvement Grant/Subsidy Programme)

142. Could the hon. Minister of Housing and Urban Development state whether the Housing Development Corporation has stopped processing applications for the Home Improvement Grant/Subsidy Programme? [*Miss R. Ramdial*]

Public Service

(Details of Vacancies)

145. Could the hon. Minister of Public Administration and Communications indicate:

- a) the current number of vacancies in the permanent establishment of the public service;

- b) the current number of vacant contract positions in the public service; and
- c) the plans to fill vacant positions in the public service? [*Mr. R. Indarsingh*]

National Gas Company

(Termination of Employees)

146. With respect to the decision taken by the National Gas Company to terminate 15 employees and re-deploying sixty-nine others, could the hon. Minister of Energy and Energy Affairs state:

- a) the reasons for this decision;
- b) the criteria used to determine the employees to be sent home; and
- c) the criteria used to determine the employees to be re-deployed? [*Mr. R. Indarsingh*]

Questions, by leave, deferred.

DEFINITE URGENT MATTERS

(LEAVE)

Madam Speaker: Member for Caroni Central.

Dr. Bhoendradatt Tewarie (*Caroni Central*): [*Desk thumping*] Thank you very much—

Madam Speaker: Has the Opposition determined—there are three. Which two are we entertaining?

Dr. Tewarie: I will withdraw my Motion at this point in time.

Madam Speaker: Thank you very much. Leader of the Opposition.

Mrs. Persad-Bissessar SC: Thank you very much, Madam Speaker. [*Desk thumping*] Madam Speaker, is there any particular order in which these two?

Madam Speaker: You are entitled to take it accordingly.

Mrs. Persad-Bissessar SC: I thank you very much, Madam Speaker.

Children's Life Fund

(Government's Failure to Provide Access)

Mrs. Kamla Persad-Bissessar SC (*Siparia*): I seek your leave, Madam Speaker, to move the adjournment of the House today, under Standing Order 17, for the purpose of discussing a definite matter of urgent public importance, namely, the failure of Government to provide timely access to the Children's Life Fund to financially disadvantaged children in need of urgent life-saving medical treatment.

The matter is definite because it pertains specifically to the failure of Government to ensure timely access to the life fund to financially disadvantaged children in need of life-saving treatment. The matter is urgent because several children who were in need of life-saving medical treatment have already died because of Government's failure to provide timely assistance from the fund, and the lives of other children similarly circumstanced are in dire jeopardy.

It is urgent because on a daily basis the financial burden on the less fortunate family in our society increases, and with that number of children who are unable to access urgent life-saving treatment due to lack of financial resources also increases. The failure of Government to provide access to the fund on a timely basis is therefore resulting in the loss of lives of our children. The matter is of public importance because the pain, suffering and death of our children are of grave concern to everyone, especially in circumstances where this could be avoided by the provision of timely access to the fund.

The failure of Government to ensure timely access to these children frustrates the purpose, policy and objective of the fund which was established by statute in the public interest to care for those most in need in our country. Moreover, children are our most precious resource and the future of a country is

Definite Urgent Matters (Leave)
Mrs. K. Persad-Bissessar

10.06.2016

inescapably tied to their good health and well-being. They are our most loved and vulnerable of citizens, and it is especially repugnant to all when they are being denied their statutory right of timely assistance from the Children's Life Fund.

I thank you, Madam. [*Desk thumping*]

Madam Speaker: Hon. Members, I am not satisfied that this matter qualifies under Standing Order 17. I advise the Member to pursue this matter under Standing Order 16. Leader of the Opposition.

Unprecedented Increase in Murders

(Government failure to Address)

Mrs. Kamla Persad-Bissessar SC (*Siparia*): [*Desk thumping*] Thank you, Madam. Again, I seek your leave to move the adjournment of this House, under Standing Order 17, for the purpose of discussing a definite matter of urgent public importance, and that is the failure of Government to address the unprecedented increase in the number of murders in Trinidad and Tobago.

2.15 p.m.

This matter is definite because it pertains specifically to the failure of Government to deal with the escalation and unprecedented numbers of murders in Trinidad and Tobago since the beginning of 2016. The matter is urgent because with each day murders are being committed with impunity in a manner and at a rate never experienced in our country. If this continues unaddressed, it sends a signal to the criminal element that their crimes will go unpunished and they can continue their onslaught on the lives of our citizens and more lives will be lost on a daily basis. Today, the murder toll for the year stands at about 208 persons and that increases as we speak.

Hon. Member: Two today.

Mrs. K. Persad-Bissessar SC: Well, if there are two more today, then it is even

more than that number. As a country, we cannot stand idly by and simply allow our citizens to be slaughtered each day.

The matter is of public importance because the increasing number of murders is engendering widespread fear and distress in our country and is also damaging the international reputation of Trinidad and Tobago.

Further, it is of public importance because with each passing day, mothers and fathers are losing their sons and daughters, husbands are losing their wives and wives are losing their husbands. Our children are becoming parentless with each murder that is committed. We are losing our citizens each day and there could be no more important matter than protecting the lives of our citizens. The increase in murders and the failure of Government to address this matter is not simply a matter of public importance, it is a matter of great public importance and at this time the most important issue to us on this side and to citizens of our country. [*Desk thumping*]

Madam Speaker: Hon. Members, I am not satisfied that this matter qualifies under this Standing Order. I advise that the Member pursue this matter under Standing Order 16.

Now Members, having regard to what has taken place already in the proceedings I wish to say this, that as far as the two matters raised, arguably they are of public importance, but the criteria of definite, urgent and public importance must be satisfied in accordance with the particular Standing Order, Standing Order 17 and the Standing Orders have to be viewed as a whole. Matters can be raised on notice, matters can be raised as urgent matters and therefore, the suspension of the ordinary business of the House must only be suspended by using a very high bar to justify setting aside the usual scheduled business under Standing Order 17.

It is quite clear, having regard to what happened under the questions and

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also under this particular part of the proceedings that there is need for a meeting between the Presiding Officer and Members of the Opposition. A request has since come and I do expect that the delegation which will be appointed by the Chief Whip will take the opportunity available on Monday afternoon to meet with the Presiding Officer for these matters to be clarified. Thank you.

[Members of the Opposition leave the Chamber] [Desk thumping]

Mr. Hinds: Bye, bye, Kamla, bye, bye.

Mr. Padarath: Yeah, you say bye bye and children keep dying in this country—
[Crosstalk]

Madam Speaker: Members. Member for Princes Town!

Minister of Finance.

STATEMENT BY MINISTER

Request for Additional Speaking Time

The Minister of Finance (Hon. Colm Imbert): Thank you, Madam Speaker. Madam Speaker, because of the importance of the matter, that is the subject of the statement, I will crave your indulgence, Madam Speaker, and the indulgence of the House, to speak for no more than 15 minutes. I anticipate I may take about 12 minutes which would be two minutes over the normal time period. So I crave your indulgence to allow me to speak up to 15 minutes.

Madam Speaker: Members, the time under the Standing Order for statements is 10 minutes and therefore, having regard to the request of the Minister of Finance, I ask if I have the concurrence of the House for the time to be extended to 12 minutes.

Question put and agreed to.

Withdrawal from the Heritage and Stabilisation Fund

The Minister of Finance (Hon. Colm Imbert): Thank you, Madam Speaker. In

fact, I had asked for up to 15 minutes but I will try my best.

Madam Speaker, I have been authorized by the Cabinet to make the following statement. I wish to bring some clarity to the recent withdrawal from the Heritage and Stabilisation Fund. There has been a lot of commentary on this matter, much of which is inaccurate. A number of misconceptions have been presented to the national community from persons who should know better. I will deal with the governing legislation first.

The Heritage and Stabilisation Fund was established by Act No. 6 of 2007, that is to say, the Heritage and Stabilisation Fund Act, Chap. 70:09. This Act was subjected to wide-ranging debate in this House and in the Senate, including contributions from Members of both Houses, who were in Opposition then as they are now, such as the Member for Siparia, the Member for Oropouche East, the Member for Chaguanas West and Sen. Wade Mark. The legislative framework and operating principles of the legislation are thus well known to key Members of the UNC.

As a result, these persons and other persons who previously held high office in Trinidad and Tobago and have now assumed the role of political and economic commentators, are aware that section 3 of the Act provides that the purpose of the Fund is to save and invest surplus petroleum revenues derived from production in order to:

- (a) cushion the impact on or sustain public expenditure capacity during periods of revenue downturn whether caused by a fall in the prices of crude oil or natural gas;
- (b) generate an alternate stream of income so as to support public expenditure capacity as a result of revenue downturn caused by the

- depletion of non-renewable petroleum resources; and
- (c) provide a heritage for future generations of citizens of Trinidad and Tobago from savings and investment income derived from the excess petroleum revenues.

In particular, section 15 of the HSF Act states:

- “(1) Subject to subsections (2) and (3), where the petroleum revenues collected in any financial year fall below the estimated petroleum revenues for that financial year by at least ten per cent, withdrawals may be made from the Fund as follows, whichever is the lesser amount:
- (a) either sixty per cent of the amount of the shortfall of petroleum revenues for that year; or
- (b) twenty-five per cent of the balance standing to the credit of the Fund at the beginning of that year.
- (3) Notwithstanding subsection (1), no withdrawal may be made from the Fund in any financial year, where the balance standing to the credit of the Fund would fall below one billion dollars in the currency of the United States of America, if such withdrawal were to be made.”

In other words, the Fund must always have US \$1 billion in it.

It is to be noted that under the HSF Act, withdrawals are permitted after the fact, i.e. post facto. In other words, they are permitted in the year following the shortfall in revenue.

It was reported to this House in the budget debate of October 2015, that is, seven months ago and subsequently widely discussed, both inside and outside of

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this Parliament, that for the period October 1, 2014 through September 30, 2015 the revenue from petroleum was only TT \$11.6 billion or TT \$7.5 billion below the projected petroleum revenue of TT \$19.1 billion for fiscal 2015. This shortfall of \$7.5 billion in 2015 represented a reduction in revenues of almost 40 per cent which was well beyond the threshold of 10 per cent contained in section 15 of the Act.

Accordingly, since October 2015, the conditions for a drawdown from the Heritage and Stabilisation Fund were met. Further, as per section 15 of the Act, 60 per cent of this shortfall represents TT \$4.5 billion. Similarly, with reference to section 15(1)(b) of the Act, at the start of the 2014/2015 financial year, the Fund had a net asset value of US \$5.53 billion, 25 per cent of which was US \$1.38 billion or approximately TT \$9.23 billion.

Because the Act stipulates that the lesser of the two amounts is to be used as per section 15(1)(a) and (b), the amount now available for stabilization in fiscal 2016 was TT \$4.5 billion.

We should keep in mind the size of the energy shock the economy has faced in this year. It is well known that the budget was premised on an average oil price of \$45 per barrel. However, Madam Speaker, while the price of WTI has risen in recent weeks to over \$49 per barrel, reaching \$50 on a few days, the average weighted price for the basket of crudes produced in Trinidad and Tobago from October 2015 to April 2016 was only \$36.78, with a low of \$28.74 for the average for the month of January, 2016.

Statements from commentators therefore that the revenues from petroleum 2016 are above the budget estimates are therefore a gross exaggeration, and in totality, the projected shortfall in income from all revenue streams in 2016 is close

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to \$10 billion, when compared to the September 2015 figures.

It should be noted that the current situation is vastly different from the 2008/2009 situation when we had to grapple with a similar oil shock. It is wrong, therefore, as some commentators have sought to claim, that the 2008/2009 situation was no different to our situation now in 2016, yet the Government of the day did not avail itself of the facility afforded by the HSF Act then in 2008/2009.

In reality, Madam Speaker, the Government had over \$9 billion in credit in its account at the Central Bank, as a result of budget surpluses over the years, in 2009. As a result, the Government was able to draw down on these surpluses to deal with the shortfall in revenues at that time in 2008/2009. We have no such luxury.

In its first two years in office, the previous UNC Government used up all of the surpluses left by the PNM in the Central Bank and then sent the Government's account into permanent overdraft. We came into office meeting a situation in 2015, where the previous UNC Government had burned through over \$6 billion in credit it found in 2010 and had used up virtually all of the \$9 billion overdraft available to the State. In other words, a loss of Government funds of \$15 billion.

Since September 2015, therefore, the PNM Government has had to manage the finances of Trinidad and Tobago with the government's account permanently in overdraft, courtesy the UNC. In May 2016, because of the severely depressed revenues from petroleum the overdraft reached 100 per cent of its limit, and unless urgent action was taken, the Government would have been unable to pay salaries or pay for critical and essential goods and services.

In accordance with the HSF Act, therefore, the Ministry of Finance decided on a drawdown from the Fund in the amount of TT \$ 2.5 billion or US \$375

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million, out of the legally permissible TT \$4.5 billion. This was the only available source of funds in May 2016. If we had not done this, the Government would have been guilty of fiscal irresponsibility and country might have been in crisis.

It should be noted, that the drawdown was TT \$2.5 billion, and not US \$2.5 billion as some commentators have wrongly alleged. It should also be noted that in statements made by the Hon. Prime Minister and myself, inside and outside of Parliament over the last 7 months, we made it clear that once it was required and permissible, we would draw down up to US \$1 billion from the Fund in 2016 for budgetary support. The drawdown of US \$375 million is thus way below the announced sum.

There have been allegations from Members on the opposite side and other commentators who know better that the drawdown was used for all sorts of dubious purposes, with the Leader of the Opposition going so far as to say it is for electioneering. However, these allegations are just not true.

2.30 p.m.

The House would recall when I presented the mid-year review I estimated, even with the measure announced, given the sizable decline in our energy receipts, there would a deficit of about \$7 billion in 2016. I indicated that this deficit will be financed through a combination of borrowing and a drawdown from the HSF, as needed. The Prime Minister in a speech to the nation had given the same message. The HSF drawdown, therefore, was simply to finance the well-known budget deficit, not for any item in the budget in particular. When I used the term “for the service of Trinidad and Tobago in 2016”, that is exactly what I meant.

In every appropriation Bill presented in this House for the last 30 years, it is clearly stated up front in all the documents, that the appropriation is required for

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the service of Trinidad and Tobago, and to put it in local parlance this simply means, “to pay the country’s bill”. [*Desk thumping*] For experienced Members opposite, and in the Senate, to pretend they do not understand the meaning of the phrase is disappointing. They themselves have used this terminology in all the years they were in Government. There is no mystery in the phrase. In other words, the drawdown was simply added to the revenues we collect from other sources to help to meet our expenditure commitments—all our expenditure commitments, both current and capital expenditure, in other words, to pay bills.

Another commentator who knows better, argued it was cheaper to borrow than to make the drawdown. That is false. The increase in the Heritage and Stabilisation Fund for 2015 was a mere 1.6 per cent, from US \$5.653 billion in December 2014 to US \$5.745 billion in December 2015. However, it is public knowledge that the last Trinidad and Tobago Government bond issue, just one month ago, was raised at 4.75 per cent.

Statements by a former MP who knows better that the Heritage Fund is earning 5 per cent and the Government is borrowing at 2 per cent, and it is better there to borrow rather than draw down on the HSF are absurd. It should also be noted that in addition to the cost, the level of our public debt is very important. In fact, the ratings agencies, as well as the IMF, saw as a strength, the fact that we had buffers or savings that could be used to contain the increase in public debt.

Madam Speaker, in answer to the query that no indication of the withdrawal was given, I quote from my mid-term budget review:

“In 2016 we will close this \$15 billion gap with borrowings, and one-off items of income, such as proceeds from the sale of Clico assets...repayment of past lending from TGU, dividends from NGC, drawdowns from the”—

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HSF—“the proceeds of the...IPO and so.”

Later in the speech I said:

And—“With specific reference to the heritage”—and Stabilization—“fund, it must emphasized...the purpose of this fund is to offset serious shortfalls in revenue in periods of depressed petroleum prices. It is not as some believe...”

Just two more pages.

“a trophy to be kept on the shelf...”—and never to be touched. “In fact, the legislation that established the heritage fund caters for drawdowns when the revenue from petroleum are lower than projected by a factor of 10 per cent.”

Whereas—“this time”—and this was in April of this year—“we are...facing a 75 per cent reduction in revenues from petroleum...”

Madam Speaker—[*Interruption*]

Madam Speaker: Two more minutes.

Hon. C. Imbert: Two more minutes? Yeah, no probs.

Madam Speaker, many Members opposite are now calling for legislation to amend the HSF Act in order to separate the heritage from the stabilization element. In my budget statement of 2015, I noted it was the Government’s intention to do just that, in order to make up for what the last Government did not do. I repeated that assurance in my mid-term budget review.

The HSF Act, approved by Parliament in 2007, called for a five-year review which should have been completed in 2012. In 2012, there were discussions with the World Bank in which the then Minister of Finance, Minister Dookeran, participated, and a draft of an amendment to the HSF Act was prepared. Between March 2012 and September 2015, the previous Government had more than ample

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time to introduce the amendment—actually June 2015—but that did not happen. It is this Government’s intention, therefore, to undertake the necessary public consultation and bring the amendment drafted by the World Bank, with appropriate adjustments, to Parliament before the end this year.

Incidentally, the legislation does not require Parliament’s approval for a withdrawal, as Members opposite are well aware. It was never intended for that purpose. Parliament was required to approve the savings and withdrawal rule. In other words, the formula and the conditions precedent for drawdowns, and it has done so since 2007. Parliament also has to ensure—

Madam Speaker: Minister of Finance, the 15 minutes has expired so I would ask to circulate the rest of your statement. Thank you. [*Desk thumping*]

Vide end of sitting for written part of Statement by Minister.

PRIVILEGES AND IMMUNITIES (IMPACS) ORDER, 2016

The Acting Attorney General, Minister in the Office of the Attorney General and Legal Affairs and Minister in the Office of the Prime Minister (Hon. Stuart Young): Thank you very much, Madam Speaker. Madam Speaker, I beg to move the following Motion standing in my name:

Whereas it is provided by section 9 of the Privileges and Immunities (Diplomatic, Consular and International Organisations) Act, Chap. 17:01 (hereinafter called “the Act”) that the President may by Order declare that any international or regional organisation or agency named or described in such Order shall, to such extent as specified in the Order, be accorded certain privileges and immunities;

And whereas it is also provided by section 9 of the Act that every Order made under that section shall be subject to affirmative resolution of

Parliament;

And whereas the President has on the 22nd day of April, 2016 made the Privileges and Immunities [CARICOM Implementation Agency for Crime and Security (IMPACS)] Order, 2016;

And whereas it is expedient that the Order now be affirmed:

Be it resolved that the Privileges and Immunities [CARICOM Implementation Agency for Crime and Security (IMPACS)] Order, 2016, be approved.

Madam Speaker, it is a great privilege and an honour to stand here before the House today to move this particular Order and to seek the affirmative resolution of Parliament. This is quite simply one of our international and regional obligations that needs to be legislatively implemented via domestic legislation, and we are doing so today in accordance with section 9(2) of the Privileges and Immunities (Diplomatic, Consular and International Organisations) Act.

Madam Speaker, there is absolutely nothing unusual or out of the ordinary with respect with what we are seeking to do. And if I may go straight away to Chap. 17:01, which is the Privileges and Immunities (Diplomatic, Consular and International Organisations) Act, and to the preamble of this particular Act, to give an understanding and to put some clarity as to exactly what this Act does, it is an Act to confer certain privileges and immunities on members of the diplomatic services, consular services and on specialized agencies of United Nation, by giving force of law to certain articles of the Vienna Convention on Diplomatic Relations, the Vienna Convention on Consular Relations, the Convention on the Privileges and Immunities of the United Nations, and the Convention on the Privileges and Immunities of the Specialized Agencies of United Nations and for purposes connected therewith.

And if we may go straight away to section 9 of this Act, Part V, we see that:

“This section shall apply to any international or regional organisation or agency, other than those to which Part III and Part IV apply, declared by an Order of the President to be an organisation or agency to which specified privileges and immunities have been accorded.”

This is the particular section of this Act that we are using and utilizing to implement into our domestic legislation, a very long outstanding obligation of the Trinidad and Tobago. In fact, history will show very clearly recorded that the Order was first drafted and laid in this Parliament, and passed in the House of Representatives on April 13, 2011, when those on the other side were on this side but, however, they allowed it to lapse and it was never brought back to Parliament until now. So this Government is seeking immediately to rectify something that should have been done since 2011 and, in fact, this Order was before the House and passed, since 2011.

So going back to Chap. 17:01, Madam Speaker, we see that this is an Order that the President may make from time to time and what he is doing in this occasion is declaring that an regional organization and agency, that we have named and described, which is the IMPACS organization, is being given the privilege and immunities set out in Part I, the Fifth Schedule of the Act, and when we get to going through it very briefly, we will see that these are privileges and immunities that time immemorial have now shown, history has shown for bodies such as this one to be effective in the work that they have been tasked to do by Caricom, by that regional body to which we subscribe and we are a member, it is necessary for them to be able to carry out their work efficiently and properly.

In fact, when one looks at the prevailing legislation and Orders that are already in place, I give an example of some similar Orders that have already been

made under section 9 of the Privileges and Immunities Act. The first one is the Privileges and Immunities (European Economic Commission) Order which was done as far back as 1977; we then had Privileges and Immunities (Caribbean Agricultural Research and Development Institute) Order done in 1989; the Privileges and Immunities (Caribbean Community and Caribbean Common Market) was a legal Notice and Order done in 1990; Privileges and Immunities (Caribbean Financial Action Task Force) Order done in 1994. That is quite an appropriate juncture to just pause if I may, Madam Speaker. That is the CFATF body where the substantive Attorney General has spent the last week ensuring and doing his utmost best to ensure that Trinidad and Tobago fulfils its obligations, which quite frankly were ignored in the last five years.

The Attorney General, the substantive Attorney General, the Member for San Fernando West, has been working assiduously since coming into office and assuming this Office of Attorney General, in ensuring that Trinidad and Tobago fulfils its international obligations. He has been the Chairman of CFATF and has spent the last week, from morning to night, ensuring that the Caribbean region is properly looked after with regard to the financial obligations and, in particular, working hard to ensure that Trinidad and Tobago does not receive any sanctions.

The last example I would like to give, Madam Speaker, is the Privileges and Immunities (Caribbean Court of Justice—the body we know as the—(CCJ) Regional Judicial and Legal Services Commission (RJLSC) and the Caribbean Court of Justice Trust Fund) which was done via Order and Legal Notice 99 of 2005.

So, Madam Speaker, respectfully, what we have done is outlined but there is nothing unusual with this. And just by using the last two bodies, the CCJ and RJLSC, as well as CFATF, we can see the importance because of the duties

performed by those two very important bodies with respect to the landscape of the Caribbean region, how important what we are doing here is today.

I would like to take this opportunity, Madam Speaker, to say that Trinidad and Tobago continues to stand out as the beacon of leadership with our Caribbean counterparts, and just by naming these last three bodies including the one we are talking about today, it shows that our Caribbean brothers and sisters look to Trinidad and Tobago to host very important institutions that play important roles in the Caricom region. This is but another one. And to use that point, Madam Speaker, what I would like to say is just give a brief history of IMPACS because I do not think the members of public of Trinidad and Tobago are necessarily aware of the genesis of this body, the important role it plays in the Caribbean region, and I will be followed by my colleague from Point Fortin, the hon. Minister of National— [*Interruption*] Oh, I am now being—

So what I will be doing is giving a little bit of an introduction as to what it is that IMPACS does.

At the 26th Heads of Government Meeting in St. Lucia, during the period the 3rd to 6th of July, 2005, the Caribbean Heads of Government agreed to the establishment of the structure for crime and security agenda, which included inter alia an implementation agency for crime and security which became known as IMPACS. So its genesis is found at the Caricom Heads of Government Meeting in St. Lucia in July 2005.

We then go to a meeting again that was held on July 6th, 2006 in St. Kitts and Nevis by the Caricom Heads of Government, where IMPACS was established as an entity by the inter-governmental agreement dated July 6th, 2013.

2.45 p.m.

Article 2(3) of that inter-governmental agreement, which established

Caribbean IMPACS stipulates that the headquarters of IMPACS shall be located in the territory of a contracting party to be determined by the contracting parties and on the 17th Inter-sessional Conference, the Government of Trinidad and Tobago made available accommodation for the proposed Caricom IMPACS and Trinidad and Tobago agreed to host the Caricom IMPACS headquarters in Trinidad and Tobago since it was the successor organization to the Caricom Regional Task Force on Crime and Security. What followed thereafter was an agreement on the 15th of July, 2009, that was executed with the Government of Trinidad and Tobago of the day to establish the headquarters in IMPACS.

So all we are doing now, Madam Speaker, is we are, in a formal manner through domestic legislation, providing for the headquarters of IMPACS to be properly housed in Trinidad and Tobago and ensuring that the staff who are not residents of Trinidad and Tobago have certain immunities and privileges, as well as the body have certain immunities and privileges, which when you turn to the Fifth Schedule of the Privileges and Immunities (Diplomatic, Consular and International Organisations) Act, we will see there is absolutely nothing out of the ordinary, and what we are doing is just fulfilling our regional and international obligations.

Madam Speaker, IMPACS was established as an institution of the Caricom by virtue of that inter-governmental agreement signed in St. Lucia in 2006. It was established as part of a regional framework for the management of regional crime and security, which comprises the Council of Ministers Responsible for National Security and Law Enforcement who report to the lead head for crime and security. Madam Speaker, we as Trinidad and Tobago take great pride in saying that this move is being done at a time when none other than the hon. Prime Minister of Trinidad and Tobago, Dr. Keith Rowley, is that head, the lead head for crime and

security in the Caricom region.

There is also a security policy advisory committee comprising Permanent Secretaries and IMPACS, which is considered the nerve centre of the management framework with a mandate to implement the regional crime, security agenda and report to the Council of Ministers Responsible for National Security and Law Enforcement, the Standing Committee of Chiefs of Police, Military, Customs, Immigration, heads of Intelligence, financial crime units, which in turn reports to Member States with respect to the various areas of crime.

Madam Speaker, this important body of IMPACS plays a role in the Caricom region of gathering security intelligence and also advising the Heads of Government and these particular bodies to which I have referred, with respect to specific crime agendas and the fight against crime, which we see as being a very important and relevant tool, not only to Trinidad and Tobago but to the region as well.

And if I may use this opportunity at this stage, Madam Speaker, through you, to have a conversation with the citizens of Trinidad and Tobago on this area. This Government, since coming into office, has been piloting and pushing and moving a number of what we see as important pieces of legislation and initiatives to assist the law enforcement agencies with respect to the issues of crime. One of the most recent Bills that is now an Act and currently awaiting proclamation, a lot of misinformation and mischievous activity took place with respect to the information that was being circulated. The format of gathering intelligence is a necessary and important key and tool in a successful fight against crime. So the SSA legislation that is currently awaiting proclamation is part of this country's tool in the fight against crime.

There have also been other initiatives that this Government has pushed

forward and has walked through, that have met with staunch opposition by those on the other side, and I would like to use the opportunity today to ask the citizens of Trinidad and Tobago, in asking those on the other side to be responsible and to do what is right for the citizens of Trinidad and Tobago.

Why it is that they would oppose initiatives that are being taken by a legitimate Government that is concerned about the citizens of Trinidad and Tobago, with respect to their fight against crime? What we are seeing here is another body that the Government of Trinidad and Tobago taps into for the sharing of intelligence, for the sharing of ideas and initiatives that are gathered to fight against crime.

In fact, just this week, over the past couple of weeks, taking place in the Caricom region, there have been a number of exercises with the various armed forces and the coast guard, et cetera, to prepare ourselves to be able to share intelligence information and also personnel with boots on the ground, in the event that, God forbid, any untoward events takes place in the region.

Madam Speaker, just briefly, I do not see the need to detain the House very much longer. What we have here is an Order. It is a very simple order, as I said, that is being done pursuant to section 9(2) of the Privileges and Immunities Act and it starts off by saying that it is for IMPACS and it is dated 2016. It talks about the various agreements that I have referred to. And then going straight into it, it gives IMPACS judicial personality and allows it to be a body corporate. And when you look at the Fifth Schedule of the parent legislation, you will see that there is basically a thick list there of privileges and immunities that can be granted by bodies such as this, via domestic legislation such as this, and through an Order such as this. And this is really the pursuit of this thick list.

The headquarters of IMPACS shall be in the area defined, pursuant to the

agreement that was signed in 2009. It is located in Trinidad and Tobago and it should be inviolable.

Now the immunities granted by this Order may be waived by the organization if something takes place, that the organization and it is dictated by the Caricom Heads and the leaders of national security in the various Caricom jurisdictions, if they believe that there should be a waiver of immunity it can be waived, and this has happened in the past when they have been certain acts that have taken place on the shores of Trinidad and Tobago. So I want to assure the people of Trinidad and Tobago that this is not considered any blanket, well it is a blanket immunity but there have been instances, as has happened with other diplomatic organizations. Organizations granted diplomatic immunity, they have waived immunity, if it is such a serious matter that it should be.

There is then immunity over their assets and property. There is an inviolability of their archives, of course, done to protect their records, and then they go to the treatment of official communication. I saw that there was some discussion with this in the public domain recently, and I would like to assure the public of Trinidad and Tobago, there is nothing unusual with this. It allows IMPACS to have the right to use codes and ciphers to send and receive correspondence and other documents by courier or sealed pouch, which shall be accorded treatment no less favourable that that accorded to diplomatic couriers and pouches. Their property will not be subject to certain taxes and duties. The financial resources of IMPACS, they shall have the right to hold funds or currency of any kind and operate accounts in any currency. Again, in a Caricom organization, an agency such as this one can immediately see the usefulness and the need for this because certain member countries from Caricom would be making their contributions to this body in their own currencies.

Then at section 10, we see the privileges and immunities of officials of IMPACS and its experts on missions. They shall enjoy the following privileges and immunities, exemption from all forms of direct taxation on salaries and other emoluments paid to them by IMPACS. This does not apply to citizens of Trinidad and Tobago. Immunity from legal process in respect of words spoken or written and all acts performed by them in the exercise of their official functions; the inviolability of all papers, documents and materials related to their work; exemption from immigration restrictions and alien registration requirements in respect of their official duties; exemption from any national service obligations; treatment no less favourable than that accorded to diplomatic officials of comparable rank, with respect to exchange control requirements. These privileges shall not apply to officials of IMPACS who are nationals or permanent residents of Trinidad and Tobago, Madam Speaker.

In addition to these privileges and immunities, the officials of IMPACS shall enjoy right on first arrival to import for their personal use, free of customs duties, value added tax or any other purchases, purchase taxes on stamp duties, their furniture, personal effects, including one automobile for personal use. Again, Madam Speaker, this is not unusual. This is provided very clearly for in the parent legislation and in fact when we look at some of the other bodies, the CCJ and the RJLSC and the other bodies to which I refer, you will see that these are the normal types of privileges and immunities that are passed on to bodies such as this.

Madam Speaker, in conclusion, I would like to thank you for the opportunity and to say that it is this Government's position that this Order is long overdue. It was brought last in 2011, and it lapsed by those on the other side who do not even have the courtesy to be here to participate this afternoon. Madam Speaker, with those few words, it is our position that we beg to move this Order. [*Desk thumping*]

Question proposed.

The Acting Attorney General, Minister in the Office of the Attorney General and Legal Affairs and Minister in the Office of the Prime Minister (Hon. Stuart Young): Madam Speaker, I beg to move.

Question put and agreed to.

Resolved:

That the Privileges and Immunities [CARICOM Implementation Agency for Crime and Security (IMPACS)] Order, 2016, be approved.

ARRANGEMENT OF BUSINESS

The Minister of Planning and Development (Hon. Camille Robinson-Regis): Thank you very much, Madam Speaker. In light of the fact that we came here to do the business of the people of Trinidad and Tobago and we did indicate that we were only doing this Motion, Madam Speaker, I would like at this time to move on to Committee Business, Motion No. 1. [*Pause*]

Madam Speaker: Leader of the House.

Hon. C. Robinson-Regis: Madam Speaker, with regard to Motion No. 1, the Member for Tobago East will proceed with this Motion. Thank you very much, Madam Speaker.

JOINT SELECT COMMITTEE REPORT

Family and Children Division Bill, 2016

(Adoption)

The Minister of State in the Office of the Prime Minister (Hon. Ayanna Webster-Roy): Thank you, Madam Speaker.

Be it resolved that this House adopt the Report of the Joint Select Committee appointed to consider and report on the Family and Children Division Bill, 2016.

Madam Speaker, the Committee comprised of the following members: Faris Al-Rawi, MP; Mr. Randall Mitchell; Mrs. Ayanna Webster-Roy; Miss Ramona Ramdial; Mr. Barry Padarath; Miss Khadijah Ameen; Miss Nadine Stewart; Mr. Hafeez Ali; Mr. Michael Coppin; and Miss Melissa Ramkissoon.

Madam Speaker, we had a total of five meetings and we had the support of the Office of the Chief Parliamentary Counsel, the Juvenile Court Project and the Children's Authority.

Madam Speaker, some of the main considerations of the Committee included looking at the backlog of cases coming through the courts and the impact on the Family and Children's Division Bill and also the impact on services to families and children. We also considered the way judges were appointed and what was the best fit, in order to have the cases dealt with appropriately.

Madam Speaker, throughout our consultations we would have been able to have written submissions coming in from a number of stakeholders, including some persons involved in the voluntary sector and those looking at human rights.

Madam Speaker, the Committee was able to review all the clauses and agreed unanimously to the recommendations that were made by our Parliamentary Counsels, as well as those persons who were involved in the process.

Madam Speaker, I now ask this honourable House to accept the report in its entirety. Thank you.

3.00 p.m.

Question proposed.

The Minister of State in the Office of the Prime Minister (Hon. Ayanna Webster-Roy): Madam Speaker, I beg to move.

Question put and agreed to.

Resolved:

That this House adopt the Report of the Joint Select Committee appointed to consider and report on the Family and Children Division Bill, 2016.

Government Assurances

Mr. Adrian Leonce (*Laventille East/Morvant*): [*Desk thumping*] Thank you very much, Madam Speaker.

Be it resolved that this House adopt the First Report of the Joint Select Committee on Government Assurances.

Madam Speaker, this report focuses on phrases and words that will stimulate assurances to be made by the House. When a Member says that they would present a report or a Member gives the House an assurance, there will be an automatic stimulation for follow up to ensure that the Government Business is conducted. I ask the House to adopt this report in its entirety. [*Desk thumping*]

I beg to move.

Question proposed.

Mr. Adrian Leonce (*Laventille East/Morvant*): I beg to move. [*Desk thumping*]

Question put and agreed to.

Resolved:

That this House adopt the First Report of the Joint Select Committee on Government Assurances.

ARRANGEMENT OF BUSINESS

Madam Speaker: Hon. Members, as regards the Family and Children Division Bill, 2016, there is a further stage to be taken with respect to this Bill, and this will be taken later in today's proceedings.

Leader of the House.

The Minister of Planning and Development (Hon. Camille Robinson-Regis): Thank you very much, Madam Speaker, we now move to Bill Second Reading.

REMEDIES OF CREDITORS (AMDT.) BILL, 2016

Order for second reading read.

The Minister of Finance (Hon. Colm Imbert): [*Desk thumping*] Madam Speaker, I beg to move:

That a Bill to amend the Remedies of Creditors Act, Chap. 8:09, be now read a second time.

Madam Speaker, this is a very, very, simple Bill. It is a two clause Bill, the first clause of which is simply the title, which is the Remedies of Creditors (Amdt.) Bill, 2016, and the second clause simply makes an amendment to the Remedies of Creditors Act in section 13:

“by deleting the words ‘twelve per cent’, and substituting the words ‘five per cent’”; and by inserting after subsection (1) the following subsection:

‘The Minister with the responsibility for finance may, by Order subject to negative resolution of Parliament, vary the rate of interest prescribed in subsection (1).’”

Now, Madam Speaker, this Bill will give both the Government and the country, the necessary flexibility to deal with fluctuating interest rates. When this interest rate of 12 per cent was introduced many years ago under a former administration, this was effectively the statutory interest rate on judgment debts. This applies both to the State and to the private sector. So that if a person receives a judgment and the judgment is unpaid, then the interest on the judgment debt runs at a rate of 12 per cent per annum.

When this was done, and if my memory does not escape me, it was done by a former Attorney General, Mr. Ramesh Maharaj. When this was done many years ago, the overdraft interest rate at the time was of the order of 19 per cent. In fact, Madam Speaker, we all remember those days, where deposit rates reached as high

as 9/10 per cent, and overdraft interest rates and borrowing rates was high as 19 to 20 per cent.

So when this amendment to the then amount, which was a very small sum at that point in time; very small percentage, when this amendment was made increasing the interest on judgment debts, it was a perfectly reasonable amendment at the time, because you were introducing a statutory interest rate of 12 per cent on judgment debts of 12 per cent, and the cost of borrowing was 19 per cent.

However, Madam Speaker, we have found ourselves in Trinidad and Tobago, like the rest of the world, we have arrived where the rest of the world is. I recall when I was a student in the United Kingdom back in 1981, and I had saved up a certain sum of money to do my master's degree, my first master's degree—
[*Interruption*]

Hon. Members: How many do you have?

Hon. C. Imbert: On to my third one, [*Interruption*] but I had saved up a sum of money in those days, a very large sum of money for someone in 1981, a princely sum of £7,000 at the time and after working for some years after graduating as an engineer, I had saved up the equivalent of £7,000, this was to pay for the entire year. This was to pay for my expenses in Manchester which was where I did the degree in maritime engineering in 1981. This amount was what was estimated would be my expenses for accommodation, meals and all the expenses of a student, a post-graduate student in 1981.

I was able to take £4,000, Madam Speaker, in the United Kingdom and put it on fixed deposit. Would you believe at that time the interest rate in the United Kingdom on a deposit was 17 per cent? So I was able to put £4,000 on deposit for six months at 17 per cent, thereby earning about £400 which was added to my capital, and was very well appreciated by me at that time. That was how the world

was, you know, that was the interest rates in the United Kingdom of 17 per cent on deposits, eh?—on savings accounts. Obviously, the lending rate was higher than that. Even in North America, there were higher interest rates, and in Trinidad and Tobago, as I said, we were not immune from that sort of thing.

As the years changed and we are now into a period, and one really does not know how long this period will last of low interest rates, because if you have surplus cash now, and you put your surplus cash on deposit, you would earn less than 1 per cent, unless you are very, very, very fortunate to find some financial instrument that would earn more than 1 per cent. This has had a serious adverse effect on retirees, for example, Madam Speaker, and persons on fixed incomes, they can no longer live off their savings and, in fact, that was one of the issues with Colonial Life, because Colonial Life at the time in 2005, 2006 and 2007, was offering interest rates of 8 per cent, 8½ per cent, 9 per cent on deposits, which was better than the market at the time, which was giving you maybe 5 or 6 per cent in a traditional standard deposit account.

We are now in a situation, Madam Speaker, where at the Unit Trust, for example, the rate on the Money Market Funds in the Unit Trust is below 1 per cent. The last time I checked, I think it was .8 per cent. The rate on the Abercrombie Fund in First Citizens Bank is about 1 per cent. So that we have moved far away from that period of many years ago, when the former Attorney General increased the judgment debt rate to 12 per cent. We need now to bring a state of normalcy back into play, because for one reason or another, the statutory interest rate is applied not just to judgment debts. For example, with land acquisition, Madam Speaker, the statutory interest rate of 12 per cent, is applied to all unpaid balances when the Government acquires lands, and it escalates, it compounds and so on, and it really is a situation that is divorced from reality.

So with this legislation, we are reducing the rate on judgment debts and statutory interest rates, from 12 per cent to 5 per cent. We think this is in keeping with current interest rates. In fact, it is much higher than the interest rates on deposits at this point in time, but the repo rate is currently 4.5 per cent, and that is the rate that the Central Bank lends money to the commercial banks. They lend it at 4.5 per cent. So we thought with the repo rate being 4.75 per cent, it was justified to introduce a rate of 5 per cent on judgment debts.

What we have now is an innovation, which escaped the legal drafters at the time in 12 per cent, there was no provision, and there is no provision in the law, which allows the Minister of Finance to vary the interest rate based on an order. In other words, at the present time, the only way the interest rate in the Remedies of Creditors Act can be amended, is to come by way of a Bill before the Parliament, and have a full-fledged debate.

In clause 2, we are introducing a provision that allows the Minister with responsibility for finance, by order, subject to negative resolution to vary the rate of interest. So if in the future, interest rates either decline or increase in some dramatic way, the Minister of Finance at the time, whoever he or she may be, would be empowered to vary the interest rate in the Remedies of Creditors Act, by way of a simple order, which, of course, would still be laid in Parliament, and subject to debate by hon. Members, if a Member was minded to file a Motion to negative the Order.

So, Madam Speaker, I believe this is something that is long overdue. The 12 per cent rate of interest on judgment debts is simply inappropriate, some would say unconscionable at this point in time. We believe 5 per cent is much more appropriate. There must always be balance, and when we legislate, as legislators, we must be cognizant of the realities that face us, and not live in some silo or ivory

tower, Madam Speaker. Therefore, we believe 5 per cent is an appropriate rate on judgment debts at this time, and we are now giving the Minister of Finance the responsibility to vary to rate by Order, subject negative resolution of Parliament.

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

Question proposed.

3.15 p.m.

Question put and agreed to.

Bill accordingly read a second time.

Bill committed to a committee of the whole House.

House in committee.

Clauses 1 and 2 ordered to stand part of the Bill.

Question put and agreed to: That the Bill be reported to the House.

House resumed.

Bill reported, without amendment, read the third time and passed.

ARRANGEMENT OF BUSINESS

The Minister of Planning and Development (Hon. Camille Robinson-Regis):

Thank you very much, Madam Speaker. Madam Speaker, the report on the Joint Select Committee that dealt with the Family and Children Division Bill, the report has been given to the Parliament and, Madam Speaker, we now move to the second reading of the Family and Children Division Bill, 2016, which will be done by the Attorney General, Madam Speaker.

FAMILY AND CHILDREN DIVISION BILL, 2016

The Acting Attorney General, Minister in the Office of the Attorney General and Legal Affairs and Minister in the Office of the Prime Minister (Hon. Stuart Young): Thank you, Madam Speaker. Madam Speaker, I beg to move that:

A Bill to make jurisdiction for all family—[*Crosstalk*]—sorry, sorry, sorry—[*Interruption and laughter*]

Madam Speaker: Members, could we kindly observe the decorum of which this House is regarded with?

Hon. S. Young: My humblest apologies, Madam Speaker. Madam Speaker, I beg to move that:

A Bill to make jurisdiction for all family matters and children matters exercisable in a Division of the High Court to be called the Family and Children Division and to make provision for matters connected therewith, be read a second time—be forthwith read a second time.

Question proposed.

The Acting Attorney General, Minister in the Office of the Attorney General and Legal Affairs and Minister in the Office of the Prime Minister (Hon. Stuart Young): Thank you very much, Madam Speaker. Madam Speaker, this is a very important and innovative Bill that is being piloted here through the second stage. We would like to say we think this revolutionizes building on the pilot project, which was the Family Court and what we are doing is recognizing that there is now also need for a specialist division to deal with the children of Trinidad and Tobago. We are using the experiences of this pilot project to inform the preparation of this legislation thereby establishing a special court exercising jurisdiction for all family matters and criminal offences with which children under 14 years of age are charged. Thank you, Madam Speaker.

And as provided with by Standing Order 68 (1), I beg to move that the Bill entitled an Act to make jurisdiction for all family matters and children matters exercisable in a Division of the High Court to be called the Family and Children Division and to make provision for matters connected therewith, be committed to a

committee of the whole.

Question put and agreed to Bill committed to a committee of the whole House.

House in committee.

Madam Chairman: Members, in terms of the approach for the committee, we would take consideration of the Bill in terms of Parts as set out in the Bill. So we will go to Part I and consider the clauses under Part I, and then we go to Part II, et cetera.

Mr. Young: Thank you very much, Madam Chair. Madam Chair, might I just enquire, and we agree wholeheartedly that that is the approach that is most prudent, but if there are certain sections that we will want to propose amendments to—
[Crosstalk] Would you just bear with me for one—[Interruption]

Madam Chairman: Members, might I suggest we take a suspension of five minutes for the Members to organize themselves. This committee is suspended.

3.25 p.m.: *Committee suspended.*

3.40 p.m.: *House resumed.*

Madam Speaker: The Minister in the Ministry of the Attorney General and Legal Affairs.

Hon. S. Young: Thank you very much. Madam Speaker, we propose to make no further amendments to the Bill as reported to this House by the committee, therefore in accordance with Standing Order 72(2), if that Motion is agreed to, the Bill be now read a third time and passed, and the Bill is “An Act to make jurisdiction for all family matters and children matters exercisable in a Division of the High Court to be called the Family and Children Division and to make provision for matters connected therewith”.

Question put and agreed to.

Bill accordingly read the third time and passed.

ADJOURNMENT

The Minister of Planning and Development (Hon. Camille Robinson-Regis):

Madam Speaker, I beg to move that this House do now adjourn to Friday, June 17, 2016 at 1.30 p.m.

Madam Speaker: Hon. Members, before I put the question, I call upon the Prime Minister.

Tribute

(Muhammad Ali)

The Prime Minister (Hon. Dr. Keith Rowley): Madam Speaker, I crave your indulgence, and thank you very sincerely for this opportunity to make this intervention.

Madam Speaker, today is a very historic day and I draw your attention and I am sure other Members of the House and the national community would be aware that last Saturday the world lost a citizen of the world, one of the most outstanding sportsmen of any era passed away last Saturday. And as this House convened today, Muhammad Ali is being memorialized in his home town of Louisville, Kentucky at today's funeral.

Madam Speaker, those of us who grew up in my time, grew up in an era of champions, an era of the best. In the political arena, we grew up with Eric Williams in Trinidad and Tobago; on the cricket field, we grew up with Gary Sobers; on the football field, we grew up with Pelé and in boxing and all sports, of any kind, we grew up with Muhammad Ali, the man fondly called "The Greatest" and who ungrudgingly earned that reputation with respect.

Muhammad Ali was more than a sportsman. He was a citizen of the world who was unafraid to take unpopular positions in the interest of all, a man who did not

only fight in the ring, but fought outside the ring against discrimination, against all kinds of wrongdoings, holding himself up as a human being and a citizen who can do right by all and was loved across the world, across all borders by peoples of all races, colour, creeds and classes.

So, today, Madam Speaker, I call on my colleagues in this House, on behalf of all the sportsmen of Trinidad and Tobago and all the people of Trinidad and Tobago, to recognize the passing of a champion and ask my colleagues in this House to stand for one moment in recognition of the passing of one of the greatest citizens the world has ever known.

Madam Speaker: Could all Members please stand?

The House of Representatives stood.

Visitors

(Speaker and Clerk of Barbados Parliament)

Madam Speaker: Members, I would just like to bring to your attention the presence in our Chamber of His Honour Michael Carrington, MP, Speaker of the House of Barbados and Mr. Pedro Eastmond, the Clerk of the Parliament of Barbados, [*Desk thumping*] both of whom are here as the guests of our Parliament on a working visit. They have been here since Thursday the 9th of June and they would be our guests until Monday the 13th of June, 2016. On your behalf, I warmly welcome them [*Desk thumping*] and I wish them a very productive stay.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 3.46 p.m.