

**HOUSE OF REPRESENTATIVES**

*Friday, July 03, 2020*

The House met at 1.30 p.m.

**PRAYERS**

[MADAM SPEAKER *in the Chair*]

**PAPERS LAID**

1. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Police Complaints Authority for the year ended September 30, 2019. [*The Minister of Social Development and Family Services (Hon. Camille Robinson-Regis)*]
2. Audited Financial Statements of the Deposit Insurance Corporation for the year ended September 30, 2019. [*Hon. C. Robinson-Regis*]  
*Papers 1 and 2 be referred to the Public Accounts Committee.*
3. Consolidated Audited Financial Statements of Evolving TecKnologies and Enterprise Development Company Limited for the financial year ended September 30, 2018. [*Hon. C. Robinson-Regis*]
4. Audited Financial Statements of Youth Training and Employment Partnership Limited for the financial year ended September 30, 2018. [*Hon. C. Robinson-Regis*]
5. Audited Financial Statements of Youth Training and Employment Partnership Limited for the financial year ended September 30, 2019. [*Hon. C. Robinson-Regis*]  
*Papers 3 to 5 be referred to the Public Accounts (Enterprises) Committee.*
6. Response of the Auditor General to the Twenty-Fourth Report of the Public Administration and Appropriations Committee on an Examination into the

Processing of Payment of Pension and Gratuity to Retired Public Officers and Contracted Employees. [*Hon. C. Robinson-Regis*]

7. Ministerial Response of the Ministry of National Security to the Eighth Report of the Joint Select Committee on Finance and Legal Affairs on an Inquiry into the Adequacy of Magistrates' Court Facilities. [*Hon. C. Robinson-Regis*]

## **JOINT SELECT COMMITTEE REPORTS**

### **(Presentation)**

**Mr. Fazal Karim** (*Chaguanas East*): Madam President, I have the honour to present the following reports:

#### **Telecommunications Services of Trinidad and Tobago**

Fourteenth Report of the Joint Select Committee on State Enterprises on a Single Evidence Session with Telecommunications Services of Trinidad and Tobago.

#### **Operations of Tourism Agencies in Trinidad and Tobago**

Fifteenth Report of the Joint Select Committee on State Enterprises on an Inquiry into the Operations of Tourism Agencies in Trinidad and Tobago, and to Determine their Effectiveness at fulfilling their mandate.

#### **National Information and Communication Technology Company Limited**

Sixteenth Report of the Joint Select Committee on State Enterprises on an Inquiry to assess whether the National Information and Communication Technology Company Limited (iGovTT) has been fulfilling its mandate and if so, to what extent.

**Dr. Lackram Bodoie** (*Fyzabad*): Thank you, Madam Speaker. Madam President, I have the honour to present the following reports:

## **Public Administration and Appropriations**

### **Ministry of Sport and Youth Affairs re Community Pools**

Twenty-Eighth Report of the Public Administration and Appropriations Committee on an examination into the maintenance of community pools by the Ministry of Sport and Youth Affairs.

**Ministry of Social Development and Family Services** Twenty-Ninth Report of the Public Administration and Appropriations Committee on an examination into the delivery of projects and programmes by the Ministry of Social Development and Family Services.

### **Preparedness and Response of Public Authorities to COVID-19**

Thirtieth Report of the Public Administration and Appropriations Committee on an examination into the preparedness and response of public authorities to the COVID-19 pandemic in Trinidad and Tobago.

### **Elections and Boundaries Commission**

Thirty-First Report of the Public Administration and Appropriations Committee on an Examination into the Internal Controls and Expenditure of the Elections and Boundaries Commission (002 Election Expenses).

### **Land and Physical Infrastructure Measures for Ensuring Water Security**

**Mr. Rushton Paray** (*Mayaro*): Thank you, Madam Speaker. I have the honour to present:

Eleventh Report (Interim) of the Joint Select Committee on Land and Physical Infrastructure on an Inquiry into Measures for Ensuring Water Security in Trinidad and Tobago.

### **Constitution (Amdt.) (Tobago Self Government) Bill, 2018**

**The Minister of Social Development and Family Services (Hon. Camille Robinson-Regis):** Thank you, Madam Speaker. Madam Speaker, I have the honour to present:

Report of the Joint Select Committee on the Constitution (Amendment) (Tobago Self Government) Bill, 2018 in the Fifth Session (2019/2020), Eleventh Parliament.

Madam Speaker, there are some very noticeable recommendations in this report and we would like the Parliament to take note of the recommendations. Thank you very kindly.

### **PRIME MINISTER'S QUESTIONS**

#### **Caribbean Airlines and LIAT (Enquiry into)**

**Mr. Rudranath Indarsingh** (*Couva South*): Thank you very much, Madam Speaker. Madam Speaker, question No. 1 to the Prime Minister: Given that the Prime Minister of Antigua and Barbuda recent announcement of plans to liquidate the regional airline LIAT and given the fact that Caribbean Airlines (CAL) suffered an estimated operating loss of TT \$96.1 million between the period March to April, 2020, could the Prime Minister inform this House whether CAL will commence a restructuring exercise before the resumption of full operations?

**Madam Speaker:** Prime Minister.

**The Prime Minister and Minister of Planning and Development (Hon. Dr. Keith Rowley):** Madam Speaker, CAL continues to review its operations on a continuous basis in line with industry best practices to ensure the company's survival, including prior to its resumption of its full operations.

**Madam Speaker:** Supplemental, Member for Couva South.

**Mr. Indarsingh:** Prime Minister, given that the operating loss was up to 2020, are you in a position to, for example, provide us with an update on the operating loss

of let us say up to June of 2020?

**Hon. Dr. K. Rowley:** I know that you know that I cannot tell you that just like that, so I will advise, Madam Speaker, that this be filed on notice.

**Madam Speaker:** Supplemental, Member for Couva South.

**Mr. Indarsingh:** Prime Minister, given what has been happening in the airline industry, worldwide major airlines have embarked on restructuring exercises and job losses into the thousands and so on, regional and internationally, are you in a position to guarantee that when CAL resumes its full operations there will be no job losses?

**Madam Speaker:** I will not allow that as a supplemental question based on the question asked and answered. Member for Pointe-a-Pierre.

**Cabinet Appointed Community Recovery Programme  
(Timetable for Proposed Work)**

**Mr. David Lee** (*Pointe-a-Pierre*): Could the hon. Prime Minister outline the timetable proposed for the work and report of the Cabinet appointed community recovery programme team?

**The Prime Minister and Minister of Planning and Development** (**Hon. Dr. Keith Rowley**): Madam Speaker, the committee has just been mentioned a few hours ago. The committee has not met and this question is premature.

**Madam Speaker:** Supplemental, Member for Oropouche East.

**Dr. Moonilal:** Thank you very much. In light of the establishment of this committee and the announcement, is the Prime Minister aware of a 2013 extensive 437-page report, "No Time To Quit: Engaging Youth at Risk", led by Prof. Selwyn Ryan which addresses exactly the same set of issues that are being proposed for the Watkins committee?

**Madam Speaker:** Prime Minister.

**Hon. Dr. K. Rowley:** Madam Speaker, if those issues were addressed, as my good

friend would like us to believe, I would like him to assist by telling us how it was addressed?—because the way it was unaddressed by LifeSport is quite different to what is being done now. This committee is to create an action plan for determining and taking actual responses to the situation. We are not LifeSport believers.

**Madam Speaker:** Supplemental, Member for Oropouche East?

**Dr. Moonilal:** Yes. To the Prime Minister: Does the Prime Minister believe that this is a proper use of both time and resources to establish a committee to do the exact work that was done before by another committee appointed by another Cabinet?

**Hon. Dr. K. Rowley:** Madam Speaker, the misunderstanding of the situation that is being demonstrated by my colleague from Oropouche East in no way hinders what is going to be done by this committee and this Government.

**Dr. Moonilal:** Could I?

**Madam Speaker:** Supplemental.

**Dr. Moonilal:** Is the Prime Minister in a position to say whether or not the Government is embarking upon the work of a committee mere weeks before a general election so that an incoming government would have to pay for such work that was done already?

**Madam Speaker:** I rule your question out of order. Member for Couva North.

**Communities of East Port of Spain and Environs  
(Intentions to Meet with)**

**Ms. Ramona Ramdial** (*Couva North*): Could the Prime Minister inform the House whether he intends to have Government representatives meet with the communities of East Port of Spain, Beetham Gardens and Morvant for meaningful discussions?

**The Prime Minister and Minister of Planning and Development (Hon. Dr.**

**Keith Rowley):** Madam Speaker, all Members of Government meet with their constituents as their representatives on a continuous basis, and this week, and last week, and next week will be no different.

**Madam Speaker:** Member for Couva North.

**Upcoming General Election  
(Details of Nationals Abroad)**

**Ms. Ramona Ramdial** (*Couva North*): Thank you, Madam Speaker. Given the impending general election in this country and the fact that thousands of our nationals are still stranded in many other countries and are anxious to return home, could the Prime Minister inform the House when he intends to facilitate the speedy return of our citizens who would like to exercise their franchise in the forthcoming general elections?

**Madam Speaker:** Prime Minister.

**The Prime Minister and Minister of Planning and Development (Hon. Dr. Keith Rowley):** Madam Speaker, the Government of Trinidad and Tobago continues on an ongoing basis, in a pandemic, to keep its border closed as required and as advised by the health experts, but at the same time we facilitate on an ongoing basis persons who are outside of the country, and we will continue so to do until whenever the borders are opened.

**Madam Speaker:** Supplemental, Member for Couva North.

**Ms. Ramdial:** Thank you, Madam Speaker. Prime Minister, have you been advised by the Ministry of Health or the Minister of National Security as to when our borders should reopen?

**Madam Speaker:** Prime Minister.

**Hon. Dr. K. Rowley:** Madam Speaker, the Government is advised on an ongoing basis and actions taken by the Government will be determined by the advice at the time when the action is to be taken.

**Madam Speaker:** Supplemental, Member for Caroni East.

**Dr. Gopeesingh:** Prime Minister, do you have any idea of about how many nationals who normally reside here have made applications for returning back to Trinidad?

**Madam Speaker:** Prime Minister.

**Hon. Dr. K. Rowley:** Well, Madam Speaker, there is no database of how many nationals who normally reside here, because there are persons who come here once in a while and regard themselves as residing here, and there are persons who are outside and we will try to facilitate in the context of what we are dealing with. And I just want to remind Members that we are still in a global pandemic which is increasing around us, and we are responding to preserve the health of the people in Trinidad and Tobago. It is quite easy for Members to begin to believe that there is no pandemic or that we have passed the worst, it is only that we have done well enough to evade the ravages of the pandemic. [*Desk thumping*]

**Madam Speaker:** Member for Caroni Central.

**Morvant/Laventille School Improvement Project  
(Details of)**

**Dr. Bhoendradatt Tewarie** (*Caroni Central*): Thank you very much, Madam Speaker. Given the Prime Minister's mention in yesterday's press conference of the Morvant/Laventille School Improvement Project, could the Prime Minister inform this House as to how this project has improved student outcomes in the twenty-five schools that were part of the project?

**Madam Speaker:** Prime Minister.

**The Prime Minister and Minister of Planning and Development (Hon. Dr. Keith Rowley):** Madam Speaker, I crave your indulgence for some extra time to answer this question, and you may want to consider that, and my colleagues may want to consider it.



Madam Speaker, with respect to literacy and teacher training and development, there was a 23 per cent increase in the number of students scoring in the low-risk range of the oral reading fluency test which was administered in the primary schools along with a 43 per cent of students moving up into a higher category of Standard 3 compared to where they were in Standard 1. There was an 11 per cent increase in the number of students reading at class level among the Form 1 students in the 2017 to 2018 academic year. Visual and Performing Arts was introduced as a strategy to teach literacy and numeracy, and, Madam Speaker, with respect to numeracy, there was an overall increase in the average score of Standard 1 students on national test equivalent assessments with 13 schools showing improvement at either the Standard 1 or the Standard 3 level, and six schools showing improvement at both the Standard 1 and Standard 3 level.

There was a 34.2 per cent decrease in the number of reported infractions with respect to violence and indiscipline, and during 2018 among the most noteworthy improvements were Laventille Boys Government Primary and Morvant AC, whose total number of infractions decreased from 21 and 25 respectively to zero in 2019. [*Desk thumping*] There was a 56.7 per cent reduction in the number of suspensions from 26 in 2016 to 11 in 2018. [*Desk thumping*] There was a 41 per cent decrease in incidents of truancy from 78 in 2016 to 46 in 2018. There was a 55 per cent reduction in the reported cases of bullying from 103 cases in 2016 to 46 in 2018.

**Madam Speaker:** Prime Minister. Hon. Members, the time for the response for this question is spent. I did hear the Prime Minister's request, so I would put it to the House. Is it the wish of the House that the time be extended to complete this answer?

*Assent indicated.*

**Madam Speaker:** Please proceed.

**Hon. Dr. K. Rowley:** Thank you very much, and I thank my colleagues. There was a 53.8 per cent reduction in the number of infractions recorded from 821 in 2016 to 379 in 2018. [*Desk thumping*] There was 20.6 reduction in the number of suspensions from 320 in 2016 to 254 in 2018. Over the 2016 to 2018 period there was a 12.7 per cent decrease in the number of drop-outs reported. There was a 41 per cent decrease in the reported cases of bullying in that area of the secondary school level there.

With respect to primary and secondary schools, school discipline action plans were developed and submitted for all 25 schools in the programme, and implementation has commenced. Basic procedures for ensuring orders in schools inclusive of searches, patrols, entry protocols and supervision rosters were developed and implemented in all 25 schools. Track and field saw the highest level of participation with an average yearly involvement of 48 per cent of the schools, followed by football with 30 per cent of schools.

Madam Speaker, 625 students from 22 schools participated in the five-day lunchtime musical production which attracted audiences from around the area, with parental support for the schools. With respect to parenting in education, Madam Speaker, a total of 718 workshops sessions covering 32 different topics were held in order to meet the objectives of parenting in education component. Individual parenting counselling sessions were held to assist parents to cope and minimize several psychosocial issues they were experiencing; a total of 514 parents benefited, 160 at the primary school level and 454 at the secondary school level.

Several parenting initiatives were held inclusive of workshops, parent rally, parent volunteer week, parent focus support groups, parent outreach programme, parent association group, parents' space and parent exchange programme. There

were three fathers programme sessions which were conducted to provide support to fathers, single fathers, and fathers of male students. Twenty whole-day parenting in education sessions were conducted by the four disciplines of the Student Support Services Division of the Ministry of Education.

A special education clinic was initiated for parents of children with speech and language delays, a parent in-reach support group was created in collaboration with NGO Foundation for the Enhancement and Enrichment of Life, FEEL. Parents and their children benefited from the community health care initiative that was provided by FEEL. Madam Speaker, 315 homes were visited. They were conducted to foster among parents the importance of their children's education, improve the relationship between the home and school, engender care and protection of students, and to render any additional support and/or services the family may require.

Madam Speaker, 95 parents received food hampers, clothing and shoes, cleaning supplies, and, finally, a total of 488 students were screened. Of these, 325 were identified as at-risk; parent workshop addressed intervention strategies for this group.

I thank my colleague for the opportunity. [*Desk thumping*]

**Madam Speaker:** Supplemental, Member for Caroni Central.

**Dr. Tewarie:** Yes. Thank you very much, Prime Minister. I am heartened by the fact that there were metrics, and secondly, that the results seem quite favourable and progressive. [*Desk thumping*] Does that mean Prime Minister that this programme will continue for some time, and is the coordination—

**Madam Speaker:** So, one question.

**Dr. Tewarie:** Sorry.

**Madam Speaker:** Yes.

**Hon. Dr. K. Rowley:** I think I understand the question. Madam Speaker, the answer is yes. This programme was a large pilot project. Given the results I have just read out the pilot project has been very successful. And as was stated in the beginning, the intention is to continue it in the greater Laventille area and to take it into other at-risk areas in the country. [*Desk thumping*]

**Dr. Tewarie:** Okay.

**Madam Speaker:** Supplemental, Member for Caroni Central.

**Dr. Tewarie:** Yeah. Is the coordinating committee that was responsible for this still intact?

**Hon. Dr. K. Rowley:** Most of it is. Most of it is, but it has been disrupted since February as a result of our response to the COVID-19. But we intend to reconstitute it and put it back on track because the track is obviously a good one.

**Madam Speaker:** Member for Chaguanas East.

**Mr. Karim:** Thank you, Madam Speaker. Hon. Prime Minister, could you tell us how much has been expended on this project to date?

**Hon. Dr. K. Rowley:** The project so far the expenditure has been \$30 million, and most of that money has been spent in fiscal with respect to infrastructure and esthetics, refurbishment works which included toilet, plumbing repairs, pigeon proofing, ceiling repairs, electrical repairs and structural repairs had the following expenditure: In 2016/2017, 7.2 million; 2017/2018, 8.8 million and 2018/2019, 5.6 million. So the largest component of that 30 million expenditure was in the infrastructure side there.

**Madam Speaker:** Supplemental, Member for Caroni East.

**Dr. Gopeesingh:** [*Inaudible*]

**Madam Speaker:** Supplemental, Member for Caroni Central.

**Dr. Tewarie:** Yes. Prime Minister, will there or is there—will there be or is there

a strategy for protecting the beneficiaries of this programme from negative influence in the communities that we know exist?

**Hon. Dr. K. Rowley:** Madam Speaker, I am not sure I understand the question. The entire programme is meant to treat with issues of negative influences on the community. What this is, is an intervention to do just that. That is what it is. The influences are all there, whether it is in the air, in the ether, in the soil, in the community. But these children are being made to respond positively to the influences around. And in fact, their progress will impact upon the negative influences that you talk about. [*Desk thumping*]

**Madam Speaker:** Member for Caroni Central, question No. 6.

**COVID-19 Closure of Businesses  
(Meeting with Business Representatives)**

**Dr. Bhoendradatt Tewarie** (*Caroni Central*): Given that many businesses have closed permanently having been unable to recover after months without revenue or support during the COVID crisis, does the Prime Minister intend to meet with business representatives to develop an appreciation from their point of view of what needs to be done to help them to survive and to recover?

**Madam Speaker:** Prime Minister.

**The Prime Minister and Minister of Planning and Development (Hon. Dr. Keith Rowley):** Madam Speaker, the Prime Minister is a part of this Government, and the Government has been in contact with and have been treating with the issues of the persons identified in this area. There is no separate prime ministerial intervention, there is a Government intervention, and may I, Madam Speaker, continue to respond in this way.

With respect to providing assistance to the business community, there is a \$30 million grant facility administered by NEDCO, and that is available to small and micro-businesses, and the businesses are eligible to access this facility which

include existing and previous NEDCO clients and owners of unregistered business. We have also, Madam Speaker, put in place a stimulus for small and medium enterprises, \$300 million help for small and medium businesses impacted by COVID. The loan is guaranteed by the Government to grant a maximum of five years and a two-year moratorium on the principal. The Government guarantees 75 per cent of the loan, and no payment to be done for two years. The interest on the loan would be paid by the Government and there are no handling fees.

Madam Speaker, we also have done things like acceleration of VAT payments. We have done the credit union sector facility putting \$100 million in the credit union. All of these things and more the Government has done, so the Prime Minister is not to be separated from the Government of Trinidad and Tobago. [*Desk thumping*]

**Madam Speaker:** Supplemental, Member for Caroni East.

**Dr. Gopeesingh:** Hon. Prime Minister, does the Government have an appreciation of how many small businesses and medium businesses have been folded up or in the process of folding?

**Madam Speaker:** I will not allow that as a supplemental question based on the question asked and answered. Member for Caroni Central.

**Dr. Tewarie:** Prime Minister, I am aware of some of the facilities that you mentioned that are being provided by Government, but my difficult question to you is: Are they working in the sense of are these things being used by the people who are meant to benefit from them?

**Madam Speaker:** Prime Minister.

**Hon. Dr. K. Rowley:** Madam Speaker, they will be used over time. Some persons have already begun to access some of them, others are going to take some more time depending on what you are accessing, and it also depends on the size of

the business. We have catered for the small, the medium and the large, and with respect to how quickly they will be accessed, it all depends on the willingness of the beneficiaries to use them, and, of course, we will try not to be in a position where there are bureaucratic obstructions which will slow down the process. But, Madam Speaker, they are all facilities available to the national business community.

**Madam Speaker:** Supplemental, Member for Caroni Central.

**Dr. Tewarie:** There is a particular difficulty for the 17,000 or so small and medium businesses with regard to the \$300 million loan. In order to get through this crisis, Prime Minister—

**Madam Speaker:** Member, could you ask the question. Member, you have only 15 seconds.

**Dr. Tewarie:** Yes—it might require more than the 75 to 375,000, which is available in the system, and it may require less bureaucracy. Could that matter be looked into in the interest of the survival of these businesses?

**Madam Speaker:** Prime Minister.

**Hon. Dr. K. Rowley:** Madam Speaker, wherever there are difficulties, and difficulties will exist from in one form or another, what we have done here, Madam Speaker, as I outlined part of it a while ago, what we have done is to look at the requirement to facilitate, and we have been as facilitatory as we could be. But if there are in fact situations which require further adjustments they will be considered but I cannot say now what that would be, because we have looked at it with a mind to be facilitatory, and that is what we have put here in terms of how much money, who is going to qualify, what period of time, how much the Government will carry. These are all decisions taken after looking at the whole situation. But, of course, Madam Speaker, as you would expect, there will

continue to be demands and we will look at those demands to see whether they are reasonable or whether it can be further facilitated. [*Desk thumping*]

**Madam Speaker:** Member for Naparima.

**Police Complaints Authority Investigations  
(Expeditious Conclusion)**

**Mr. Rodney Charles** (*Naparima*): Madam Speaker, given the Prime Minister's admission that he is not encouraged by the track record of the Police Complaints Authority in bringing investigations to a conclusion, what does his Government intend to do to ensure that the facts about the recent shooting of three citizens will be determined expeditiously.

**Madam Speaker:** Prime Minister.

**2.00 p.m.**

**The Prime Minister and Minister of Planning and Development (Hon. Dr. Keith Rowley):** Madam Speaker, I choose my words very carefully when I speak about the work of an independent commission, and therefore I will not respond to any reconstruction by my colleague from Naparima and except to say that the Police Complaints Authority is an independent body and I will treat it as such, question or no question.

**Mr. Charles:** Mr. Prime Minister, why has your Government in general and the AG's Office in particular, not addressed the issue of staffing and legislative empowerment raised by the Director of the PCA?

**Madam Speaker:** I rule that question out of order having regard to the question asked and the answer given. Supplemental, Member for Naparima.

**Mr. Charles:** Does the Prime Minister have in mind an ideal time frame for the finalization of investigations into the shootings?

**Hon. Dr. Keith Rowley:** Madam Speaker, yes, expeditiously.

**Mr. Charles:** Would the Prime Minister care to quantify that qualitative statement



that does not make sense in this issue?

**Hon. Dr. Keith Rowley:** It might not make sense to the Member for Naparima because precious little makes sense to him.

**Madam Speaker:** Member for Naparima, question No. 8, are you still asking that, having regard to the supplemental questions asked by your colleague, the Member for Oropouche East?

**Mr. Charles:** Yes, I will still ask it.

**Madam Speaker:** Proceed.

### **Inner-City Communities and Youth (Setting up of Committee)**

**Mr. Rodney Charles** (*Naparima*): Could the hon. Prime Minister indicate why in the light of the findings of numerous, comprehensive, state-commissioned reports, including that by Prof. Selwyn Ryan on problems of inner city communities and youth in those areas, why he is setting up yet another committee to investigate the crisis?

**The Prime Minister and Minister of Planning and Development (Hon. Dr. Keith Rowley):** Madam Speaker, that question has been answered.

**Madam Speaker:** Supplemental.

**Mr. Charles:** Yes.

**Madam Speaker:** Based on the answer—

**Mr. Charles:** Yes, I have a supplemental. Based on his answer previously, I have a supplemental.

**Madam Speaker:** Proceed.

**Mr. Charles:** Prime Minister, have you at all read the Ryan Report and could it not have been used to put in place programmes to date?

**Madam Speaker:** Okay. I rule that out of order. If you are basing your supplemental on the response before, that has also been asked and answered.

Supplemental, Member for Naparima.

**Mr. Charles:** Prime Minister, is this a strategy to buy time, give the impression that something is being done at the hope that the issue would go away before demitting office? [*Desk thumping*]

**Hon. Dr. K. Rowley:** Thank you, Madam Speaker. [*Desk thumping and crosstalk*]

[*Prime Minister returns to his seat*]

### RELATED MOTIONS

**RELATED MOTIONS The Attorney General (Hon. Faris Al-Rawi):** Madam Speaker, may I ask for your direction please as happened in the Senate, whether Motions 3 and 4 are to be taken together?

**Madam Speaker:** I believe for us it is Motions 2 and 3. Attorney General, I believe there is a procedure with respect to that and I do not know if there were discussions between the Leader and the Whip. [*Pause*]

**Hon. F. Al-Rawi:** Madam Speaker, I thank you for the opportunity to caucus with the Chief Whip, via our Leader of Government Business. Madam Speaker, in seeking the debate of the Motion No. 2, for the Land Acquisition (Requisition) Order, 2018, may I seek leave of this House to also debate Motion No. 3 with it simultaneously?

**Madam Speaker:** Is this the wish of the House?

*Assent indicated.*

### LAND ACQUISITION (REQUISITION) ORDER, 2018

**The Attorney General (Hon. Faris Al-Rawi):** Much obliged, Madam Speaker. I beg to move the following Motion:

*Whereas* it is provided by section 5(1) of the Land Acquisition Act, Chap. 58:01 (hereinafter referred to as “the Act”) that the President may by Order,

declare that land is required for a public purpose;

*And whereas* it is provided by section 5(2) of the Act that Parliament may by resolution approve an Order made under section 5(1);

*And whereas* the Land Acquisition (Requisition) Order, 2018 was made by the President under section 5(1) of the Act as Legal Notice No. 190 dated the 19th day of December, 2018;

*And whereas* it is expedient to approve the said Order;

*Be it resolved* that the Land Acquisition (Requisition) Order, 2018 be approved.

For your guidance, Madam Speaker, do you wish me to read Motion No. 3 as well? Not just yet? Thank you, Madam Speaker. Madam Speaker, I may proceed then.

Madam Speaker, it gives me great pleasure to bring to conclusion, a matter which has stood on our Order Paper for a couple of months, indeed beginning sometime last year. This matter, and as we get to Motion No. 3 as well, both, both matters of land acquisition arise out of parent law or legislation referred to as the Land Acquisition Act, Chap. 58:01. This is an Act of Parliament which in fact the Member for Diego Martin West, the hon. Prime Minister, acting in a previous incarnation has a significant amount of experience with, as do hon. Members opposite and certainly Members on the Government bench.

Madam Speaker, the fact is that the Land Acquisition Act permits the State, the Republic of Trinidad and Tobago to compulsorily acquire land belonging to private individuals, belonging to citizens, if it is for public purpose. The provisions of section 2 of the Act define “public purpose” as including:

“...the purpose of fulfilling any obligation of the State under any treaty or agreement made by the Government with the Government of any other country, territory or place, and any purpose pertaining or ancillary thereto.”

Part II of the parent Act treats with land acquisition in general. Effectively, there is a rhythm to this process. One is obliged to invoke the process via section 3, that is where it appears to the President, and President of course here is to be read as the Cabinet of the Republic of Trinidad and Tobago:

“...that any land is likely be acquired or required for...purposes which, in the opinion of the President, are public purposes...”—that—“a Notice to that effect shall be published.”

The process then takes you through to section 4 where possession prior to formal vesting happens, and you can in fact within the time frame, which is less than two months after the date of publication under section 4:

“...the President may, if satisfied that the circumstances of the case justify such action, issue an Order authorising the Commissioner, without waiting for the formal vesting of the land...under section 5, to take possession...and apply it for any”—public—“purpose.”

You then get to the provisions of section 5 of the parent Act. Section 5 has a subsection (1), (2) and (3) in particular relevant to this debate on these Motions, where:

(1) “The President may by Order declare that land is required for public purposes.”—And—

“(2) Parliament may by resolution approve an Order made under subsection (1).”

Very importantly these orders stand as statutory instruments. Statutory instruments are treated with in our Standing Orders in a particular way; both the Standing Orders of the House of Representatives and the Standing Orders of the Senate. And in our case, Standing Order 80 of the House of Representatives requires that you must lay a statutory instrument. In other words then, an order,

and it must be on the deck of the Parliament for 40 days. And that time frame, that 40-day time frame, you must consider the debates that we have.

Now, the 40 days are calculated, Madam Speaker, under our rules of Parliament, not by 40 calendar days, but by 40 days within the prescription of how the Parliament sits and organizes itself. It is for that reason, Madam Speaker, that we have come now to treat with two particular matters. These two Motions, one in respect of lands in Mayaro and the other in respect of lands at Princes Town. Both of these two lands have in fact already been occupied by the State. In one case, for 24 years and in another case, for a period which is by far longer than that, since 1986 or thereabouts in Princes Town. So let us deal with the Mayaro land first.

The land which is the subject of treatment in Motion is in the first place lands comprising 0.5793 hectares, situated at Light Pole LV15 along the eastern side of the Manzanilla/Mayaro Road, Ortoire Mayaro Village. And here we go to treat with that land having long ago, four parcels of land comprised there, having long ago been taken by the State and put into occupation for the alignment of bridge construction. The history of that tells us that proceedings for the acquisition of that land were initiated April 17, 1996, when the notice for acquisition under section 3(1) was published by Legal Notice No. 700 of March 08, 1996. The section 4 notice was published as Legal Notice No. 3, 12 December, 1997. And pursuant to the provisions of the Land Acquisition Act, in fact, the Commissioner of Valuations gave a land value of approximately \$125,000, that is by way of memorandum on the file dated January 21, 2003, and a down payment of some \$6,162 was paid to the person identified as a claimant entitled Ms. Delores “But-e” or Bute depending upon on how you pronounce the name.

The Commissioner of State Lands wrote many years later, it was only in December 2016—sorry, May 2016, that the Commissioner of State Lands in

tidying up acquisition largely because the current Minister of Works and Transport and his predecessor were both engaged in making sure that all route alignment was done correctly, it was discovered at the Ministry of Works and Transport and in the work done by the Minister of Agriculture, Land and Fisheries that that process for land acquisition was never completed. The advice of the Chief Parliamentary Counsel was sought and the intention then was to just simply pick up the statutory instruments that were published. Advice was rendered under the Chief Parliamentary Counsel's hand which pointed out to the existence of the rules of interpretation in Standing Order 80 of our Standing Orders here in this House and the Standing Orders in the Senate which effectively said out of an abundance of caution you ought not to proceed with that which was done so many years ago, you ought to refresh the process and a new order ought to be published.

As a consequence the Cabinet took a decision on November 13, 2018, that we in fact rescind the Cabinet Minute of June 03, 2004, which was a subsequent attempt to get this thing right, reissue the fresh processes and finally cause the payment of the full sum amounting to \$125,000 to the persons entitled to that land. It is with that process in mind, Madam Speaker, that we have engaged this honourable House to tidy up the land acquisition process for the lands at Mayaro. I can confirm to this honourable House that on the 21<sup>st</sup> of February, 2019, in Legal Supplement Volume 58, No. 21, that the gazetting happened, the gazetting of the Land Acquisition (Requisition) Order, 2019, was dated the 18<sup>th</sup> of February, 2019, and that land in Mayaro as described in the Order published on the 21<sup>st</sup> of February, 2019, allows us to finally put the acquisition which happened so many years ago to rest and allow for the compensation determined by the Commissioner of Valuations so many years ago to flow into the hands of the persons entitled to that.

I turn, Madam Speaker, to the second aspect in the second Motion before us, and this is the lands at Princes Town. Obviously, Madam Speaker, we are not with the benefit of a Member for Princes Town in this Chamber nor have we had the advocacy coming from the last parliamentary representative for Princes Town who oddly enough features in this, in a very interesting way. It was a Motion under the name of Councillor Nela Khan who was the past Member for Princes Town, who actually on the 5<sup>th</sup> of July, 2000, said to the Princes Town Regional Corporation that the lands, the subject of this Motion, that is lands at Realize Road, known as Pond Boy's Recreation Ground have been in fact used for over 20 years. So that is in 1980, these lands at Realize Road came into public possession, they were used as grounds for the benefit of the citizens and it was Councillor Nela Khan in the year 2000, long before she became Member of Parliament for Princes Town in the period 2010 to 2015, who actually wrote saying look, we really need to put this thing to rest.

Regrettably that process was never completed, it was certainly not completed in the period 2010 to 2015, nor was it completed until it came to the attention of this Government and we insist, Madam Speaker, that these lands comprising of that which has published by way of Legal Notice under the hand of this Government that we actually, in Legal Notice 190 issued the Land Acquisition Order under the hand of the Secretary of Cabinet as we are permitted to do, signing off for and on behalf of the President, in this case by Cabinet decision, and the lands that we are looking at are approximately 2.0234 hectares more or less being part of lands, comprised of lands in Realize Road, Princes Town in the Ward of Savana Grande in the County of Victoria. And what we are hoping here, Madam Speaker, is to finally bring to life the ability to vest these lands in the State once and for all so that title is clear.

Many years ago, Madam Speaker, the Commissioner of Valuations was involved in this process. The Commissioner of Valuations certified by way of memorandum, the value that was to be applied in respect of the acquisition of this land, that value is \$510,000 comprising some \$425,000 for and in respect of the land and contingencies of \$8,500. That land acquisition was—the memorandum came since the 9<sup>th</sup> of September, 2011. That therefore, Madam Speaker, has been now nine years outstanding and it is important that we vest lands for public purpose into the State as is required under the provisions of section 5 of the Land Acquisition Act and that we complete these two long outstanding processes.

Madam Speaker, there is no more rationale that needs to be put onto the record than those two particular positions and therefore I beg to move in respect of both of these Motions as per my submissions. Thank you. [*Desk thumping*]

**Madam Speaker:** Okay. So Attorney General you will be required to move the second one at a subsequent—

**Hon. F. Al-Rawi:**—Madam Speaker.

**Madam Speaker:** Okay?

*Question proposed.*

**Madam Speaker:** Hon. Members, you are reminded that leave has been granted for Motions No. 2 and 3 to be debated together. Do I call on the Attorney General? Oh.

**Mr. Rodney Charles (Naparima):** [*Desk thumping*] Thank you, Madam Speaker. I wish to indicate that I would be speaking on the Land Acquisition Order with respect to the parcel of land on Realize Road and my colleague, the Member for Mayaro will be dealing with the other parcel of land, subsequently. So today, Madam Speaker, we meet to approve the acquisition of 2.0234 hectars of land on Realize Road in the constituency of Naparima and not in Princes Town as perhaps



was indicated previously. The land is used for recreational, sporting and religious activities for the 2,500 residents of Realize Road and surrounding areas. And the acquisition is effected under the Land Acquisition Act, Chap. 58:01, which prescribes a three-stage approach. Stage 1 involves section 3 of the Act, the publication of the intended acquisition in the Trinidad *Gazette* and twice in daily newspapers. Stage 2 involves section 4 of the Act which stipulates per publication of the Order authorizing the Commissioner of State Lands to take possession of the land. And that is done after the land is valuated and we are told today that it was valued at \$510,000 on the 9<sup>th</sup> of September, 2011. Now, stage 3 which is why we are here today, relates to section 5 of the Act which deals with the formal acquisition by the State and necessitates the approval of Parliament of the President's decision to acquire the land.

Madam Speaker, this process of land acquisition involves the balancing of the rights of the individuals to enjoyment of property and the public interest of the wider community. Examples of the public interest to which private land can be used would include, schools, would include hospitals, would include highways and recreational grounds. In this case it relates to a recreational ground. This is normal in all countries, in the United States they call it the "eminent domain". Some argue that the process is weighted too heavily in favour of the State and sometimes the State itself may have to balance a number of interests, as the Prime Minister indicated yesterday with respect to the sod-turning ceremony for the Diego Martin overpass and administrative complex. It involves a balancing. And in some cases the lands are acquired for, in the instance of Naparima, with respect to the Reform Hindu School and the Ben Lomond Early Childhood Centre and the Reform Early Childhood Centre.

While the argument that these lands were acquired on an urgent basis is

sometimes there are conflicts with respect to the urgency of the acquisition and the long time delay for finalizing the process such as we have today. So we have situations where children's hospital at Couva and that could be contrasted with the land that was acquired with respect—

**Madam Speaker:** Member, Member, I have given you some leeway but please, we are not talking about acquisitions in general.

**Mr. R. Charles:** I agree.

**Madam Speaker:** There is a specific matter that you yourself told me that you are addressing.

**Mr. R. Charles:** And I will get into that right now.

**Madam Speaker:** Thank you. Get into it please.

**Mr. R. Charles:** The land is currently—the land that we are about to acquire is currently used for community sports, cultural and recreational activities. It is supported by the Realize Road community and approximately 2,500 residents of the area. It was used by the—and is why I was speaking about the balance of usage and the benefits to the wider community. It was used by the nearby Lengua Islamia Primary School for sporting activities; it is used by many mosques in the area. It is run by a community group called the Pond Boy's comprising 300 members of the community and it conducts coaching clinics for young residents of the area and they even do this in collaboration with the Trinidad and Tobago Cricket Board. The ground was lit in 2018, to facilitate night cricket. There is a 300-seat pavilion which was constructed by the Princes Town Regional Corporation and there is also a work centre which when completed will serve as a community centre.

Madam Speaker, I say all this to say that we agree to support this acquisition. And if I am given a little leeway I will say whenever good legislation

comes to the Parliament we support it immediately. [*Desk thumping*] And I would not detain this House by saying that we give support to good legislation and I would have liked to say something about the Bail Bill and why we did not support it, but I will not go there because I will be stopped.

**Madam Speaker:** But you know, Member, you are really taking advantage of the Chair. You yourself when you said if you are given some leeway, saying that you are out on a limb.

**Mr. R. Charles:** No, I am talking to my colleagues.

**Madam Speaker:** No, no, you are speaking to me. Please proceed.

**Mr. R. Charles:** While we support this acquisition there are some issues which need to be ventilated in the public forum. And the first issue would be, when we acquire lands such as this and which we support, it must have a clear present and medium-term use, it cannot remain like the Reform Hindu School for 10, 15 years. This acquisition in our view would be more effectively done if it was circumscribed by a fully operationalized procurement legislation.

**Mr. Deyalsingh:** Madam Speaker, Standing Order 48(1), please.

**Mr. R. Charles:** We cannot deny that today we are acquiring property—

**Mr. Deyalsingh:** Madam Speaker, Standing Order 48(1), please.

**Madam Speaker:** Member, I agree with the objection, please go on to another point.

**Mr. R. Charles:** Go on to another point.

**Madam Speaker:** This is not about procurement legislation.

**Mr. R. Charles:** [*Laughter*] All right. We cannot deny that today it took a significantly long time before acquisition and movement into the land and the final legalization of the process of acquisition, it took a long time. And because it took a long time I am forced to ask, why under these occasions it takes such a long time.

I am told that there are shortages of valuers in the Town and Country Planning Office and in the office of the Commissioner of State Lands. We have as a country to ask the question and we will be failing the citizens of this country if we just deal frontally with the issue and not deal with the consequential contextualization of the problems which arise.

So the result is we are here today. I am told that the land was occupied for the past 20 years by Pond Boy's Recreational Group and we are belatedly formalizing this acquisition. There are issues, Madam Speaker, with this land with respect to the title of the land. I see in the document they say formerly owned by Ramphal. And when I read the minutes of the meeting of the Princes Town Regional Corporation, when they first advertised it there was no one who came forward to claim the land and they had to do it over again until they got people who said they might be related and they might be willing to sell the land to the Government, the State. So the question of title again arises in the acquisition of this piece of land and we have to ask ourselves, if we are to be a country that is moving into the 21<sup>st</sup> Century, then we have to resolve all these issues, Madam Speaker. I move on. [*Laughter*]

The piece of land was previously a pond. It was what we call in the country, "bandan land". Those of us from south who know and from Moruga will know we are going into the "bandan". It was a pond, it was filled, it was utilized by the community. In fact there could be a query that the Pond Boy's Community Group, they have been in possession of supposedly private land for over 16 years and therefore have a right to adverse possession.

So these are issues relating to this that we have, Madam Speaker, this thing, the acquisition land should be a four-year process and I am not saying our Government is at fault or their Government, I am saying that all of us together,

working together ought to put in process systems and procedures to facilitate a situation where we do not come 10, 15, 20 years after “everybody dead” who has an interest in the thing, and call this governance and good leadership.

**2.30 p.m.**

Madam Speaker, there has been a consequential problem between the effective occupation of the land which was 20 years ago and the valuation of the land which was done, I am told, in 2011, and given the fact that we have an escalation in property values, we have to have a situation where we shorten the time frame between identification occupancy and legalization of the process. I know in the Act there is provision to pay 80 per cent upfront and I ask the Attorney General, if this at all was done at the time, 80 per cent in order to minimize that problem of inflation acting on the cost of the land?

Madam Speaker, just for one second, I spoke about the issue of title. If we do not deal with that, we are going to run into significant problems. The question about Tobago, there is a particular problem which I think we know and I would not detain myself.

**Madam Speaker:** Member, I just want to advise one thing. The mere fact that every time I stand up, before I can say anything, you self-correct yourself. I will ask you to—rather than do it as remedial, do it as precautionary.

**Mr. R. Charles:** Madam Speaker, since I am obliged and forced to curtail myself to the document, I think I have said enough. I would have liked to say more, but I am leaving. Thank you. [*Desk thumping*]

**Mr. Rushton Paray (Mayaro):** Thank you, Madam Speaker, for acknowledging me to join in this very brief contribution that I have to deal specifically with Motion No. 3 with regard to the lands in Mayaro. Madam Speaker, my colleague, the Member for Naparima, did take the opportunity to go through some of the

periphery issues in terms of land acquisition, the relevant legislations that have been enacted. The Attorney General gave a step by step approach as to how we got from the acquisition of these properties to where we are today, where we are trying to bring legislation that is going to firm up the compensation to these families or the descendants of these families who are owners of these properties.

Madam Speaker, Motion No. 3 deals specifically with an Order that the State under the Land Acquisition (Requisition) Order 2019, Chap. 58:01— we are trying to get four parcels of land containing that 0.5793 hectares on the schedule to give the State the opportunity to pay these families. I have no doubt in my mind, Madam Speaker, that at all times it is always necessary for the State to acquire land for the public benefit, be it for the construction of a bridge, in this particular instance in Mayaro; in the instance of Naparima, the recreational playground, and I am sure over the years, lands would have been acquired to build roads, hospitals, and other facilities. So land acquisition, Madam Speaker, is a necessary feature of any government's sustainable infrastructure and development plans for the people today and future generations.

So, Madam Speaker, I do not think anybody in this House can come today to object to any citizen being compensated for their property, especially citizens who have been deprived for one reason or the other for compensation for so long. What is unique about these two matters is the fact that one is over 25 years, one is about 20 years, and that to me, as a legislature, as a Member of this Parliament who is representing people, it cannot be acceptable. Whatever are the procedures or the systems in place, clearly, it is not working, Madam Speaker, and clearly we as a Parliament must find a method to make sure that these things that create these roadblocks in getting our citizens compensation when their properties are used for public interest, they should not have to wait 20 and 25 years.

So, Madam Speaker, if I were to just go squarely into the issue of this property here in Mayaro and just— if you allow me two minutes just to speak about what the Ortoire bridge— that area. Madam Speaker, many years ago, as a child growing up, Ortoire once had an iron bridge with wooden planks, and that was changed and replaced by a concrete bridge that has been raised to assist in the avoidance of flooding in the area. Madam Speaker, that bridge connected Mayaro with Sangre Grande and Port of Spain. Today, that bridge allows thousands of workers to traverse with ease between Mayaro and Port of Spain. Over the years, billions of dollars of worth of material and equipment for the energy sector would have been facilitated by way of this bridge and clearly, the value in the construction under that 1995 programme, under the UNC administration by former Prime Minister Basdeo Panday, [*Desk thumping*] that made a huge impact into the fortunes of not only the country, but for the people of Mayaro as well.

So, Madam Speaker, in doing a bit of research for this particular order, living in Mayaro as well I reached out to a few of the families that are listed here: in this case under parcel A, Delores Bute; parcel B, Mr. Errol Mentor; parcel C, Mr. Clunis Baptiste; and parcel 4, Mr. George Bovell whom I have been speaking with his heir, Mr. Richard Bovell. Madam Speaker, in the instance of item (b), I was informed by the relatives of Mr. Mentor that it is really Everald Mentor. I do not know if that would be an issue going forward but Attorney General, perhaps if it will, perhaps it is worth noting that rather than Errol Mentor, it would have been Everald Mentor.

So, Madam Speaker, based on what the Attorney General presented here today, I have a couple of questions that I would just like to pose some concerns that I would have coming out of conversations with the families. The Attorney General said that \$125,000 is the value that has been proposed to be payable to the

families of these four parcels. So AG, just to be clear in your wind up, if you could identify if it is 125,000 to be shared amongst all four families or whether this 125 was for one specific family. The other query that I have, Attorney General, in your presentation you identified that the family of Delores Bute was already paid \$62,000 and I have to ask: When one looks at \$125,000 for all four parcels, the family of Delores Bute has 101.1 square meters, which is about .17 per cent of the total acreages, but yet that family would have received over 50 per cent, or almost 50 per cent, of the value of what you have mentioned of that \$125,000, so I am wondering if that is an error, or is that in fact the case at the end of the day? Perhaps you can just add some clarity to that.

Attorney General, when looking at all four parcels, you are looking at about 5,800 square metres of land that has been acquired or in use by the State since on around about 2000, which gives you about 63,000 square feet. Now, Madam Speaker, if I were to do a bit of maths and look at \$125,000 for that amount of the land, it works out to under 50 cent per square foot. And I am wondering, you know, based on the compulsory acquisition system that we have used as a State over the years, to me, it really puts the owners of these property in a disadvantaged situation because the value that is afforded to these owners of these properties is based on what would have been the perceived value back in 2000. And there is a concept of equivalence as I understand in the law and clearly there may be some issues in the fact that 25 years later, there may be no equivalence in compensation at the end of the day. So, Madam Speaker, that may be one of the issues that I think, as a Parliament, as a State, as we go forward, we must address this in some meaningful way.

When you look at the issue concerning Mr. Bovell's estate in itself, in having a conversation with his son, Mr. Richard Bovell—which I sought



permission to use some of the information and he gave me permission to say it— besides the property, Madam Speaker, he would have incurred loss of his coconut trees as well because there were huge swathes of coconut trees, which were all bearing and producing, that would have been destroyed during the provision for the road and the construction of the bridge as well. So perhaps, I would ask the Attorney General, if in evaluation, perhaps the loss of the agricultural component on the estate, if that would have been factored into the \$125,000 that is being, I think, shared amongst all four owners?

So, Madam Speaker, you know, these are some of these issues that we must address as a Parliament. We must be able to find some sort of equity for owners, I dare say, and I hope that projects that may have been conducted by this administration over the last four years that these owners would not have to wait 20 years—

**Madam Speaker:** Okay, so I am not going to let you go on to other projects, please.

**Mr. R. Paray:** Sure. No problem, Madam Speaker. So we are hoping that in the future that whatever work we do as a Parliament that we can find a mechanism so future owners of property do not have to wait for 20 years, and so on, to get. So, Madam Speaker, in terms of the issue for those lands in Mayaro, we have absolutely no objection at this time in giving our support to this Motion and allowing compensation to these families after a fair amount of time. Thank you very much, Madam Speaker. [*Desk thumping*]

**The Attorney General (Hon. Faris Al-Rawi):** Thank you, Madam Speaker. Madam Speaker, it is quite refreshing to actually hear the Opposition give its support for these two Motions. It is refreshing, but I must say that it is also a little bit perplexing to hear the Member for Naparima talk about doing more, and in fact

regaling us with all of the numbers for the people in the Princes Town area. The Member for Naparima spent some time telling us about 2,500 members that benefit from these grounds; 300 people, cricket, that in 2018, under this Government, lights were installed for playing cricket at night. The hon. Member said we cannot remain in this position. He referenced the Reform Hindu School, saying for 10 to 15 years.

The hon. Member says he cannot deny that this took a long time. He has asked about title. The one thing that the hon. Member for Naparima did not do was to simply apologize to the people of Trinidad and Tobago for the fact that the valuation having been received since years now under the last Government in particular. The hon. Member failed to apologize to the citizens of Trinidad and Tobago for not concluding a process, and that is more egregious because there is a Member for Princes Town supposedly in this House who is notably absent. There is also the Member for Siparia who leads that Bench as Senior Counsel—

**Mr. Lee:** Madam Speaker, 48(1), please, 48(1) on a point of order. I do not know where the personal, Princes Town and Siparia—

**Madam Speaker:** And maybe if we give the AG a little chance, we will see where he is going. Please proceed.

**Hon. F. Al-Rawi:** Thank you. Let me repeat what I am saying and anchoring it in relevance. There is a Member for Prince Town elected to this Parliament. That Member for Princes Town has been absent from this Parliament for a very long time. In the context of this Motion, squarely within the section 5(1) vesting, which we are doing here today, the Member for Naparima in his contribution failed to apologize for the fact that the Member for Princes Town has abandoned his constituency. And in section 5(1)—

**Mr. Lee:** Madam Speaker, 48(1).

**Madam Speaker:** I will rule on 48(1). AG, I—

**Hon. Al-Rawi:** I will press on.

**Madam Speaker:** Please.

**Hon. F. Al-Rawi:** Much obliged. So that has been put to rest. And with respect to the position of the issue of the title to the land which is under acquisition here, I would just like to say that the hon. Member for Naparima perhaps missed the last five years in Parliament. It is true that in the last five years in Parliament we have passed, in terms of primary legislation, amending legislation and subsidiary legislation, over 537 aspects of change to the law. In fact, you may not know this, Madam Speaker, but this Government has broken the record of every single government prior. And when we look to the amendments—

**Mrs. Gayadeen-Gopeesingh:** Madam Speaker, I stand on 48(1), 48(1).

**Madam Speaker:** I have to uphold the point of order made by the Member for Oropouche West.

**Hon. F. Al-Rawi:** Yes.

**Madam Speaker:** So please get back to—

**Hon. F. Al-Rawi:** And when we look to the amendments before us now in the Motion proposed to the management of this land title, section 5(1) of the Land Acquisition Act, when one looks to these amendments, the issue of title in this particular case is solved by the work of this Government, in the work that we have done in implementing the property business real estate solution and the computerization of records. That helps us to treat with the issue of title here, because as the hon. Member pointed out, the person who is entitled to this land is not known. In fact, to answer that particular position, it is important to reference the fact that there is a trustee located in the Chief State Counsel, acting at the Attorney General's office, and that public trustee is the person who will receive the

proceeds of the balance of moneys to be paid.

It certainly cannot be the case that one can entertain any conversation from Naparima today on behalf of the absent Member for Princess Town, that the persons who occupy certain areas in Princess Town can apply for adverse possession. The issue of who is paid the money is pursuant to the vesting of this order is in default of a known owner, it will go into the State's possession, the issue of the public trustee will then go into effect, the public trustee will then advertise and diligent searches will happen. If no one can be found who is entitled to the moneys for lands which have been in occupation for over 40 years, let me repeat that, 40 years, then that land, as it is converted to cash by the payment in the State, falls into the concept of bona vacantia and it goes into the public purse, it would be paid into the Consolidated Fund after the processes of law are put to work.

With respect to the Member for Mayaro, speaking to the public purpose of this particular aspect, it is true that one ought to really try to do these things in as current a cycle as possible so that land value is not deteriorated. So we are not talking about \$125,000 or half a million dollars in the other case, and that we are in fact looking at payment which is current into hand because effectively you would have lost out on the benefit for the appreciation of your money had it been paid earlier. I mean as a person who has done a lot of conveyancing in this country, I never cease to be amazed by the history of Trinidad and Tobago where land could have been bought in multitudes of acres for a thousand dollars or for \$24 at one point in time. Land value must be current.

So Madam Speaker, what I can say in answer to the Member for Mayaro is that, fortunately, you have a Government that fixed the land titling issue, you have a Government that has managed this acquisition process as tightly as possible. We

have done what other governments have failed to do. We have done so on a current basis. With the new system going into effect by September of this year for property, business, real estate solution, we can rest assured that these lands, the subject of acquisition, just like every other land in Trinidad and Tobago, there have already been surveyed and the geographical information has been retained and that fits into the land titling structures. So fear not, Madam Speaker, these things are well on the way in the radical reforms that this Government has done.

There is one last point, as the Member for Naparima was wrapping up, he bid a farewell. He said, “Goodbye” to this Parliament, and up until that point I think that he was at risk of perhaps not being screened. But what I can say, as I wrap up, Madam Speaker, is that the loss of Naparima to this Parliament will be no loss to us at all as we move on to progressive work, Madam Speaker, and I beg to move. [*Desk thumping*]

**Madam Speaker:** Okay. So AG, just before you wrap up, I want to rule on the objection—

**Hon. F. Al-Rawi:** Oh, I apologize, Madam Speaker, I did not hear.

**Madam Speaker:** No, but in terms of—you know, while we allow banter, we should sometimes respect the line when we cross to being [*Desk thumping*] less than parliamentary courtesy would allow to our friends on both sides. So I just ask you to withdraw and rephrase the—

**Hon. F. Al-Rawi:** I will happily. I bid Naparima farewell, good luck, good bye, thank you. [*Desk thumping*]

*Question put and agreed to.*

*Resolved:*

That the Land Acquisition (Requisition) Order, 2018 be approved.

**Madam Speaker:** Attorney General.

**LAND ACQUISITION (REQUISITION) ORDER, 2019**

**The Attorney General (Hon. Faris Al-Rawi):** Madam Speaker, I beg to move the following Motion standing in my name:

*Whereas* it is provided by section 5(1) of the Land Acquisition Act, Chap. 58:01 (hereinafter referred to as “the Act”) that the President may by Order, declare that land is required for a public purpose;

*And whereas* it is provided by section 5(2) of the Act that Parliament may by resolution approve an Order made under section 5(1);

*And whereas* the Land Acquisition (Requisition) Order, 2018 was made by the President under section 5(1) of the Act as Legal Notice No. 34 dated the 18th day of February, 2019;

*And whereas* it is expedient to approve the said Order:

*Be it resolved* that the Land Acquisition (Requisition) Order, 2019 be approved.

*Question proposed.*

*Question put and agreed to.*

*Resolved:*

That the Land Acquisition (Requisition) Order, 2019 be approved.

**Madam Speaker:** Attorney General.

**URBAN AND REGIONAL PLANNING PROFESSION BILL, 2019****Senate Amendments**

**The Attorney General (Hon. Faris Al-Rawi):** Madam Speaker, I beg to move the following Motion standing in my name:

*Be it resolved* that the Senate amendments to the Urban and Regional Planning Profession Bill, 2019 listed in Appendix be now considered.

*Question proposed.*

*Question put and agreed to.*

**Madam Speaker:** Might I just ask, Whip, are you agreeable for us doing them en bloc, or— yes? So, Clerk.

*Senate amendments read as follows:*

*Clause 5(1).*

Delete the word “of”.

*Clause 6.*

- A. In paragraph (a) delete the words “for amendments to this Act”;
- B. In paragraph (i) delete the word “in” and substitute the word “to”.

*Clause 8.*

In subclause (3)(b) insert after the word “absent” the words “without the leave of the Chairman”.

*Clause 15.*

- A. In subclause (1), delete the chapeau and substitute the following:
  - “(1) No person shall practise urban and regional planning in Trinidad and Tobago unless—”
- B. In subclause (3)(a)(ii), insert after the word “Council;”, the word “and”.
- C. In subclause (3)(a), delete subparagraphs (iii) and (iv) and substitute the following:
  - “(iii) at least—
    - (A) three years’ post qualification experience in work relating to urban and regional planning as recognised by the Council if the applicant has a Bachelor of Science degree; or

- (B) two years' post qualification experience in work relating to urban and regional planning as recognised by the Council if the applicant has a Master of Science degree;"

*Clause 18(1).*

Delete the words "or (iv)".

*Clause 27(1).*

Delete paragraph (a) and substitute the following paragraph:

- "(a) refuse the issue or renewal of a licence under sections 16, 17, 18 and 19;"

*Clause 36(3).*

Insert after the word "years" the words "and shall be eligible for reappointment".

*Clause 44.*

- A. Re-number section 44 as 44(1);  
B. Insert after section 44(1) as renumbered the following subsection:

"(2) The members of the Disciplinary Committee shall hold office for a term not exceeding three years and shall be eligible for reappointment.".

*Clause 50(1).*

Insert after the word "breaches", the words "section 21 or".

*Clause 52.*

Insert after the word "recommendations" the words ", together with a record of the proceedings which may be in writing or in electronic form".

*Clause 53(3).*

In paragraph (b), delete the word "or" and substitute the word "and".



*Clause 61.*

- A. Insert after the word “Order”, the words “subject to negative resolution of Parliament”; and
- B. Insert after the word “Fifth,” the word “Sixth,”.

*New Clause 57A.*

Insert the following clause after clause 57:

“Prosecution 57A. Notwithstanding any other written law to the contrary, a prosecution for a summary offence under this Act may be commenced before the expiration of five years after the commission of the offence or one year after the discovery thereof, whichever date last occurs.”

*Fifth Schedule.*

In Forms 1, 2 and 3, delete the word “was” and substitute the word “is”.

**Madam Speaker:** Attorney General.

**Mr. Al-Rawi:** Thank you, Madam Speaker. I thank you for the agreement, Madam Speaker, through you, to the hon. Member for Pointe-a-Pierre, the Chief Whip, to debate these matters together, and may I proceed immediately to jump to the recommendations.

Madam Speaker, I am very pleased that the Senate has tidied up the amendments that we have looked at in the Urban and Regional Planning Profession Bill, 2019. If I could look at the amendments to clause 5(1) and we go to that particular position. Clause 5 refers to the composition of the Council. Clause 5(1) was proposed to be amended so that we could delete the word “of” quite simply. This is just simply a grammatical tidying up which has effect in the chapeau at section 5(1):

“The Council shall comprise the following seven members:”

And therefore, that is just taken for that purpose.

If we look to the amendments to clause 6, we are causing two amendments. The first one is in clause 6(a) and we have deleted “the functions of the Council”, as including we have removed what was previously there that the Council should make “recommendations for amendments to this Act”. That is outside of the purpose of the Council. That is actually captured in a different area and therefore, the Senate considered that that was not appropriate for a function of Council position.

When we look to the second amendment, which is in subparagraph (i), and we look to that particular purpose, we are simply tidying up the word “in” instead to the word “to”.

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

If I go then to clause 8 of the Bill, we are causing an amendment to clause 8(3). Clause 8 deals with a vacancy in office. It was thought to be the fact that we should really allow for absence pursuant to leave and not just a bare absence because there may be legitimate reasons for members to be absent from meetings for three consecutive meetings and therefore it was important to put the fact that members could be absent with leave of the chairman to qualify with what would be a harsh operation in those circumstances.

I turn next to clause 15 of the Bill, Madam Speaker. The amendments proposed to clause 15 of the Bill, firstly in the chapeau, really that repeal and replace that we are looking at in the chapeau there is just simply to tidy up the fact that the reference to practising in urban and regional planning is what the reference should be, not that you are stopped from practicing as an urban and regional planner. That ties us back to the definition section where there is a definition of “urban and regional planning” and therefore brings consistency to the utilization of

language in the law. Madam Speaker, paragraph (B) of clause 15, we are adding in the fact of the combination of positions working. We are putting in the word “and” so that we have the conjunctive aspect, and when we deal with the conjunctive aspect, we are adding in at (iii) the qualifications in a different format, three years post-qualification experience in work relating to urban and regional planning, et cetera, and two years’ post-qualification as circulated.

Madam Speaker, I turn next to clause 18(1), the removal of the reference to (iv) there. There was an inadvertent reference to it and therefore it needed to be tidied up and removed.

I turn to clause 27(1). Clause 27(1) is in reference to the provisions for appeals and it was important that we do not confine an appeal to a subsection of the law as it was provided for 18(2) and 19(2). We have gone instead for the full sections and you will see it as circulated therefore: 17, 18 and 19 and not just the subsections of 18 and 19.

Madam Speaker, I turn to clause 36(3). Clause 36(3), the Senate felt that it was important that members do not rotate out permanently after three years, that they should be provided with the opportunity to have an eligibility for reappointment.

Clause 44 is amended, Madam Speaker. We are adding in, effectively, again the concept of eligibility for reappointment. This is for the composition of Disciplinary Committee. The members of the Disciplinary Committee should not have, not just a simple three-year term but they should have a term which is consequent with them also having the ability to be re-elected or re-appointed.

Madam Speaker, I turn next to clause 50(1) as we come quickly to the other position and if I look to 50(1), I am adding on here the reference to a breach for disciplinary proceedings. The fact that you can trip section 21 which is the

displaying of the certificate harmonizes with the VAT Act and other provisions, et cetera.

In clause 52, Madam Speaker, for disciplinary proceedings. The report of the disciplinary proceedings, we have asked for it to be tied in the fact that you must deliver recommendations together with the record of proceedings. It facilitates due process and that we can do that in writing or in electronic form, consonant with amendments that we have done in the large package of laws in the criminal justice and civil arena.

Madam Speaker, clause 53(3), we are simply putting the conjunctive operations of the sub-provisions and therefore the word “or” falls out and “and” pops in.

In clause 61, we are adding the fact that the orders ought to be laid in the Parliament and put subject to negative resolution and we are adding in the Sixth Schedule.

Lastly, Madam Speaker, the new clause 57A—sorry, penultimately, the new clause 57A allows us for prosecution from offences. We are looking for a variation of the usual six-month rule for summary offences and we are saying that they may instead now be commenced:

“...prosecutions for a summary offence...maybe commenced before the expiration of five years after the commission of the offence or one year after the discovery thereof, whichever...”—is the latter.

Lastly, for the Fifth Schedule in Forms 1, 2 and 3, we deleted the word “was” and of course, put the present tense which is “is”.

Madam Speaker, that constitutes the rationale for the several amendments brought from the Senate and I beg to move.

*Question proposed.*

**Dr. Tewarie:** I will just be a minute, Madam Speaker. We debated the substance of this Bill here and put forward our views and we have no objection to the amendments that have come from the other place. They are cleaning up amendments and clarification amendments and there is really nothing to object to. The one amendment that I really like is clause 15:

“No person shall practise urban and regional planning in Trinidad and Tobago unless...”

Rather than having the other form which was “practise as a regional planner”. I think that strengthens the notion of regional planning as a profession and I think that it is quite positive. So that is the sum total of my contribution.

**Mr. Al-Rawi:** Madam Speaker, it gives me great pleasure to simply say I beg to move.

*Question put and agreed to.*

### ADJOURNMENT

**The Minister of Social Development and Family Services (Hon. Camille**

**Robinson-Regis):** Thank you very kindly, Madam Speaker. I beg to move that this House do now adjourn sine die.

**Mrs. Persad-Bissessar SC:** [*Desk thumping*] It is a date. Sine die, thank you very much.

**Madam Speaker:** Hon. Members—[*Crosstalk*] Member for Siparia, Member for Siparia, I welcome you warmly and therefore I will just ask if we can proceed.

[*Continuous crosstalk*] Maybe, Member for Siparia, you can confirm that there are three matters on the adjournment? My advice from the Leader of the House is that these are not being pursued today. I do not see the Whip here, so maybe you can just confirm that that is so. [*Crosstalk*]

**Mrs. Persad-Bissessar SC:** I am sorry, Madam. [*Crosstalk*] Oh please. I

thought Madam Speaker was saying there are three matters on the adjournment and they will not be dealt with today.

**Madam Speaker:** I was just asking you to confirm. [*Crosstalk*] Okay, all right.

**Mrs. Persad-Bissessar SC:** Madam, we have adjourned sine die. It means the Parliament is now dissolved so nothing further will be done. Thank you.

[*Continuous crosstalk*]

**Madam Speaker:** Member for Siparia, again, I say I welcome you. I just hope that we will all abide by Standing Order 53. I really just asked you to confirm that your side is not proceeding with the three matters on the adjournment. Okay, I now call upon the Prime Minister.

### **Dissolution of Parliament**

**The Prime Minister and Minister of Planning and Development (Hon. Dr. Keith Rowley):** Thank you, Madam Speaker. I am amazed at the ability of my colleague from Siparia to cause disruption. I welcome her back to the Chamber, but of course, she saw the opportunity to create disturbance. I do not know why. She has announced, while I was here, Madam Speaker, that today is a good day because it is the first time we have been in this Parliament where my colleagues on the other side made a performance of supporting everything and I am very happy about that. I want to congratulate and thank my colleagues.

Madam Speaker, we come to the end of a term, as we are about to take this recess, where you have stood, normally I would say “manfully” but I must say womanfully in that Chair [*Desk thumping*] and you have provided us with guidance, warnings, slight expulsions, but at the end of the day, Madam Speaker, it was a pleasure serving under your hand in this Parliament. [*Desk thumping*] And I look forward in associating with you in some way, maybe this way or another way, in the future, your tenure having been so distinguished. [*Desk thumping*]

Dissolution of Parliament  
Hon. Dr. K. Rowley

2020.07.03

Madam Speaker, on this day, July 03, 2020, I am to advise all my colleagues in this House that I have advised Her Excellency the President to dissolve this Parliament at midnight tonight. That being so, Madam Speaker, as per our Constitution and arrangements of our Acts, nomination day would be Friday 17<sup>th</sup> of July and the polling day would be August 10, 2020. [*Desk thumping*]

I wish all my colleagues a safe, happy, enjoyable, productive campaign and I look forward to seeing all of them somewhere in Trinidad before the next Parliament. I thank you, Madam Speaker. [*Desk thumping*]

*Question put and agreed to.*

*House adjourned accordingly.*

*Adjourned at 3.12 p.m.*