

Leave of Absence

Tuesday, February 16, 1993

SENATE

Tuesday, February 16, 1993

The Senate met at 1.30 p.m.

PRAYERS

[MR. PRESIDENT *in the Chair*]

LEAVE OF ABSENCE

Mr. President: Hon. Senators, I have granted leave to Sen. Camille Robinson-Regis to be absent from today's sitting of the Senate.

LATE ARRIVAL

Mr. President: Sen. John Spence has indicated that he will be a little late for today's sitting.

PAPERS LAID

1. Report of the Auditor General on the Accounts of the National Institute of Higher Education (Research, Science and Technology) for the year ended December 31, 1985. [*The Minister of Planning and Development (Sen. Dr. The Hon. Lenny Saith)*]
2. Report of the Auditor General on the accounts of the National Institute of Higher Education (Research, Science and Technology) for the year ended December 31, 1986. [*Hon. L. Saith*]
3. The Supreme Court of Judicature (Amdt.) Rules, 1993. [*Hon. L. Saith*]

ROTARY CLUB OF ST. AUGUSTINE (INC'N) BILL

Select Committee Report

Presentation

Sen. Ainsley Mark: Mr. President, I wish to present the following report:

Report of the Special Select Committee of the Senate appointed to consider and report on a Private Bill for the incorporation of the Rotary Club of St. Augustine and for matters incidental thereto.

ORAL ANSWERS TO QUESTIONS

BWIA

(Wet Lease Arrangement)

39. Sen. Muntaz Hosein asked the Minister of Trade, Industry and Tourism:

Can the Minister give the following information regarding BWIA's Wet Lease Arrangement:

- (i) The name of each lessor?
- (ii) The number of planes leased?
- (iii) The cost of each contract?
- (iv) The duration of each contract?

The Minister of Trade, Industry and Tourism (Sen. The Hon. Brian Kuei Tung): Mr. President, there are at present no standing arrangements relative to the wet leasing of aircraft by BWIA. although the company, in cases of contingency, may wet lease an aircraft for short periods. Particulars relative to the only such existing lease are as follows:

- (i) The Lessor is Air Ontario
- (ii) The number of planes leased is one.
- (iii) The cost of the contract is \$501,601.00 per month plus a mandatory reserve of \$686.00 per flight hour covering the following:
 - (a) the Basic Rental of the aircraft
 - (b) Flight Crew; and
 - (c) Maintenance and Insurance
- (iv) The duration of the contract: The initial contract was for a period of three months with effect from December 12, 1992 with an option to renew for a further three months, but on a month to month basis.

Sen. Hosein: Mr. President, the Minister has indicated to me that he will make available, at a subsequent time, the wet lease arrangements for 1992, so I expect that this will be forthcoming soon?

Sen. Kuei Tung: Yes, Mr. President; I will.

**Printing and Packaging Co.
(Income and Expenditure)**

The following question stood on the Order Paper in the name of Sen. Muntaz Hosein:

- 40.** Can the Minister of Finance give the Income and Expenditure of the Trinidad and Tobago Printing & Packaging Company for the six-month period prior to the sale of the company?

The Minister of Planning and Development (Sen. Dr. The Hon. Lenny Saith): Mr. President, I would ask that the answer to this question be deferred for two weeks.

Question, by leave, deferred.

**Ethnic Cleansing
(Bosnia-Herzegovina)**

44. Sen. Muntaz Hosein asked the Minister of Foreign Affairs:

- (a) Could the Minister give to this honourable House the Government's position on the ethnic cleansing in Bosnia-Herzegovina, and what, if anything, has the Government done about this situation so far?
- (b) Could he further give to this House, what plans his Government has for dealing with this matter in the future?

The Minister of Foreign Affairs (Hon. Ralph Maraj): Mr. President, in response to question No. 44, the Government of Trinidad and Tobago has already forcefully condemned the practice of "ethnic cleansing" during the deliberations on the matter at the United Nations and, as I have indicated elsewhere, at the Summit of the Non-Aligned Movement. As Foreign Minister of Trinidad and Tobago, I also used that forum to reject and condemn the atrocities taking place in the former Yugoslavia. In other words, Mr. President, our condemnation of the policy and practice has been, and will continue to be, both vigorous and unambiguous.

Following upon that condemnation, Trinidad and Tobago has supported the international swelling of outrage which found concrete expression in the denial of a seat at the current General Assembly of the United Nations to those guilty of that heinous practice. Trinidad and Tobago has strongly supported resolutions at the United Nations for concerted international effort to bring about peace in the area and to halt the aggression against the Muslim population of Bosnia-Herzegovina.

I may mention, Mr. President, that among those resolutions which Trinidad and Tobago has supported, is one which sought to permit the rearming of the Muslim community in Bosnia-Herzegovina in the face of the continued attacks from Serbian forces. We continue to monitor closely progress in the talks aimed at establishing a solution to this and other problems which derive from the break-up of the former Yugoslavia.

Thank you.

Sen. Hosein: Mr. President, can the Minister make available to the media and Members of the Senate copies of his speeches where he dealt with ethnic cleansing, as he indicated, and other issues in Bosnia-Herzegovina?

Hon. R. Maraj: That will be made available, Mr. President.

Sen. Hydar Ali: Mr. President, at the moment, there is a peace plan that goes under the name of Vance and Owen which is bandied around. This plan would seek to, according to the Sarajevo Government, support ethnic cleansing and also to reward aggression by the fact that lands that the Serbs have won will be given to them in this plan. I would like to know—

Mr. President: Senator, if you have a question—

Sen. Ali: Yes, Mr. President. My question to the Minister is whether the Government of Trinidad and Tobago would support such a plan.

Hon. R. Maraj: Mr. President, as I said before, we continue to monitor the situation concerning all the talks aimed at bringing a resolution to the crisis. We are aware that considerable doubt hangs over the so-called Vance/Owen plan. We ourselves are looking at the situation and will be making a statement on it in due course.

Sen. Hosein: Mr. President, I wonder whether the Minister could tell us whether he feels that the Government has done sufficient, locally, to sensitize the population regarding the Bosnian issue?

Hon. R. Maraj: Mr. President, it is possible that one can say we may not have done enough to sensitize the population, but that deficiency will soon be corrected, I want to assure hon. Senators.

1.40 p.m.

ARRANGEMENT OF BUSINESS

The Minister of Planning and Development (Sen. Dr. The Hon. Lenny Saith): Mr. President, I seek leave of the Senate to deal with motion No. 6 under "Private Business" and also with the item under "Bills Second Reading", at this time.

Agreed to.

Rotary Club (Inc'n) Bill

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ROTARY CLUB OF ST. AUGUSTINE (INC'N) BILL

Select Committee Report

Adoption

Sen. Ainsley Mark: Mr. President, I beg to move,

That this Senate adopt the report of the Special Select Committee of the Senate appointed to consider and report on a private bill for the incorporation of the Rotary Club of St. Augustine and for matters incidental thereto.

Seconded by Miss C. Merritt.

Question proposed.

Question put and agreed to.

Report adopted.

Question put and agreed to, That the Bill be now read the third time.

Bill accordingly read the third time and passed.

AMARJYOTH SABHA (INC'N) BILL

Sen. Salisha Baksh: Mr. President, I beg to move,

That a Bill to provide for the incorporation of the Amarjyoth Sabha and matters incidental thereto, be now read a second time.

Question put and agreed to.

Bill accordingly read a second time.

Bill committed to a committee of the whole Senate.

Senate in committee.

Clauses 1 to 9 ordered to stand part of the Bill.

The Preamble ordered to stand part of the Bill.

Question put and agreed to, That the Bill be reported to the Senate.

Senate resumed.

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

**RENT RESTRICTION ACT
(Re-enactment and Validation)**

The Minister of Housing and Settlement (Dr. The Hon. Vincent Lasse):
Mr. President, I beg to move, the following motion:

Whereas the Rent Restriction (Re-enactment and Validation) Act, 1991 (No. 36 of 1991) re-enacted the provisions of the Rent Restriction Act, Chap. 59:50 save and except subsection (2) of section 1 which was repealed and replaced therein;

And Whereas it is provided by the said subsection (2) of section 1 as replaced, that the said Act shall continue in force until 23rd February, 1993 and may be continued in force for further periods of three years by resolution of Parliament;

And Whereas the provisions of the Rent Restriction Act will expire on 23rd February, 1993 and it is expedient that they be continued in force for a further period of three years commencing 24th February, 1993:

Be It Resolved:

That the Rent Restriction Act, Chap. 59:50, shall continue in force for a period of three years commencing 24th February, 1993.

In moving this motion, it is imperative that I point out the fact that the Act was passed by Parliament to restrict rents of certain premises and the right to recover possession of such premises. This Act, among other things, deals with the Rent Assessment Boards, standard rent pending determination by the boards; applications to the boards to determine rents: determination of standard rent by the board; maximum rent permitted, and permitted increase in rents.

Mr. President, the Act recognizes the right of the landlords and tenants and protects tenants from arbitrary removal by landlords. The Rent Assessment Boards which hear and determine applications for rent reviews by both landlords and tenants under the relevant provisions of the Land Tenants (Security of Tenure) (Rent Review) Regulations and Order 1992, are created under the Rent Restriction Act, and as such, the life of this Act must be extended for the Rent Assessment Boards to legally continue in operation.

1.50 p.m

Mr. President, Members on both sides are aware that there is a considerable unsatisfied demand for housing in Trinidad and Tobago, including, in particular, shelter under rental arrangements.

Mr. President, it goes without saying that until the need for shelter is satisfied, or appropriate arrangements are put in place to deal effectively and efficiently with the question of rental arrangements—and pending the review of the Rent Restriction Act Chap. 59:50, which Cabinet, on December 10, 1992, had agreed should be undertaken—the prudent and reasonable approach would be, I submit, to extend the life of the Rent Restriction Act, Chap. 59:50 for a period of three years, commencing on February 24, 1993.

I hasten to say, Mr. President, that this will be the first time that this Act will be extended on time. Mr. President, I beg to move.

Question proposed.

Mr. President: Before Sen. Carol Merritt begins her contribution, and before we get into the cut and thrust of the debate, I should like to take this opportunity to welcome back Sen. Carol Mahadeo after her absence due to the recent bereavement she suffered. We are glad to see that she is with us again, and we look forward to her contribution.

[Welcome acknowledged]

Sen. Carol Merritt: Mr. President, this Bill seeks to re-enact the Rent Restriction Ordinance, which came into force in 1941 to deal with the situation of regulating rentals during World War II. Rentals, at that time in Trinidad and Tobago, were getting out of hand. The Ordinance was passed for a specified period and it was thought that once rents were stabilized and lowered, there would no longer be the need for such regulatory mechanisms.

However, the Ordinance was re-enacted in 1943, 1944, 1947 and 1949. In 1941, the Ordinance was to be operative for one year, but, by 1949, it was extended to two years. The Rent Restriction (Amdt.) Act of 1969 further increased this period to three years. The Act, as it became, was again re-enacted in 1972, 1975, 1978, 1981 and 1987. It is this re-enactment, Legal Notice No. 34 of 1987, which had lapsed on February 23, 1990, that this Government is now seeking to revalidate by this bill—20 months after it has lapsed.

Mr. President, back in 1941, Trinidad and Tobago was a very poor colonial state that was experiencing a shortage of shelter, and it was necessary to impose a restriction on rents of premises because of that shortage. Today, in 1993, the situation is even more critical. I ask: Why does this Act have to be revalidated every three years? Is it that we are failing in the management of our own

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resources? Maybe, by doing this, we are saying that we cannot provide adequate shelter for our people.

Now, more than ever, our people are being denied their basic needs, which are food, clothing and shelter. The old PNM had failed in that respect, and this present PNM is failing miserably in this same respect. It is not managing the resources of our country in the best interest of our people. By coming here every three years to re-enact this legislation tells a sad story and many questions can be raised in this regard.

Mr. President, is the rationale for the rent restriction an economic one that this Act has to be revalidated every three years? The obvious answer, it would appear, would be to re-assess the economic condition re demand and supply of rental premises and see what changes have taken place. If, for example, the demand has decreased, or supply increased, rents may be falling. It would, therefore, become necessary to change the base or standard rent, as the case may be, either up or down. It also has to be emphasized that the Government in re-assessing these limits has to protect, not only the tenants, but also the landlords, for such legislation makes it uneconomical for the landlord to get a competitive rate for his premises. He may not be willing to rent, and this, obviously, would not be desirable for anyone.

The issue one may also be looking at, as a principal issue, is how does such legislation affect the market mechanisms. Should we not allow market conditions to determine the rent charged? How many people or cases come before the board to be heard every year? These questions have to be asked. To this end, how many of these matters are completed? The issue to be looked at is: Has the Rent Restriction Act been useful in keeping rents down? We are not, as a country, aware of the number of people who live in premises which are subject to this Act, nor are we aware of how many people have sought the protection of this Act.

The question to be asked is: Does \$1,000 or \$1,500, for furnished or unfurnished dwellings, which was imposed in 1981, reflect the present situation in this country? Should the limit be changed, taking into account the present economic circumstances? It may mean that because there was a fall in rentals over the past few years, the number of premises which now fall under this Act has increased. Has this been reflected in the increase in the number of premises registered with the board? If this has not been the case, why has this not happened?

2.00 p.m.

The Rent Restriction (Dwelling-Houses Act), 1981 states that a tenant cannot avail himself of the provision of the Rent Restriction Act if he fails to register. Why has the Government taken so long to re-enact this legislation? The validity of the present Act came to an end on February 24, 1990 but yet it has been more than a year before this Act is being given the force of law. It should be noted that section 4 of Act No. 36 of 1991, seeks to validate everything done from February 24, 1990. The issue, therefore, is, until the motion is passed and becomes law, everything the Rent Restriction Board has been doing since February 24, 1990 has been without the force of law. Yet it has taken the Government more than one year to come to Parliament to re-enact the legislation.

Therefore, what is the situation of cases before the board? Have matters been heard over the past year? Have decisions been given? If they have been given, of what effect are they before this motion is passed? For an Act which impinges on the right to property and is therefore passed subject to section 13 of the Constitution, should a lapse for such a period be allowed? The Government, as a matter of expediency, should have moved to ensure that this Act, which lapsed in 1990, was revalidated as quickly as possible. Therefore, the question has to be asked: What sort of mechanism is the Government putting in place to ensure that this does not occur again?

We need a positive housing policy to make substantial contributions to economic development and social welfare. We saw over the last two decades that governments have successively failed to realize that housing is a tool for macro-economic development which should be viewed as complementary to other sectors.

We in the UNC recognize that inadequate shelter, absence of water and sewerage facilities, or lack of access to income earning opportunities contribute to low family income, poor health, a low ability to absorb education and the creation of the criminal element in our society.

Mr. President, we have to recognize that the housing dilemma of 1990 is escalating. I am proposing that the Government put aside some capital for appropriate housing. Financial institutions should be dedicated to the specific objective of promoting better housing solutions for all income groups. Specific lending policies should be specifically designed to facilitate lower income groups.

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The report of the Task Force on Housing and Settlement in section 4, page 23 has identified some of the concerns that I myself have:

"DIMENSIONS OF THE HOUSING PROBLEMS"

"4.1. The increasing imbalance between the delivery of the housing products especially in the latter part of the review period and the trends in housing needs is merely one dimension of the housing problem.

Other dimensions considered important in understanding the housing problem relate to the following:

- (i) the growing divergence between trends in the price of housing and the ability of households to afford housing.
- (ii) the realization of the Government's increasing inability to allocate funds either for direct housing provision or for subsidization.
- (iii) the dramatic increase in squatting, due no doubt in large measure to the combined effect of the two factors mentioned above.
- (iv) the somewhat unrealistic but persistently held preference in the population for individually owned single-family detached homes.
- (v) the virtual absence of the construction of rental units for persons in low and middle income ranges due largely to the operations of the Rent Restriction Act.
- (vi) the tendency of some lending institutions to ration mortgage loans, especially in the fixed "preferential" interest bands, in the face of the uncertainties about the movement of interest rates in the open market resulting in an unevenness, and at times a total drying up in the flow of funds for mortgage lending..."

Mr. President, I identified some of the concerns that the report of the Task Force has. These were concerns that I also have with regard to housing. These stated problems have to be dealt with urgently. There is no shortage of resources in Trinidad and Tobago to provide shelter, whether it is low-cost or high-cost shelter. The Task Force has also made its recommendations to solve the housing problem. I hope the Minister would please note those recommendations and try to implement them quickly.

It is now history that the PNM Government spent over \$2 billion to build 50,000 houses between 1981 and 1986. Two billion dollars is quite a lot to spend on just 50,000 houses, in my opinion.

If you will allow me, I will give the Senate a little insight into the situation that presently exists with some of the said houses. I refer to them in three phases: The Malabar, La Horquetta, Maloney land developments.

The houses at Malabar are basically weak. The material used was gypsum board. Was that appropriate? You hear stories of falling boards etc. At La Horquetta the design of the houses was not consistent with the type of climate that we live in. Lack of proper ventilation—the cubby hole for a kitchen that becomes unbearably hot when one is cooking. Was there need to build these WAFDA type units, where you have to pass to the front of your house, with garbage or even a bag of cement? There is no provision for you to walk around your house, or for you to get into or out of your house, through the front.

Maloney is another story. I still cannot understand why those stacks of blocks which could collapse at any time were built in the first place. I do not think Members of this Senate know of the horror that the poor experience from day to day at Maloney. Allow me to describe the situation in the high rise units, as they are called.

From time to time in Maloney, WASA locks off the water twice per day. If you are a working person who has to leave home between five and six o'clock in the morning and the water has not returned, chances are in your hustle and bustle, you might turn your tap on and leave it on and some time during the course of the day when the water returns it washes away your whole apartment, because the sink or the bathroom might overflow. These are four-storey buildings, high-rise buildings, where the seams were not properly reinforced and the whole apartment of the person living directly below gets wet. This is an everyday occurrence at Maloney.

2.10 p.m.

It is a real situation; it is no fabrication. One has to ask, why were these buildings not done properly?

The consequences are that the person who is living directly below the one above would be flooded out because of the overflowing water from the sink or bath tub. I want to re-emphasize this, because in Maloney, when it rains the water just seeps in, as the roofs are concrete. These buildings are pre-fabricated; they are joined at the seams and most of the time they are not sealed off properly, so the water seeps into the apartments and damages most of your furnishings. The people up there are seeing real trouble where these houses are concerned.

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This is a real life example. There are numerous horror stories. It would take me hours to list them. These are rented units. What protection is there for these tenants? I will go further to ask: What is the situation with the single three-bedroom units, or the Maracas units? Firstly, some of the home-owners did not receive half of the items from Trinidad Home Developers Limited to completely equip their homes. If you remember, Trinidad Home Developers Limited was the firm contracted by NHA for the construction of these housing developments. I never received the fly screens for my windows or my light fixtures; yet these were things which I had paid for in the agreement I signed with NHA. The list of things which I did not receive is too long for me to mention here.

The kind of discomfort that these home-owners experience in these units that the PNM keeps boasting about, and the kind of money that was spent to bring them to a livable standard are amazing. You have to constantly repair leaks and upgrade the plumbing system that was badly constructed. These houses were built when the present Minister of Finance was the Minister of Housing. The quality of work done on these houses is very poor. Therefore, I cannot see how \$2 billion was spent to construct these atrocities.

It was said before, and I will say it again: That Minister who constructed these houses will not live in one of these houses at all. They are just for the poor people. They treat them like animals. He should be made accountable to the people for this kind of injustice done. It is only poor people like me who have to bear the horror he has created. He is a wicked man. I must say this. Sorry to say it, but he is wicked.

To get back to the motion before us, there are two main objectives of this legislation. One is to prevent landlords from increasing rents above a certain maximum; that is standard rent. This can only be increased to the extent pre-ordered by the legislation, or by an application to the relevant tribunal—that is, the Rent Assessment Board—for an increase.

Secondly, to give security of tenure which means that tenants cannot be evicted without an order of the court, and in certain circumstances create a statutory tenancy which arises on the termination of the contractual tenancy.

In conclusion, if there were adequate housing there would not have been any need to restrict rent. Unfortunately, we have to acknowledge that there is inadequate shelter for our people, so therefore, next three years we will be here again re-enacting this Act.

From what I am seeing down the road with the plans for retrenchment and voluntary separation, there will be more people on the breadline who will not be able to afford their rents, so we shall have an increase in vagrancy and homelessness, in addition to a stunted economy. Where are the stabilisation and growth which was touted about from December to now? It would seem as though all the plans for stabilisation and growth have gone through the window.

Thank you, Mr. President.

Sen. Michael Mansoor: Mr. President, I was surprised that the Minister did not say that this was a simple motion. Some of us who have participated or witnessed debates on the Rent Restriction Act are always very curious as to what reasons a Minister would advance for the perpetuation of rent restriction.

It was very interesting to learn that the Minister invoked prudence and reason today. He said it was prudent and reasonable to perpetuate the Rent Restriction Act. It must be obvious to everyone that when rental properties are subject to arbitrary fixing of rentals, no one would voluntarily go into the business of creating properties for residential rental. This is one of the very fundamental reasons why rent restriction as such, is inherently a very bad way of effecting social justice.

The arguments have been advanced in the past that rental properties were in short supply and therefore, as a matter of equity, successive governments found it necessary to legislate, if you will, the level of rentals that tenants would have to pay. You will remember that in 1981, the then Government saw it fit to roll back the rentals which were being charged on residential properties for all properties that commanded a rent of \$1000 monthly at the end of 1978 or early 1979, if my memory serves me correctly, and \$1500 for furnished accommodation. What landlords were faced with in 1981 was an arbitrary retroactive roll-back of rentals to the 1978-1979 levels.

You will remember that there was quite an outcry about this piece of legislation because it had a rather disastrous effect on many retired persons who would have been dependent on the rentals which their properties gave them to eke out a living. The fact that the then government saw it fit to roll-back the rentals, to effectively legislate a reduction in rentals, raised questions as to the democratic rights of the people; the rights of landlords as opposed to the rights of tenants, but the government had its way.

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The direct result of that piece of legislation—which, in my view, and with the benefit of history, I think, was a most unfortunate piece of legislation—was that about 30,000 tenants who registered with the Rent Restriction Board had their rentals rolled back to the 1978 level.

2.20 p.m.

I wish to make the point that this was extremely unfair to landlords—not landlords who owned massive mansions which were commanding huge rentals—but rather landlords who, perhaps by dint of an entire life-time of labour, were able to put together a small property from which they got a small rental. Such persons were told by government in 1981 that the rents had to be reduced arbitrarily

I believe it was that inequity which caused Sen. Spence at the time, in 1991 when the Rent Restriction Act was debated, to pilot an amendment to the Rent Restriction (Dwelling-houses) Act, 1981. The amendment that he successfully piloted was one which forced the Rent Restriction Board to entertain hearings initiated either by a landlord or a tenant, on the levels of rental that would apply to premises that were caught under the 1981 Act. I am therefore very curious to find out whether, in fact, hearings to deal with these rentals have in fact been going on and what is the outcome of these hearings.

It would not surprise me if I am told that no one has come to the Ministry or to the Board seeking a review of rentals. If that is the case, as the Minister may in fact tell us, I would want to suggest that the reason this has happened is that the Government has not exactly been forthcoming in telling the population that individual landlords and tenants have the right to go before the Rent Restriction Board to have these matters heard.

I want to ask the Minister whether or not his Ministry has been able to put in place the mechanisms and the procedures that would make the type of equity contained in the amended Rent Restriction (Dwelling-houses) Act that was put on the books in, I believe, the very late part of 1991, available both to landlords and tenants.

It is very difficult at this juncture in our economic history to be party to any legislation that would cause further economic hardship on any section of our population and it seems clear that if rent restriction were removed as a fact of life in Trinidad and Tobago today, what we would have is another segment of disgruntled citizens who would, perhaps quite rightfully, claim that their cost of living has arbitrarily been increased.

Thus it is always extremely difficult for independent commentators on a motion of this nature to seek to advance what economic logic would suggest. That is, if we want to make available to the people of Trinidad and Tobago rental premises aplenty, what we need to do is to make it an interesting business proposition. However, the sad fact is that because in recent times governments have found it necessary and perhaps politically advantageous to roll-back rentals retroactively, no right-thinking person would seek to commit his funds to the creation of such rental properties.

It was Sen. Merritt who spent some time this afternoon telling us the direct consequences of the Government being the only provider of rental accommodation for that level of residential accommodation. She quite graphically described the inherent neglect, if you will, that pervades publicly provided residential accommodation. It was perhaps a bit painful for someone on this side to see that her comments evoked nothing more than what appeared to be laughter; but it is a very serious matter. This Rent Restriction Act, however desirable it may seem because of present circumstances, perpetuates the situation where Government will continue to remain the only agency that is prepared to create residential rental accommodation at that level.

It is because of this that it is extremely difficult to support the Bill, notwithstanding the economic realities that we know exist in our society today. I would like to ask the Minister whether or not the redress that Sen. Spence successfully advanced and got for landlords and tenants is in fact working and whether landlords and tenants have been able to avail themselves of the opportunities that that amendment gives them.

I would like to challenge the Minister that it is neither prudent nor reasonable to perpetuate a situation that in fact creates the problem of very little rental accommodation available for persons who are prepared to pay a rent of say, less than \$2,000 per month.

I would be extremely reluctant to support this motion—notwithstanding the good reasons that could be advanced for it—because it is bad economic logic. We are being told by the Government, at this time, that in the wider economic arena we should so arrange our affairs that market forces should determine price. The fact is that we are being told that we must open our doors to world-priced competition; notwithstanding all of those considerations and all of the philosophical underpinnings that now support Government's economic policy, we are being told that we should perpetuate a situation that is simply bad economics.

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So, I would like to ask the Minister to tell us what his Government is doing to redress the situation of bad rental accommodation provided in the past and what it is doing to improve the accommodation that it may be providing in the future. I would also like to ask him to tell this honourable Senate whether or not landlords and tenants are being given the opportunity to redress what is in fact one of the most iniquitous and inequitable economic impositions that have been legislated against the interest of both landlords and tenants.

I thank you, Sir.

2:30 p.m.

Sen. Surendranath Capildeo: Mr. President, this motion is indicative of the total, complete and absolute bankruptcy of this Government to deal with the question of human habitation in this land. In fact, the motion is symptomatic of the inability of this Government to govern.

The country is in a state of crisis in every aspect of human endeavour. We are facing a national crisis in this country and there is no prudence or reasonableness in this motion. The motion is an admission by this Government that it is incapable. It cannot and it does not know how to deal with the housing problem in this country. I have said it before and I repeat it again: For every bit of legislation that comes before any parliament, there must be some basic philosophy, some reasoning behind it. The reasoning behind this Rent Restriction (Re-enactment and Validation) Act is archaic and prehistoric.

This motion is taken from an institution and from a country with its own peculiar problems, many years ago. It is taken and foisted on us in this country without any regard to our own peculiar situation. In fact, this motion clearly shows this Government to be a government of a complete—if I use the word "fraud" it may be too emphatic; if I say "farcical", it may be just about right; if I say "they are the unwitting tools of the international monetary lending agencies", I think I would hit the nail on the head.

Sir, if they have been coming here session after session and instilling in us that we have to have a new outlook on life, that we have to build up entrepreneurship, that we have to have a free-market economy, that we have to let private enterprise grow and take over the burdens of the state, then this motion flies in the face of all of that. This continuation of the Rent Restriction Act has killed the housing industry in this country.

Mr. President, I want to refer to the Report of the Task Force on Housing and Settlements, August 1992. It is not that the Government is unaware of the problems with respect to housing, it is that it cannot do anything about it and it does not know what to do about it. I want to quote page 5, paragraph 1.4.2.

"The concept of comprehensiveness in the housing and settlement policy was interpreted to mean access to housing for all segments of the population. It was therefore necessary to address the following issues:

- (a) Housing need and demand;
- (b) Capital and affordability;
- (c) The structure of the housing sector;
- (d) Urban, suburban and rural needs;
- (e) Employment generation through the housing construction sector;
- (f) Standards;
- (g) Institutional arrangements for the sector; and
- (h) Squatter regularization."

Mr. President, the hon. Minister knows that he is coming to the Senate with this motion. The least he could have done for the country was tell us how many people are being affected by this motion; how many people will owe their entitlement to decent housing by this motion and what the validity of this motion is, save and except to perpetuate a non-policy of this Government. It is a non-policy because housing cannot be provided by this Government.

In fact, in the very same report, at page 23—and this is not my report. This report flows from the hon. Minister. One would have thought that the hon. Minister would have come to this country not in the manner of confrontation as his party is wont to, but in the manner of reasonableness and explanation, to tell us why we should support such a measure. Page 23 states:

- "4.1. The increasing imbalance between the delivery of housing products especially in the latter part of the review period and the trends in housing needs is merely one dimension of the housing problem. Other dimensions considered important in understanding the housing problem relate to the following:..."

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Then they list four items and they come to number (v), which says:

"(v) the virtual absence of construction of rental units for persons in the low and middle income ranges due largely to the operations of the Rent Restriction Act."

Here we have a Minister in charge of housing who has in his possession a report which says to him that the absence of construction of rental units for persons in the low and middle income ranges is due largely to the operations of the Rent Restriction Act, and he comes here and asks us to support the same Act which his report says has led to a virtual absence of construction of rental units. There is no policy; there is no programme. The People's National Movement is bankrupt; it does not know what to do about the housing policy; it has no idea how to govern this country and its policies are going to lead to civil unrest in this country. When the mark *buss*, all of us will pay for the stupidity on that side.

If the Minister has a report which says that this Act is responsible for the virtual absence of construction of rental units, why come with a motion simpliciter merely to renew it and revalidate it? Why not come with a policy statement and tell us what will be done to get rid of it. But what he does is say, "Look, we are in time this year; last year we were out of time. This is the first time we are on time with it and not only are we on time, but we want you to extend it for three more years." They are guaranteeing for the next three years that there is going to be no construction in this country. They are begging for a revolution.

Mr. President, the Minister's Task Force in their Report spoke about housing markets, lower income housing, lower middle and middle class income households and squatter regularization. They come to the conclusion at pages 18—19, that a 1985 study—not 1993, eight years ago—not taking into account the population increase. Here is what they say:

"Various attempts have been made to estimate 'housing needs.' One such attempt was an approach by a statistician drawing on census data which provided an estimate of just under 14,000 units per annum required to keep pace with the situation as at 1985.

This estimate was derived from data on:

- actual distribution of households;
- rate of formation of new households;

- incidence of single persons and families sharing households;
- the housing requirements of special groups such as the elderly, handicapped, homeless, etc; and
- the need for replacement of obsolescent units."

We have the miracle in this country where, as Sen. Merritt has said, they build units that are obsolete before they are even occupied and they are like a pack of cards falling down. You build them in La Horquetta and Maloney and they are obsolete before they are finished. This is a country which has progressed from—I better not say it, I am part of this country—but one would see that we have gotten old and we have descended into a state of barbarism without even going through a period of civility in this country.

Mr. President, at page 23, they spoke about the absence of construction. On page 34, the same report, paragraph 2 states:

"2. Low income households:

Various limits are used in existing programmes for low income households. In the IDB-assisted programme, it is \$1,092 per month."

This is a Government that is going to retrench in WASA, PTSC, the port and the daily-paid workers. It is going to deal with the regional corporation workers. It says in bold, blaring headlines in the newspapers this morning it is standing firm. We are not talking about rich or middle-income people, we are talking about low-income households. It goes on:

"The NHA has no specified monthly income ceiling but as much as 27 per cent of applicants for serviced lots fall below \$1,500. In addition, surveys carried out for squatter regularization revealed that 65 per cent of squatter households earn less than \$1,500 per month."

It goes on. This is the nail in the coffin of the poor in this country.

"Fifty per cent (50%) of households in the country fall within this group,..."

Fifty per cent of the households are in a group that will never be able to have a home. Because if it is going to retrench, contract, streamline and right-size and put people on the breadline and it has a task force report which tells it that already 50 per cent fall within a group that must earn \$1,092 per month, or \$1,500 per month,

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where are these people going to get money to live? This Government has no idea of how to govern. Its priorities are all wrong. Its priorities are in chaos.

There are people fighting for water; there are people fighting for houses, and the Government is buying the ALGICO building for \$6 million, repairing a kitchen for \$5 million and is raising parliamentarians' salaries. This is a typical PNM ploy which came in the early days: Give a man half a house and have him begging for the other half for the rest of his life. It is part of the dependency syndrome, the philosophy of the PNM, to keep people dependent and never teach them how to fish so they can earn their own living. Always give a man an incomplete and unfinished piece of cake so that he has to come back for the icing and he will vote PNM every five years.

That dependency syndrome is what is responsible for the turmoil that this country is in today. It is a wrong philosophy and it has destroyed our country. The dependency syndrome has destroyed the police service, the public service, the housing industry and now all the statutory boards. The People's National Movement says, "We will give you a house without windows so if you want the windows, you vote for us in five years' time."

Mr. President, I recall very vividly the late Prime Minister—whose ashes must be turning in the Gulf of Paria right now with all this private enterprise talk—talking about putting stereos in people's houses so they could listen to classical music. They were going to assemble stereos and put them in people's houses so they could hear Tchaikovsky. They put up a factory in Sea Lots, somewhere, and they started to assemble these things. You see the perverted philosophy.

It is perversion of the highest order when you have a task force which tells you that your population is not housed but you have a philosophy which says, "Give them stereophonic sets so they can listen to Tchaikovsky. That is the legacy of the PNM and we are reaping the bitter harvest. It is a harvest of non-production by a population which has been bred on a dependency syndrome.

What I expected the Minister to come today and say is, "Look, we have to pass this motion because by law the motion is going to save the people whose rents have been protected so far and they number x thousand people and if we do not pass it, they are going to be in trouble and the rapacious landlords are going to cripple them." Rapacious landlords? As a result of the rolling back of the rent to win the 1981 election, many widows lost their homes. Many men who built on mortgages to rent so that when they passed on, their families would be able to

collect the rent and pay the mortgages and so survive, crashed because of that piece of legislation.

The legislation helps neither landlord nor tenant and the institutions to protect the tenants are primitive in the extreme. The Rent Restriction Board, the courts are already over-burdened. Nothing works for this Government. But instead of their coming and telling us, "Look, we have got to pass this motion because that is what the law says, but we are going to be doing A, B and C to relieve the tension in the housing situation," we merely have a glib recitation that it is prudent and reasonable and that we should extend it for three years so that I do not have to come back here and waste my time here two years in a row. It is neither prudent nor reasonable; it is a savage indictment of the incompetence of this Government.

This Report of the Task Force on Housing and Settlements is dated August 1992, and we are in 1993. We have had more than enough time for this hon. Minister to come and tell us, whilst he is bringing this motion, what he is going to do about this valuable Task Force Report on Housing and Settlement. This whole report is merely a summary of our disgraceful failure in this country to house our people.

Mr. President, it is a national disgrace. It is humiliation in the extreme, after the kind of money that was available to us in the oil-boom years, that man, woman and child in this country, especially the southern part of this country, are living without running, potable water for weeks at a time. It is sheer madness in a country like this. This country is a fertile paradise, but it has been turned into a devil's island by the incompetence of the People's National Movement.

Mr. President, why, in 1993, is the Senate being asked to consider housing when billions of dollars have been poured into housing? Why do we have to worry if we would have water riots on the street when billions of dollars are poured into WASA? Who is responsible? They are there, the children of the PNM. When we get up and speak, they laugh and they do not take what is said on this side seriously. Mr. President, we are out there. We get the message from the public. The message is that if they do not solve this problem and stop talking about \$350 million invested in housing and \$400 million invested in some other project and they do not house, clothe and feed the people, they will be facing a society that is going to be so unstable that they would be unable to control the result.

This is a country in which we have been accused of having a 24-hour memory. We have forgotten 1970. We have already forgotten 1990, and the Government

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seems to be telling us they do not want to wait for another 20 years; they want to invite it this year.

Mr. President, guns and bullets will not solve our problem. What we need is a re-orientation of the thinking of this Government and a need for it to re-organize its priorities and to start to spend the country's money where basic facilities will be provided for ordinary people. There should never be a family in this country that has to say, "We do not get water". The water is there, it is available. It is the managerial incompetence of this regime not to be able to provide the water.

There are only 1.2 million people. It is a crime for us to come here and hear that 50 per cent of the lower income group of this country will have no housing. That should never be a problem in this country. There is no reason why we should have a housing, water or any of the social problems. This is a rich country. We have abused it long enough by incompetence.

I ask the Minister, in all honesty, to go back to his Cabinet and to take this report of the Task Force on housing and settlements and to ask them to read all 103 pages of it and to come back to us in the Senate and tell us just what they are going to do about housing in this country. I would suggest to him that we should not have the billion dollar figures, but we should have a common sense approach which is indicative of the needs of this country where every family would suitably and reasonably housed at a minimal cost.

Mr. President, the statistics provided in this report show exactly the costing and income that will be needed to provide housing in this country. If they can just automatically increase the Unemployment Relief Programme by \$30 million, to pacify the workers and to prevent social riots—or, as the Prime Minister was saying somewhere else, that equity is not equitable and equitable is not equity; if they want to put forward that philosophy, that all things are not equal even though they appear to be—if they can find the money for that, why can they not find the money for housing and water? Why must this population be put through an agony for every single thing? It is beyond me why a government seeks to invite solutions by confrontation—because that is the effect of this motion. We are going to end up with this Rent Restriction Act passed for three years, no premises being provided and a population which is hungry, unemployed and homeless.

If they can find money to buy buildings, rent airplanes, increase salaries and travel up and down the place, they can find money to house people. I challenge

this Government to turn around its priorities or the people will assist them to turn them around.

Thank you, Mr. President.

Sen. Wade Mark: Mr. President, we have before us this afternoon, a motion seeking to have the Rent Restriction Act extended for a period of three years.

I would like to begin my contribution by quoting from the Constitution of the Republic of Trinidad and Tobago. The preamble of this Constitution, states that the people of Trinidad and Tobago:

"(b) respect the principles of social justice and therefore believe that the operation of the economic system should result in the material resources of the community being so distributed as to subserve the common good, that there should be adequate means of livelihood for all, that labour should not be exploited or forced by economic necessity to operate in inhumane conditions but that there should be opportunity for advancement on the basis of recognition of merit, ability and integrity"

Mr. President, why can we not make a reality of our own preamble? If we were able to translate these lofty principles and words into reality, then we would have no need for a Rent Restriction Act in Trinidad and Tobago, still less to have it renewed every three years.

3.00 p.m

The housing policy of the PNM, past and present, has been a virtual disaster. It has failed to satisfy the population's need for decent and affordable housing. Mr. President, the evidence of this chronic housing crisis can be witnessed through the visible presence of the homeless, and the dilapidated buildings that we see pass for homes in this country. Virtually everywhere there appears to be a disproportionate and inadequate supply of affordable housing for the poor, the dispossessed and even those members of the middle-income group, whose ranks continue to diminish daily.

Mr. President, the obvious intention of this motion is to continue to regulate rents in Trinidad and Tobago. But what is the reality? According to the CSO Index of Retail Prices, based on the December issue of the monthly *Statistical Digest*, the figures for October 1992 reveal that rents increased from 149.7 points in January 1992 to 151.7 points in October, 1992. Housing maintenance also rose from 172 points in January, 1992 to 178 points in October, 1992. Apart from

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those increases, there have also been movements in interest rates on mortgage loans, as the liquidity crisis worsened in 1992 and also in 1993.

Mr. President, there is no doubt that there is a need for some temporary control over the rate of rent increases in respect of housing within reasonable reach of the poor and dispossessed. Thousands of people in our country are forced, through economic necessity, to live on the streets, to sleep on the pavements, on benches, under stores, throughout the length and breadth of our country, and particularly in the capital city. Mr. President, the daily and weekly newspapers, particularly the daily newspapers, provide disturbing evidence of this unhappy turn of events. This horrendous situation is destined to worsen in light of the madcap course of development which this absolutely inept and bankrupt regime is bent on pursuing.

As you are no doubt aware, the Government has taken a policy decision to chop, slaughter, butcher, tens of thousand of workers and their families through a spate of retrenchment at WASA, PTSC, at the Port Authority, in the Municipal and Regional Corporations, as well as a number of ministries and statutory boards and authorities; and ultimately the Public Service of Trinidad and Tobago. This is laying the basis for a social revolution in our country. Unless this insensitive, stubborn and intransigent regime rethinks its ill-advised course of development, there is bound to be a clash of forces. I forecast that this Government intends to rule this country by gunfire in 1993.

Mr. President, these workers whom they are going to retrench own NHA homes. These are the same workers who are able to gain some sustenance under the very motion that we are now debating. These are the very workers who would have to pay their mortgage instalments to institutions like the NHA and others like NIS or the NIB, as well as TTMF. But I noted in the Draft Estimates of Revenue and Expenditure of the Statutory Boards and similar bodies for the year 1993, the NHA have predicted increases in rent. They have predicted increases in interest and principal, when so many of their customers are threatened with retrenchment. But significantly, Mr. President, under section 3(2)(c) of the Rent Restriction Ordinance, they have excluded—it says:

"This Act shall not apply to a dwelling-house while let by the National Housing Authority as constituted under the National Housing Act."

So they have excluded themselves. If you live in an NHA flat, this Act does not apply. But be that as it may, the reality is that the NHA, as you know, rent houses;

they have constructed flats and they have, in fact, to receive an income. So they have targeted that for rents on houses and flats, they anticipate an increase from \$7 million in 1992 to \$8 million in 1993. Interest is targeted to increase from \$2.3 million in 1992 to \$3.1 million in 1993 and principal on mortgage loans from \$8.2 million to \$11 million, an increase of \$2.8 million in 1993.

Mr. President, where are these moneys to come from? Only recently, workers employed with the National Housing Authority were involved in a protest outside NHA. They were not marching or protesting for more money. They were calling for tools. They were saying to the population, and to this insensitive regime, that they were drawing money under false pretences, and all they were appealing for, Mr. President, was the tools to do their jobs on a daily basis; to go wherever they have to, Mr. President, and carry out their task. Many of these Ministers today are like those workers—drawing money under false pretences.

Sen. Capildeo: They have the tools—they have the Task Force report.

Sen. W. Mark: They have the tools, but they do not have the talent. Mr. President, the classified advertisements of homes for rent occupy some considerable space in our daily newspapers. Within the past week, one newspaper carried more than 75 classified ads of houses or apartments for rent. Several of those ads were agent notices relating, in some cases, to six or more different places, furnished as well as unfurnished.

Mr. President, there still appears to be a serious imbalance between housing needs, as my colleague pointed out earlier, and supply—in spite of the level of classified advertisements and the quantum of abandoned houses that one can find in Trinidad and Tobago. When one looks at the rents required and the locations of some of the advertised properties, it is quite evident that the ads are aimed, not at the poor, but at the middle class and the upper middle class prospective tenants, who are financially better off to pay from \$500.00 per month, in some instances, to \$2,500.00 per month for an unfurnished house or apartment; and for a furnished apartment you have to pay between \$800.00 and \$6,000.

3.10 p.m.

We want to ask the question: What is the relevance of this Act? What is this Act doing to regularize that situation? This is why when we look at this Act, we could not look at it in isolation. We had to look at other pieces of legislation. We had to look at the Rent Restriction (Short Tenancies) Act; the Rent Restriction (Serviced Premises) Act; the Rent Restriction (Dwelling-Houses) Act, because

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they are linked. I am hoping and anxiously awaiting for the hon. Minister to give us some accountability of the numbers of people who are involved in this arrangement. It is dwindling, I am sure.

Mr. President, as you are no doubt aware, this Act originated during World War II, when conditions were very different from what they are today. There was a considerable shortage of housing and a greatly increased demand for housing during the war years. The actual physical accommodation available appeared to have been insufficient to satisfy prevailing demands. In the years since, there has been a dramatic increase in the quantum of new houses, particularly houses for sale, but there has also been a corresponding increase in our population.

Mr. President, according to Central Statistical Office projections, the population of our country is to increase from 1.3 million to 1.6 million between the year 1990 and the year 2000. So by the year 2000 we anticipate a population of about 1.6 million. This implies an increase of over 288,000 people, or 22 per cent of the present population. The labour force is also expected to grow by 2.1 per cent a year, which means an increase from 477,521 persons to 572,900 persons during the coming decade. The implication is that 96,000 new jobs will have to be created over the next seven years. If the over 110,000 unemployed at present are added to this number, we are talking about close to 200,000 jobs that would be needed between now and the year 2000.

The implications for housing are stark. My colleague indicated to you that we require close to 14,000 units to be constructed annually, merely to keep pace with population growth, and to deal with repairs, replacement and conversion of homes in Trinidad and Tobago. The 1990 Population and Housing Census revealed that we have over 300,000 households in this country. Back in 1980, 58 per cent of all dwelling units were considered to be in good condition—we do not have up-to-date information, since that task is still being completed. But in 1980, for which we have the last available statistics on this matter, 58 per cent of all dwelling units were considered in good condition. That is units that were less than 20 years old. The remainder, that is some 98,000, were in generally poor condition, whilst overcrowding amounted to over 24,000 units in our country. That was in 1980. You can well imagine what is taking place today.

Our estimation and calculation is that close to 80 per cent of our population work for between \$100.00 per week and roughly \$2,500 per month. If account is

taken of the fact that not more than one-third of one's income should be allocated to mortgage payment, you are talking about thousands of people, as was hinted earlier, who would never be able to afford a home in this country. What this means is that low-income earners can no longer afford to purchase houses which were originally intended for them. Indeed, they have been absolutely priced out of the market today. This is why people still live in rented homes. Many others who were in the process of owning their homes have had to abandon such an effort through their inability to maintain their monthly mortgage payments and they have now resorted to living by their mothers, fathers, aunts and uncles, in this country.

Hundreds of homes have been abandoned in this country over the last ten years. Between 1989 and March 1991, the Trinidad and Tobago Mortgage Company recorded close to 200 homes that were abandoned by owners in this country. They just could not afford to continue paying. The Workers' Bank, between 1989 and 1990, close to 220 homes were abandoned. There are over 250 abandoned homes in Santa Rosa Heights today. La Florissante has over 170 homes that have been abandoned. Victoria Heights, over 30; Trincity over 300; Lange Park, over 183 homes have been abandoned by their owners; Diamond Vale, over 300.

So what is happening is that you have a very ironic situation in our country. You have an increasing homeless population side by side with an increasing amount of abandoned homes in Trinidad and Tobago. What is the Government doing about it? Home-ownership has now become a virtual pipe-dream for tens of thousands of prospective home-owners, and a stark nightmare for existing home-owners in Trinidad and Tobago. That is why we are predicting that there will be a clash of forces in 1993 if the Government continues on this IMF/World Bank/IDB course of development. If it does not re-organize its priorities, re-pattern its structure of expenditure, we are going to have a clash here.

Mr. President, can you imagine a man who got married just five years ago paying his monthly instalment and he is faced now with retrenchment? They say, go into new careers: To sell peanuts or toolum on the highway? Is that the career you want to offer people? The inability of thousands of citizens to meet their monthly instalment has placed the entire financial system in Trinidad and Tobago in danger of collapse. This is to be further compounded by the 'dracula' and blood-letting decision recently taken by this Government to retrench thousands of

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workers, not to mention the 14,000 people who are to go as a result of trade liberalization. One hundred and fifty went recently.

3.20 p.m.

What this Government does not understand, Mr. President, is that as soon as it retrenches thousands of workers in the public sector, thousands of workers are going to be retrenched in the private sector. All these people are waiting on, is for the Government to take the lead. In 1986 when Neal and Massy and all these big companies in this country were calling for the removal of COLA, what the Government did in 1987 was to serve notice that they were going to suspend COLA, and took the action. Thereafter, COLA became something of the past in many workplaces in this country.

Call it what you will—right size, down size, up size, whatever; if we are not careful, we are going to capsized this country. The country will be capsized in 1993 if this Government continues on its mad course. There are millionaires on the Government Benches, and they are totally insensitive to the plight of the poor and they do not care; they have a plane waiting in the hangar either at Chaguaramas or Piarco, so that at the first instance of riot, they are going to Washington. They have no problem. But, as we say, "if it burn down, we would live in the ashes".

Mr. President, the total stock of outstanding mortgage debt for the private and public sector at the end of 1985 stood at over TT \$6 billion. It is estimated that close to 75 per cent of the mortgage population, in this country, are not servicing their mortgages on a monthly basis. It is against this background that I said the integrity of the financial system is in danger of collapse.

The PNM's previous housing policy was a total disaster. In fact in the *Medium Term Policy Framework, From Stabilization to Growth*, we are told that in the 1980s the Government spent close to \$2.5 billion. If we had proper accountability in this country, some Government Ministers would have been serving time at Carrera; they would have been jailed. But, it is the ordinary working-class man and woman in this country who are now being called upon to make sacrifices, and take the burden, as a result of mismanagement, corruption, favouritism, nepotism and waste that have been associated with this Government; political interference, not to mention.

Mr. President, billions of dollars have been spent, but what are the results? What do we have to show for the billions that we have spent on housing? This

"dracula" Government seems not to be clear on its direction. If one looks at the *Medium-Term Policy Framework* again, one would notice that there are only two and one half paragraphs on housing, on page 44—and this is their plan for the next three years. No clear statement. Of course, there is a Task Force report that is just paper. It is not serious.

Mr. President, a combination of fiscal, monetary and pricing policy measures over the years has crippled and effectively postponed, almost indefinitely, housing affordability of many prospective home owners in our country. The previous NAR Government eliminated the deduction of expenses; they eliminated personal reliefs; they eliminated a number of items under price control. We have experienced, in this country, massive falls in incomes and increased retrenchment. High levels and a variety of mortgage interest rates have been the order of the day in Trinidad and Tobago. This PNM Government recently reduced the ceiling on mortgages from \$36,000 to \$24,000, if I am not mistaken.

In an effort to contribute to greater home-ownership, and consequently, to assist in realizing the dream of a home-owning democracy, the trade union movement—which has become the object of attack and assault by various Government Ministers, including some sitting in this Government's Front Bench—has contributed positively towards home ownership in this country. The record is there to show that the trade union movement has built so far, in this country, close to 300 houses at Real Spring. *[Interruption]* Forget the directors; we are not dealing with directors here. You are playing for your team. There is no team here. We are talking about trade unions; you are not a trade unionist.

Mr. President, I must admit that those houses are first class. After a long, long delay, I believe the hon. Minister Lasse would probably want to bring this Senate up to date on that matter. Another 300 houses are supposed to be erected at Lopinot shortly; at Pleasantville, another 400 houses and if all goes well, there is another phase at Real Spring to be erected, totalling about 1,019 homes by the trade union movement in Trinidad and Tobago for the members of that movement—the workers of the country.

So when, for instance, people refer to the movement as irresponsible; and it wants to topple the Government; and it is this and that and the other, we have evidence, where the private sector is not into low cost housing, they are building middle class homes in a big way. It is only Home Construction Limited, we know, that has been on the move with regard to low cost housing.

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Mr. President, we would like to appeal to the good hon. Minister of Housing and Settlement, since his Government is crying lack of funds; since the private sector is not initiating any serious work in home construction for low cost income earners in this country—this Government has to play a greater role in the subsidization of homes in Trinidad and Tobago. And, we want them to speed up the applications of the trade union movement for more land.

Mr. President, do you know what happens? When those houses are constructed, workers have to be fighting to go to NCB, Nova Scotia or Republic Bank to obtain a loan to get a house. We advise the Minister, if he is serious about allowing the trade union movement to continue to play its role, let there be an arrangement where the TTMF and the NIB would become the sole agencies for moneys that are required by workers to purchase homes in those housing development areas that are to come on stream shortly. *[Interruption]* We know that you have none. I am enunciating one.

Mr. President, apart from defending our democracy which their struggles ensured in the past—it is said that some of us who forget the past are condemned sometimes to relive it. Some people do not understand that it was the trade union movement in this country that was responsible for the first black Prime Minister in this land; the first black Police Commissioner; the first black Chief Justice in this country. It was the struggles of the trade union movement that brought democracy into this country, and we will continue to defend democracy in this country. They do not understand it. I think even the hon. Minister of National Security does not have a sufficiently good grasp of his own history, and the trade union movement.

3.30 p.m.

Mr. President, I would like to say that we need greater independent efforts on the part of the private sector in this whole arrangement. The private sector must put its money where its mouth is. It says that the trade union movement does not want to create jobs. We have put out a challenge. We will put out \$600 million and we want the private sector and the Government to match that, and let us create a fund of \$1.8 billion and begin to crack the whip on the unemployment situation and particularly our youths in this country. This is the challenge we throw out. The Government is still insensitive, and it is standing firm. Let us see how long it will stand firm. You cannot stand firm for long; you must fall. That is life! You stand firm and then you fall *[Interruption]* The hon. Senator would know that better than I. He seems to have a lot of experience in that area.

Mr. President: Sen. Mark, the money that you are investing, is it in housing?

Sen. W. Mark: We made a statement and we are going to put flesh on the bones at the appropriate time. As I indicated a short while ago, we are already into housing. We have 1,000 houses to be constructed once the Government gives us the kind of support that is necessary. That is on the agenda. We are into that, and I am certain we would be able to supply some to one or two of our colleagues on the other side—not many.

Dr. Lasse: Can the hon. Senator tell us who is providing the money for the infrastructure for those houses which are to be built?

Sen. W. Mark: My information—and I suspected very much that that was something that was inescapable. The Government has to provide the moneys for the infrastructure. Is that a big thing? The Government, of course. That is why we are saying that in the absence of private initiatives we should have a greater collaboration between Government and the labour movement in an effort to solve the housing crisis. We have to compliment them in terms of—but they are doing their duty; nothing to boast about. We are saying to go a step further. Instead of allowing these prospective home-owners to go to the bank and scampering to get a loan from these people—and you know they do not lend—let TTMF and NIB provide that kind of facility. So that if you have 1,000 prospective home-owners, they know that they have access to finance and to credit. That is the point we want to advance. Of course, the Government is subsidizing the infrastructure and we want them to continue to do that and in a bigger way.

We cannot oppose this Rent Restriction motion. We would support it. What we are saying is that we cannot continue to come to this Parliament once every three years simply seeking to have this Act extended. You know there is a benchmark: \$1,000 for unfurnished homes and \$1,500 for furnished homes. People are building although the records are showing that you do not have sufficient construction activity taking place today. Many homes are still being constructed and people are charging \$1,600 a month for a furnished home and \$1,100 for an unfurnished one.

In other words, the Act itself is not really doing anything seriously. It is only those persons who have been there for years—and I am certain that those premises are being run down because the landlords are not maintaining them as they want to get the tenants out. The Minister must tell us today what has been the pattern

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over the last five years. How many persons in this country benefit from the Rent Restriction Ordinance? We want that information and we want it for the last five years. So we would be able to discern whether there is a decreasing number of persons who are being covered by this Act. That is how we would be able to determine if this has any relevance to our future endeavour.

We want to disassociate ourselves completely from that alien philosophy of complete and unbridled privatization of all state enterprises at any cost and at the injury of workers in this country. We do not support or subscribe to that particular theory and viewpoint—trickle down economics. Sen. Dr. Saith is well familiar with that particular language. We are not on that.

On this side, we have a policy which we are fleshing out. The population will be calling on us very shortly to take up the mantle of power in this country. The Government has failed. It is just a matter of time. Their very slogan is now coming back to haunt them. It is just a matter of time. Let this Government make the mistake in 1993 and retrench 15,000 workers and clash with them and have bloodshed on the streets of this country and see how long it would last in this land. You are not too sure if the police and army will support you. You have to be very careful because they might overthrow.

We on this side have a deep interest in the Sou Sou Land concept which was developed by another colleague of ours. It is a concept that we would put into full force and effect when we assume the mantle. It is an area which we would look at and put into effect and we would also work very closely with the trade union movement in dealing with this issue of greater housing facilities, particularly, for our young people in this country.

Mr. President, we believe if we are able to work in that kind of spirit there is hope for the young in this country; there is hope for the preamble of our Constitution. We would do whatever we have to do to translate those noble ideals and principles into reality for those weak, dispossessed and poor sections of our society. We on this side are motivated by that hope and are conscious of the possibilities of the rich potential of our nation to rally its resources in order to satisfy the various desires and dreams of our young population and also to protect the old population, as well as those people who are existing owners of properties in Trinidad and Tobago. We hope that the hon. Minister would do us the honour because he was extremely brief.

Mr. President, in closing we would like to indicate to the Minister of Housing that he should give this Senate some appreciation of the workings of the Rent Assessment Board; how many cases have been coming to these boards on a monthly or on an annual basis. We want to get from him how many persons are protected by this Ordinance. We want to get some facts on this matter so that we would be able to determine collectively whether this thing is working and whether when we assume power, we would probably have to amend, modify or throw it out completely. Maybe he can tell us what is taking place and guide us accordingly at the appropriate time.

Mr. President, thank you very much.

Sen. Ainsley Mark: Mr. President, the motion before us this afternoon seeks to extend the life of the Rent Restriction (Re-enactment and Validation) Act 1991 to give the Act another three years so that the situation between landlords and tenants can be properly controlled. We have come with a very straightforward motion this afternoon but we have had to sit and listen to diatribes—

Sen. W. Mark: Mr. President, on a point of order. I take objection to that language. If the hon. Member is referring to any Senator who has spoken in this Senate and referring to their statement as diatribe, I take objection. I think he has to withdraw that statement. We have not been speaking diatribe. We have been making serious points, and these people are getting away with murder by talking that kind of language. We have to put order in this place.

3.40 p.m.

Mr. President: Are you saying that it is unparliamentary?

Sen. W. Mark: I should like to know because we have not spoken diatribe. We take strong objection to that kind of charge.

Mr. President: Senator, you can find a more pleasant word in the dictionary to describe the Member's contribution.

Sen. A. Mark: I will be guided by you, Mr. President.

We have been subjected to suggestions that blood is going to be on the streets of this country, and the men and women in the police and army being involved in some overthrow of the Government.

Sen. W. Mark: Mr. President, on a point of order. I suspect that the Senator is referring to my statement.

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I want to make it abundantly clear that I have never said in this Parliament, that the police and army are going to overthrow anybody. I hinted that the way conditions are evolving in this country, you have to look at all these possibilities. It was never intended to mean that there is a plot or a conspiracy between the army and police to overthrow this Government.

Again, I want my colleague to make sure that when he is speaking, and he is trying to quote me, that he quote me correctly.

Sen. A. Mark: I am reassured by the Senator's statement.

The motion before us this afternoon is one of necessity. We feel that this type of legislation must be allowed to continue until a comprehensive piece of legislation can be put in motion. If this motion is not passed, we would most probably have a situation where rents would become exorbitant, and it is a situation which this Government would not allow to happen.

It is interesting that we got the support of all of the previous speakers. Sen. Merritt spoke about the fact that the Act is intended to protect both landlords and tenants. Sen. Mansoor, in his contribution did make the point that if rent restriction were to be removed at this point, it is very likely that rents will shoot up. Sen. Wade Mark spoke about the need to control rents because of the pressures on poor people. It is obvious that this motion at this time, is in fact necessary.

It was enacted in 1941, when, as Sen. Wade Mark argues, conditions were essentially very different from what exist now. One might argue that whereas in 1941, we were having a war in Europe, in 1993, listening to some of the other comments which he had been making, there is some war taking place in Trinidad and Tobago.

Quite frankly, the measure is designed to restrict the rents of certain premises and the right to recover possession of such premises. Broadly speaking, the legislation seeks to reduce or eliminate the danger of overbearing terms and conditions being placed on tenants by landlords, and to give tenants some security of tenure.

Sen. Capildeo spoke about a philosophy that was archaic and prehistoric. I am not certain if he was suggesting that trying to effect and maintain some semblance of balance between landlords and tenants is archaic and prehistoric.

Whatever commentators might say about the People's National Movement, our ability to provide housing for the people of Trinidad and Tobago is clear. We spoke about 50,000 units being provided. One only has to go through, whether it is Malabar, Maloney, La Horquetta, Couva, Edinburgh-500, Embacadeare, Powder Magazine, Charlotteville, Speyside, Coral Gardens, Canaan/Bon Accord or whatever part of this country one goes to, there is evidence that the People's National Movement Government has provided significantly improved housing for the people of this country. There is no dispute about that. Barrack yards are a thing of the past.

We come here today to deal with a motion which is seeking to extend the life of the Rent Restriction Act 1991 to ensure that the situation between landlords and tenants would continue to be properly controlled, and we get into a long debate on Government's housing policy. I am certain that the Minister when he is winding up would be able to tell Members on the other side, who are not yet aware, precisely what this Government proposes to do in terms of housing when.

The essence of this legislation is twofold. Firstly, it is to prohibit the landlord from recovering as rent more than the maximum permitted for the premises in question—that is the standard rent—and to prevent the landlord from charging fines or premiums when rental contracts are being agreed upon.

Secondly, the landlord's right to recover premises is severely restricted once the premises come within the purview of the Act. It is imperative, therefore, that once the system of rent restriction exists, and the boards are to function under the law, the legislation must be valid. Indeed, that is why the Minister of Housing has come here this afternoon.

The system is to ensure that rents are kept at reasonable rates. It is a position based on all that we have heard previously, which I think, we should all support. We must ensure that the relationship between landlord and tenant is satisfactorily regulated. And it is against this background that we are asking all Members to support this motion.

I thank you.

3.50 p.m.

Sen. Muntaz Hosein: Mr. President, a few years ago the calypsonian Chalkdust sang a very instructive calypso. He said, "Trinidad is nice, Trinidad is a paradise."

Hon. Senator: That was not Chalkdust; that was Valentino.

Sen. Hosein: Thank you. I stand corrected. I always associate Chalkdust with calypsos of this nature.

Trinidad is nice; Trinidad is a paradise for people like Saith, Rahael and Kuei Tung, but Trinidad is not so nice for the people who are affected by poor housing.

The background to this motion is that the country is galloping at breakneck speed, out of control. Perhaps the Minister will tell us in his winding up what his Government's policy really is, but he has failed to impress us that the Rent Restriction Act is part of Government's overall policy on housing. I should have liked to hear that from him, so that we could see how this Rent Restriction Act fits into the picture.

The provision to control rented premises and landlords is always a desirable thing, but this Act is so old and from all the reports that we have, it is not working—and Sen. Mansoor spoke about it—for the housing stock is not being increased by those people who are in that type of business. It makes very little sense. Interest rates are high and utility rates are high, and climbing. From what I read in the newspaper, it appears to me that these rates will go higher and higher, so that it is no wonder that people will not build houses to rent to the poorer classes of people. It is, therefore, left to the Government to provide that kind of housing.

The intention, I believe, of the governments before was to so do. It had been a stated policy of the PNM Government as far back as I can remember to house the entire population of Trinidad and Tobago. It would have been instructive to hear the Minister say to what degree we have been able to satisfy the need for housing in Trinidad and Tobago. I have not heard him give any indication of what is the demand for housing every year and what is the demand for the low-income housing we are talking about—which basically this Rent Restriction Act covers—and how many of those demands our Government has been able to satisfy every year.

The present situation is that tenants are being told today by their landlords—and I have first-hand knowledge of this. There is a lady who does a little ironing for us and one day she came to me almost in tears. She said that the landlord told her that she must pay \$300 for the one-bedroom apartment where she lives at Morvant. Mind you, Mr. President, a husband, a wife and five children live in that one-bedroom apartment for which she was paying \$200 per month. She was at her

wit's end wanting to know what to do. I promised to enquire because I did not think that the landlord could do that unilaterally. She said that she had gone to the Rent Restriction Board and was told that she should have registered when she rented the premises and because she did not, they could do nothing about it. This is the situation. Poor people are facing this type of hardship. Perhaps, the Minister might want to investigate whether the people at the Rent Restriction Board are doing their jobs properly. If that is the intention—I do not know the rules myself; perhaps he can tell us.

In trying to find out, one of the lawyers was able to tell me that that could not take place; that the landlord would have had to go to the Rent Restriction Board and ask for an increase. Intimidation is going on. How many persons know their rights and would want to find out further? I do not know.

One hears stories every day from both the landlord and tenant. In the country today, people are unable to pay their rents, and I am not talking only of the lower-income group, but also of the middle-income group. The income of the middle-income group, as you know Mr. President, is being eroded every day and they are finding it difficult to get by. What is happening too is that these people are living at one address today and staying there for a year or so, and suddenly they move to another address, leaving behind a trail of unpaid rents. It goes on and on.

4.00 p.m.

This is one of the situations in which the people of this country are finding themselves. There are a few who are dishonest, but it is not a question of dishonesty; it is just that they cannot afford it. But where can a family go when they are having difficulty paying rent? Must they go on the streets? God alone knows. We have too many people on the streets already. What is the Government doing about this situation? It is addressing it? Perhaps the Minister can tell us whether they are going to be addressing the situation and what, if anything, they can do about that.

Mr. President, since the early days of the PNM Government we talked about 50,000 houses being built. I do not know how long ago that was, and I do not think that houses are being built these days. I cannot remember when last I have seen any houses being built. But in the early days of the PNM there was so much talk about these 50,000 houses, and you had to have a party card to get one of those houses. I have first-hand knowledge of this where persons in the Barataria constituency bluntly refused to join the PNM; they would rather go and fend for themselves than sell their souls for houses.

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Mr. President, what happened was that for a short while this technique worked, but because of the poor quality of housing that was supplied to these people—you will recall, Mr. President, some years ago at Malabar, one gentleman's child was playing inside a bedroom with a ball, kicked the ball against the partition and the partition broke. It was in the newspapers. Because of the poor quality of these houses, Mr. President, it back-fired on the People's National Movement.

Mr. President, I do hope that that policy will not be perpetuated because today we are living in different times. The patience of the people is running out. They should be careful of the policies they are adopting. When things are good and money is flowing, the man in the street is happy, he is getting a little bit. So even if the houses are not so good, they will accept that. Today, when there is nothing around, they cannot even get the same houses, they cannot get food to eat, they should not make any mistakes, because any mistakes that they make will be amplified, they will find themselves in a lot of trouble and all of us will suffer as a result.

Mr. President, I want to make an impassioned plea for adequate housing for the poor people of Trinidad and Tobago. I do not understand why it is we have such difficulty getting housing for these poor people. We have land in the country; we make our own bricks in Trinidad and Tobago; we have all kinds of wood, including teak, which is owned by the Government and pricing is determined by the Government; we have the technology to build houses. We do not need people from abroad to do that. We have all of that. Why can we not make land available to the lower-income people at a reasonable price and use the self-help technique, using all the resources available to the Government? There are many of them. There are architects in this country who have no work at all, they are *scruntin*.

Mr. President, we could come up with the right kind of housing that will not cost much money, and direct the people of the lower income bracket, show them, teach them, how they can have their own homes. It is not difficult. If this Government is caring, as it says, if this Government is mindful of its responsibility, we would have no problem assisting it in this duty. We have on our team, Mr. President, excellent architects who can help them, and if it finds the job too difficult to work with us, it can let us do the job and it can simply disappear. The job can be done; we can do it; we have the ability; we have everything in this country to make it work.

Mr. President, there is another problem in this country. On the one hand we are talking about being unable to provide housing. But our Government is doing precious little that I am aware of—maybe the Minister can tell me otherwise. The previous Government also did precious little in the way of housing. But there are people who own land in this country and many of them inherited land and have children and grandchildren who are in need of houses. But the problem is, in many instances, the National Housing Authority and the Town and Country Planning Division say, "Look, you cannot build houses here, you know; this is agricultural land." Never mind the land is abandoned, and covered in bush, the people are not allowed to build their houses there because of some kind of policy. I do not know how old the policy is, but that is a problem that we have in the country. That policy needs to be looked at in its entirety because on the one hand they are saying this is agricultural land, it must not be cut up in less than five-acre blocks and you cannot have more than one house on this piece of land, and yet the Government is doing precious little about agriculture.

Agriculture is dying and they are not using the land for housing. So perhaps the Minister of Planning—I know this is a matter close to his heart—can look at that and see whether we cannot come up with something positive. Because these people already have lands and they can divide these lands and give them to their children and grandchildren who are in need of housing. I think it is important that we do that.

Mr. President, this motion before us, while it is difficult for us on this side to go against it—for it is trying to bring relief to poor people—we want to advise the Government and the Minister that this motion by itself is doing precious little, that they must come with a more comprehensive plan and really tackle the problems in this industry.

Thank you very much.

Sen. Roi Kwabene: Mr. President, I should like to say that I am living testimony to the problems of a tenant in these houses provided for low-income earners in Trinidad and Tobago. Currently, I reside at La Horquetta in a "rafter" that has been provided for me by the National Housing Authority.

Mr. President, I have had the unique opportunity in my formative years to grow up in an area known as Belmont. In Belmont, my parents rented an apartment that was quite small; at least they could have afforded it at that time. They were then offered the opportunity to live in Diamond Vale, where I have

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lived with them over a period of time. However, inherent in this are problems that exist not only in Diamond Vale, but throughout Trinidad and Tobago which need to be addressed. Whereas it has become necessary for this Government at this time to bring forth to us this Rent Restriction Act, I should like to share some of my experiences. They are not very nice experiences, but they have to be shared, nevertheless.

I must admit that the National Housing Authority have been very co-operative with me—I do not know if it is because of the office I hold today. However, I have in my possession over 200 letters from members of the public seeking housing. We will deal with the policy later on, but I would like to deal, first of all, with the living conditions I have to face day-to-day at La Horquetta.

I went into that "rafter" [*Interruption*]—"rafter", that is no "wafda"—with a low profile, hoping that people would not recognize me to be a Senator living in this dilapidated housing arrangement. However, I was moved to tears on realizing that the toilet facilities are disgusting. To begin with, the sewer is flowing into the streets. I am quite sure that the Minister is aware that certain efforts have been made on more than one occasion to address the situation as far as the sewers in the area are concerned. However, people are still complaining in the area. One wonders, whereas it becomes necessary at this time for this Government to bring this motion to the Senate for consideration, what sort of consideration is being bestowed on the tenants of these housing estates.

Mr. President, as mentioned earlier, this is PNM policy. If PNM policy is to put people to live under these conditions, I am afraid to note that we are heading downhill. These housing estates can be likened to bantustans, tenement yards, ghettos, inner city dwellings and, of course, they result in sociological problems that have to be addressed.

The human resource is languishing on the corners of those estates for many years and, of course, there a rising crime level, and we are not dealing with the issues at hand. We are not seeking solutions to the problems as they truly exist. Again, Band-Aid solutions. I am saying that if tenants have to be subjected to these sorts of living conditions, this is a recipe for a revolt by the young people in all these areas.

Mr. President, I was bestowed this wafda or rafter without tiles on the ground, without appropriate facilities for running water or cupboards. The walls were in a despicable state and, unfortunately, the rent [*Interruption*] That is another matter.

I was wondering, Mr. President, if I had kicked up a fuss at the time when bestowed this, if it would have been seen as ingratitude because, as you know, there is a serious housing problem in Trinidad and Tobago. I am a victim as well as thousands of people throughout this beautiful land of ours, and had I cried out before, they would have said, "But you get something, hush yuh mouth! There are others who are in need." I agree. But at the same time, how can one think about constructing housing estates without the provisions of clinics, hospitals, libraries, playing fields and the necessary infrastructure for people to live as human beings?

Mr. President, I was shaken just last week when it was brought to my notice that not only have houses been abandoned by tenants, but also that stealing is rampant. I have learned that I was lucky to secure a place with toilet facilities. So again there is a problem with security.

Mr. President, there is a need for the Government to enact a serious policy with regard to housing. Oh, yes, they have made certain efforts in the past, some are laudable, Diamond Vale in particular, despite the fact that they are now constructing a park—after 20 years or more, they have now seen it necessary to provide this for the grandchildren of the people who are living in Diamond Vale. Prior to this we had a serious problem with drug abuse in Diamond Vale, we still have a serious problem with break-ins by the unemployed young people in that area. Again, the failure to harness the human resource.

I noticed quite recently in a news report on the television, where the hon. Minister of Housing was speaking about the previous regime and the role they played in terms of housing. He was saying that all they provided was serviceable lots, and he was contending that under their new proposed policy, the Government would now provide not only serviceable lots, but that they would also assist with loans for the construction of houses on those lots. Very admirable. But at the same time, no mention was made about the infrastructural facilities necessary: Schools, playgrounds, libraries, community centres. These things are necessary. Remember, when these facilities are constructed for these poor people to live in, they are supposed to live there.

Now, the emphasis has been a Band-Aid solution to any problem that would evolve in any housing estate, and instead, what they would do is build a big prison there to hold all the people who would misbehave—I know the gaol would not be large enough.

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I think it is very important, because I thought, when I was bestowed the opportunity to live in this area, that at least the National Housing Authority would have had materials to repair the facilities provided for the tenants. Any good landlord would make sure that his tenant is comfortable, would make sure the place is not leaking. He would make sure of many other things.

The important fact is that existing problems in this country should be dealt with head-on. If we do so, we would be seeing fewer workers with placards in front of the National Housing Authority, as was seen last week, complaining that they did not have any tools or materials to render the same services which I just mentioned.

Mr. President, I would like to pass on this message not only to hon. Senators, but also to the members of the gallery and the public, that we have to get out of this dependency syndrome; we cannot wait for people to do things for us. The only way this will be possible is if we have the co-operation of the people who are responsible in the area of housing and the other institutions a partnership is what we need.

Thank you, Mr. President.

Sen. Prof. John Spence: Mr. President, I had not really intended to speak, but I think there is one matter that I want to comment on.

First of all, I accept this motion is necessary at this time and I am happy to hear the Minister say that it is his intention to have a thorough review. But what I would like to comment on is the possibility of using agricultural lands for housing. I do not think this issue should be addressed in the way suggested by Sen. Hosein. We should, in fact, be developing our agriculture and not going the other way and having the solution of turning agricultural land into housing.

Indeed, on various occasions when we have been debating this motion, I invited the Minister of Housing, both in this and the last Government to drive along the Priority Bus Route and see what I consider to be the crime of housing estates going on the last remaining bit of agricultural land along the East-West corridor. So I would take quite the reverse view to the one being expressed.

If there are problems with obtaining land for housing in various areas, then that should be addressed rather than taking the view that we should alienate our agricultural land further. We are a very small country and if we were to go in that direction, we would very soon find that our only resource, as we now seem to be

saying, petroleum, is used up and we have, in fact, so treated our resource of land for agriculture that we do not have that recourse.

Sen. Hosein: If the Senator would give way. Thank you, Sen. Spence. On a point of correction. I do not think that Sen. Spence understood what I was saying. I was not advocating that we take agricultural lands and build houses on them. I was talking about specific cases of people who owned lands who are not cultivating them and had the need for building houses. It is separate from the other way around.

Sen. Prof. Spence: Mr. President, I think the hon. Senator has, perhaps, not understood what I was saying. It is precisely that: That wherever the case may be, there is always a special case. If you allow the special cases then you will proceed, gradually, perhaps, and then in a more accelerated form, the more the need arises for alienating agricultural land.

That really was my point. Not to make a long issue of it. I realize that the motion has to be passed at this time. I am very pleased that there is a review in the offing and I hope that we shall not, in fact, alienate any more of our agricultural lands.

Thank you.

The Minister of Housing and Settlement (Dr. The Hon. Vincent Lasse): Mr. President, it is my duty now to wind up debate on the motion that the Rent Restriction Act, Chap. 59:50, shall continue in force for a period of three years, commencing on February 24, 1993.

Mr. President, I made several points in moving this motion and I wish to reiterate the following: I said the Rent Restriction Act recognizes the rights of landlords and tenants and protects tenants from arbitrary removal by landlords. I mentioned there is still a considerable unsatisfied demand for shelter in Trinidad and Tobago, including shelter under rental arrangements.

I also mentioned the fact that the Rent Assessment Boards are created under the Rent Restriction Act and they undertake rent reviews when requested by landlords and tenants. I also mentioned the fact that the Land Tenants (Security of Tenure), Rent Review Regulations and Order, 1992, made under the provisions of the Land Tenants (Security of Tenure) Act, Chap. 59:50, are administered by the Rent Assessment Boards created under the provisions of the Rent Restriction Act.

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Mr. President, there can be quarrel with the review for the legislation, and Cabinet agreed on December 10, 1992, that my ministry should address this matter with urgency. However, pending the review and comprehensive legislation, I would repeat that the prudent and reasonable approach would be to extend the life of the Rent Restriction Act for a period of three years, commencing, as I said, on February 24, 1993.

Mr. President, I want to inform this honourable Senate that this motion was adopted unanimously by those present and voting in the other place on Friday, February 12, 1993.

Mr. President, let me put on record my thanks and appreciation to Senators on the other side for their valuable contributions to this debate. I now wish to touch briefly on some of the comments made.

Sen. Merritt referred to the genesis of the Act, going back to 1941, but, really, this is not what we are here to address. History is always good, it is a guide to the present. But when we are here, we are addressing the question of supply and demand and the fact that at this time there is an unsatisfied demand for housing and we need to keep the Act alive in order that there can be regulation.

However, she mentioned that the Rent Restriction Act had been useful in keeping rent down and with this, I agree totally. There seems to have been a certain misconception when she referred to the question of the lapsing of the Act. The Act has not lapsed. It is now in operation. I am only requesting that the life be extended for another three years, commencing on February 24, 1993. It did lapse in 1990, and that created a situation where when I came to this Senate on another piece of legislation, Sen. Capildeo, had asked me to resign, but at the end of the debate he came back and congratulated me on bringing the legislation at that point.

Sen. Merritt went on to speak about the units at La Horquetta and Malabar. There I saw shades of the statement made by the Member for Tobago West. But with all sincerity, I cannot hold myself or this Government responsible for individuals who are careless and leave their taps on. Her reference to the Rent Assessment Board does strengthen the argument I have put forward here.

Now, turning to the contribution of Sen. Mansoor, which I thank him for. He touched on the arbitrary fixing of rents and he said, "It is a bad thing for our society".

The Senator also referred to 1981 and the roll-back of rents on properties during 1978 and 1979. Pursuant to the Act, he asked a question on the amendment. The amendment of 1991 is being considered in relation to a complete review of the legislation, as mentioned when I stated that the Cabinet had agreed to this review. But to answer the question which he asked, I wish to say that applications have been made for review of rents under this Act. Recently, the Attorney General has put in place a mechanism for review under the Land Tenants (Security of Tenure) Act. But when I spoke of prudence and reasonableness, I did so in the context of a pending review of the legislation.

Turning to the contribution of Sen. Capildeo—

Mr. President: I think this would be a convenient time to interrupt the Minister. This sitting is suspended for half an hour. We will resume at 5.00 p.m.

4.30 p.m.: *Sitting suspended.*

5.00 p.m.: *Sitting resumed.*

Hon. V. Lasse: Mr. President, when we adjourned for tea, I was addressing the contribution made by Sen. Capildeo; and I wish to state, very briefly, that he was rather concerned with the words “prudence” and “reasonableness”. But these words were used in the context of extending the life of the Act. I was saying, then, that if nothing else is in place and pending the review, I think it is reasonable and prudent to extend the life until such time. So I want to clarify that point, if I was misunderstood.

The Senator dwelt, at length, on the Report of the Task Force on Housing, and for this, Mr. President, I would like to highlight some of the findings or recommendations of the Task Force to clear the air once and for all and, at least, at the same time encourage those who have not had the time to read that Task Force report, to do so. It would help a lot and it would have helped much more in this debate.

The Task Force on Housing and Settlement was appointed by Cabinet on March 02, 1992 with the following terms of reference:

- (a) To make recommendations in respect of a comprehensive Housing and Settlement Policy, including a policy on squatting. This policy must be consistent with 1991 Election Manifesto pledges.
- (b) To identify appropriate funding arrangements; and
- (c) To advise on the institutional arrangements by which this policy could be implemented.

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The report, Mr. President, was laid in Parliament on Friday, November 13, 1992, and there are two major initiatives that this Government has taken in the housing sector: one was the Task Force and the other was a committee which dealt with the question of squatting, the regularization of squatters, pursuant to Act 20 of 1986.

What we were able to gather from the squatting situation, and this is also in the report, was that the squatting population has now increased to approximately 50,000 households. When we consider five persons in a household, we end up with a figure of some 200,000 persons, which represents about 16 per cent of the population of Trinidad and Tobago. But this figure, I must admit, was a far cry from the figure which was met in 1986 when there were some 5,000 to 7,000 squatting families, and the figure escalated between 1986 and 1991 to what we now have—25,000 squatters on state lands and 25,000 squatters on private lands.

This Government, Mr. President, has indicated its intention to regularize squatters and this will be done pursuant to Act 20 of 1986, which we intend to have amended to make it more realistic, more responsive, because when the Act was contemplated there were only some 5,000—7,000 squatters and today we have 50,000. There was the question of a tribunal which would have heard the complaints of squatters and since the figure is so astronomic at this point, we intend to regularize squatters on a community basis instead of case by case.

Following along that line, we have started, in 1992, two pilot projects where squatters will be regularized, I hope, very soon. I refer here to Bamboo Settlement No. 3 and Maturita Triangle in Arima. What has been happening here is that certain sites have been set aside for regularization, some sites under the NHA programme, where the infrastructure work will be done on an incremental basis; and the sites which fall under the IDB sector, where the infrastructure work will be done up front—roads, drainage, electricity, water—and the squatters, after being regularized at 25 cents per square foot, will simply have to pay infrastructure works when quantified and amortized for a period of some 30 years. So at the end of the day the persons would be regularized and, of course, the infrastructure work would be covered over the long period.

What I wish to point out, also, is that it is the policy of this Government to put an end once and for all—

Sen. Hosein: Mr. President, if you will permit me, on a point of clarification. The Minister mentioned just now the infrastructure work—is it that they are going to have to pay for it over 30 years? Is that what he is saying?

Hon. V. Lasse: Yes, I think you got me quite clear. That is exactly what I am saying.

Now let me turn to the Task Force. With respect to financial arrangements, it has recommended the following:

- (a) the introduction of a National Mortgage Insurance Programme to be established under an appropriate agency in the mortgage loans industry;
- (b) replacing the fixed interest rate feature of the Approved Mortgage Company programme with the variable index determined in accordance with the cost of money;
- (c) adjustments of the loan categories under the Approved Mortgage Company agreements with a view to making them more consistent with selling prices.

The Task Force has also concluded that there is a need to rationalize institutions in the Housing and Settlements sector, and has recommended that NHA should be strengthened to carry out the functions more of a landlord; the creation of a National Advisory Council on Housing and Settlement policy.

This body must be outside the public service since it must be allowed to operate with objectivity and flexibility and the freedom to involve persons and organizations across the entire spectrum of participants in the sector.

These are some of the recommendations of the Task Force, and I mentioned them to, more or less, bring us up to date on the current situation and also to point the way in which the Government would be moving vis-a-vis housing and settlement in Trinidad and Tobago.

5.10 p.m

I would now turn to the contribution by Sen. Wade Mark. He started by quoting the Constitution which, I believe, is admirable, but I was trying to get the nexus between the quote and the extension of the life of this piece of legislation. He then mentioned the housing policy of Trinidad and Tobago which he suggested was a disaster. But I do not believe so, because there is always a ray of hope on the horizon. It is quite clear, that between 1986 and 1991, it has been said, not a

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single house was built. But this Government intends to go back to the policy providing housing units. As one can see, between 1978 and 1986, some 50,000 units were built by the PNM Government, which provided homes for some 135,000 persons. He also touched on the question of squatting. I also mentioned, prior to this, that the escalation really took place within a certain administration, from 7,000, roughly to some 50,000.

I now wish to refer to the policy which the Senator had requested. The policy of the Government is clearly stated, as I said, in the Task Force Report, but in order to try to educate those who have not read the report, I would briefly state the approaches. The approaches of the Government in the pre-1987 period were to engage in mass production of housing units for lower income individuals, and to provide an appropriate environment for the private sector to cater for other housing needs. The achievements have been impressive. Over the period in question, some 50,000 units were constructed by the state, by the end of 1986.

It is true that towards the end of this period there was an escalation in housing costs which effectively put home acquisition way beyond the reach of some low-income groups in the society. It is here the germ of the squatting problem is to be found. However, the PNM Government at the time immediately took action to address the problem by enacting the State Lands Act, No. 20 of 1986. This Act sought to regularize, as I mentioned before, some 5,000 to 7,000 persons who were then in illegal possession of state lands before December 2, 1977. But alas, this Act was made ineffective by another administration. There had been even the suggestion that the Act should have been repealed. I contend, had this Act been put into effect, we would not have been struggling today with the squatting problem.

What I would like to touch on briefly is the policy shift in 1987 to 1991 and to bring us back to what we intend to do in 1991 and beyond. During the 1987 to 1991 period, there was a fundamental policy shift under the last administration, from the provision of complete units to the provision of land, sites and services. This policy involved the up-front payment of some \$15,000 to \$25,000 before persons could have received the legal title to the site. What the present administration did was to introduce the question of affordability, because we are aware of the fact that land by itself, or the provision of land by itself, does not solve the housing problem. We believe in construction. Therefore, what was necessary was to make the land more affordable.

I mentioned that under the last administration persons had to pay up-front \$15,000 to \$25,000 before they acquired that land. We have now introduced a system whereby persons will pay only for the value of the raw land, receive their deeds, and they can go to a financial institution and access a loan with which to build.

So the introduction of the question of affordability has created certain situations where there is an over-subscription to land. On the other hand, under the IDB-assisted programme, once the person acquires the land at the raw value, there is also the provision of loans, through the IDB, ranging from \$20,000 to \$70,000. These provisions indicate clearly that the way the PNM Government is moving would soon bring us back to a situation where we would begin the construction of starter houses and fully furnished units, provide adequate community facilities in public housing development, and low interest housing mortgage loans.

5.20 p.m.

We continue to ensure the availability of funding for private construction and ownership, and other incentives such as aided self-help programmes will be pursued. I believe this would have answered the concerns of Sen. Capildeo.

Sen. Wade Mark also took us back to the wartime years. There may have been an increase in houses, but we have not yet reached the required level and, as such, this piece of legislation should be renewed in order to regulate the rental situation. Approximately 14,000 units per year would be required in order to satisfy the demand for shelter in Trinidad and Tobago.

I state quite clearly that this administration is conscious of the situation as it relates to housing and settlement, and with the introduction of the concept of affordability, we are confident that this will assist the landless and the homeless in Trinidad and Tobago. We also look at lowering of the prices at which individuals could get a title, and that was very clearly put.

In a nutshell, Mr. President, the Government's housing policy is clear and should be convincing to those who would not allow their emotions to run away with their wills or reason. The Government, in conjunction with the unions, is now trying to provide 387 houses in Lopinot and 400 houses at Pleasantville. I would like to make it very clear to Senators that the Government of Trinidad and Tobago has already spent some \$17 million on infrastructure work on those two sites.

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Only two weeks ago, I met with the union. We had an outstanding balance of \$33,000 to settle the works to be done at Lopinot, and that was only to have the connection to sewer lines. I want to make it very, very clear that the Government of Trinidad and Tobago is a prime mover in the construction of units in conjunction with the unions.

Sen. W. Mark: Mr. President, on a point of clarification. Could the Minister indicate, with this recent intervention in terms of the sewer arrangement, how soon construction work would commence at the Lopinot site? And, also, how soon he believes, in terms of the Pleasantville arrangement, would construction work start?

Hon. V. Lasse: Mr. President, it is very clear that the part that the Government had to play, and will continue to play, was the providing of infrastructure. That has been done, so it is now in the hands of the NUGFW to start construction as soon as possible.

Sen. Wade Mark also asked me to identify the number of persons who had gone to the assessment boards, but, he should realize that that is a very difficult task for me to sit here and assess. I believe an inquiry of that nature should come in the form of a question on the Order Paper, and I advise him to take that route.

The case for, is well made, but, I think before I complete my few remarks on what Sen. Wade Mark said, I want to remind him of the saying "little axe cuts down big trees."

Sen. W. Mark: Mr. President, is the hon. Minister threatening me?

Hon. V. Lasse: Mr. President, I also refer to some sayings such as "empty words are like drifting leaves under which little fruits of sense are found". And sometimes "silence is an option that one can exercise". I would not say more on that.

Mr. President, I now turn to the contribution of Sen. Hosein. He opened his remarks by quoting the wrong calypsonian, and this seemed to set the tone for his contribution. He admitted Government's policy to control rents is a desirable thing, and I agree with him on that because that is exactly what this piece of legislation is trying to do. But, the Government has stated its policy, quite clearly, in the Task Force Report which I believe, by now, should be public knowledge to Senators on the other side. I can simply suggest that he use that report and it would be instructive to him in a debate of this nature. I want to assure the Senator,

however, that the policies being adopted by this Government will always be in the interest of low income groups.

On the contribution by Sen. Kwabene: he gave his life story of living in houses built by the PNM Government. I think I should put the record straight because, he came to me concerning housing and he was afforded that opportunity. I was a bit surprised to learn today that he had some complaints concerning the existing conditions. Had he come to me, as he did in the first instance, I would have done everything possible to assist him in that regard.

5.30 p.m.

The policy of the Government is quite clear as it relates to recreational facilities wherever there are 400 houses or more, and we intend to pursue that policy.

Mr. President, I shall conclude on a very high note. Sen. Spence came to my rescue on the question of what I considered planned development. We have to allocate lands for agriculture and we have to allocate lands for other purposes including housing. And that is exactly what this Government intends to do. Having tried to answer the concerns of Members on the other side and having tried to make what was simple, simpler I beg to move that the Rent Restriction Act Chap. 59:50 shall continue in force for a period of three years commencing on February 24, 1993.

Question put and agreed to.

Resolved:

That the Rent Restriction Act 59:50 continue in force for a period of three years commencing on February 24, 1993.

TRANSFER OF PRISONERS BILL

Order for second reading read.

The Minister of Foreign Affairs (Hon. Ralph Maraj): Mr. President, I beg to move,

That a Bill to provide for the transfer between Trinidad and Tobago and other countries of persons convicted of criminal offences and for the enforcement of sentences passed upon them, and for purposes incidental thereto and in connection therewith, be now read a second time.

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Mr. President, the Transfer of Prisoners Bill 1993, which I have the honour to introduce in the Senate this afternoon, is, in my view, a very straightforward Bill. As the Explanatory Note indicates, this Bill is intended to give effect to the scheme for the transfer of convicted offenders within the Commonwealth which was adopted by the Commonwealth Law Ministers in Harare, Zimbabwe in 1986 and also the Convention on the Transfer of Sentenced Prisoners adopted in Strasbourg, France on March 23, 1983 by the Committee of Ministers of the Council.

In other words, this Bill is intended to incorporate our own system and our own laws into two arrangements: One, The Commonwealth Transfer of Prisoners Scheme and the other, the Convention on the Transfer of Sentenced Persons adopted by the Committee of Ministers of the Council of Europe.

At present there is no bilateral agreement or arrangement involving Trinidad and Tobago and any other state, be it Commonwealth or other, which would permit a prisoner from one jurisdiction to serve the remaining portion of his sentence in another. That in essence is one of the reasons why we are bringing this Bill at this time and, as I shall show later, we do have a situation where the Bill will be applicable immediately and quite valuable as well. It is therefore appropriate for me to outline the objectives and major principles of both the Commonwealth Scheme and the Council of Europe Convention before I actually address the provisions of the Bill.

The adoption of the scheme for the transfer of convicted offenders within the Commonwealth represents in my view a progressive step in the development of penology being based on humanitarian considerations. This is very important, and is one of the points I would be underscoring—the humanitarian concerns of this particular Bill based on the desirability of furthering the rehabilitation of the offender. That is an important philosophical underpinning of the Bill, this whole question of the rehabilitation of the prisoner within an environment to which he is accustomed and where he has access to his relatives and friends.

The central purpose of the scheme is to provide a framework for an offender convicted of an offence in a Commonwealth country other than his or her own to be transferred with his or her consent and that of the sentencing and administering countries concerned to serve his or her sentence in his or her country. I hope that is a very simple explanation of some of the conditions of this transfer that we are seeking to effect with the Bill—consent of the prisoners involved, as well as consent of both the sentencing and receiving countries.

The question of the transfer of convicted offenders has assumed increasing importance in bilateral relations internationally and, indeed, this is evident in the genesis of the scheme that you have two very high-level international organizations dealing with this particular matter. We in Trinidad and Tobago have been receiving requests from countries to give effect to this law so that we can participate in the transfer of prisoners. Of course, all of this goes towards solidifying the harmonious relations that we have with countries of the world.

It is appropriate to note at this point that in February, 1983 the Commonwealth law ministers met to discuss the report on the European Convention. So that there was awareness of both schemes—Commonwealth Ministers met to discuss the report on the European Convention on the transfer of sentenced prisoners, which had then recently been opened for signature by the Member states of the Council of Europe. Exceptionally for such conventions, non-member states may be invited by the European Committee to accede to the convention.

In conformity with the wishes of the law ministers, the Commonwealth Secretariat sought to explore ways in which both the level and quality of mutual assistance in criminal matters might be improved. The end result was a scheme for the transfer of convicted offenders which was originally drafted and circulated to the governments of Commonwealth countries in June, 1984. This scheme followed the Council of Europe Convention quite closely in form and only adapted the wording as necessary for application to the Commonwealth and to conform to Commonwealth terminology and precedent. A number of states within the Commonwealth have adopted the scheme by enacting the relevant legislation and among these countries are the United Kingdom and Zimbabwe.

The Convention on the Transfer of Sentenced Prisoners had its genesis in the adoption of Resolution No. 1 of the 11th Conference of the European Ministers of Justice held in Copenhagen from June 21 to 22, 1978 by which the Committee of Ministers of the Council of Europe was invited to ask the European Community on crime problems *inter alia* to consider the possibility of drawing up a model agreement providing for a simple procedure for the transfer of prisoners which could be used by member states in their relations with non-member states.

5.40 p.m.

The European Committee on crime problems then authorized a select committee of experts on foreign nationals in prison, to prepare a multilateral convention, rather than a model agreement, provided it would not conflict with the

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provisions of existing European conventions. To date, 27 states have become contracting parties to the Convention on the Transfer of Sentenced Persons. I could possibly point out the states, but I do not think it is necessary.

The only non-European members which are party to the convention organized by the Council of Europe are the Bahamas, Canada and the United States of America. The two latter mentioned countries also actively participated in the elaboration, in that they participated as observers of the process of this particular convention. Within the Caricom region, the Bahamas is the sole contracting party to the Council of Europe Convention.

The purpose of the convention is to facilitate the transfer of foreign prisoners, as I said before, to their home countries by providing a procedure which is simple, as well as expeditious. The convention takes account of modern trends in crime and penal policy. As penal policy has come to lay greater emphasis on the social rehabilitation of offenders, it may be of paramount importance that the sanctions imposed on the offenders are enforced in his home country, rather than in the state where the offence was committed and the judgment rendered. As I articulated earlier, the whole idea behind this is to ensure that the offender, for rehabilitation purpose, is within an environment to which he is accustomed and which will help him in the whole process of rehabilitation, avoiding language barriers and cultural problems.

One important issue distinguishes the Commonwealth Scheme from the Council of Europe Convention. The Convention in article 12 provides that each party, both the sentencing party and the administering or receiving state, may grant pardon, amnesty or commutation of the sentence in accordance with its constitution, or other laws. On the other hand, the Commonwealth Scheme provides that unless the sentencing and administering countries, otherwise agree, the sentencing country alone, may grant pardon, amnesty, or commutation of the sentence in accordance with its constitution or other laws. This is an important difference between the two arrangements

It is evident that the scheme can do no more than propose certain broad principles. Its application between governments will require detailed consideration of their respective laws, relevant procedures and agreement on various matters. So that there are the broad principles, but the application, of course, depends on the mutual agreement of the governments involved.

At this time, Trinidad and Tobago is unable to entertain any requests for the repatriation of its own nationals who are in prisons abroad, even though there may be compelling humanitarian reasons. There is one such case that attracted my attention ever since I became the Minister of Foreign Affairs: That is the case of Mr. Keith Smith also known as Gohoba Benjuda. He is a national of Trinidad and Tobago who was convicted by a Tanzanian court.

On the request of the Government of Trinidad and Tobago, the Government of Tanzania has granted a presidential, conditional, remission order, which permits the transfer of Mr. Benjuda to serve the remainder of his 20-year sentence of imprisonment in Trinidad and Tobago. This national is still in Tanzania, because we have not yet adopted the Commonwealth Scheme nor have we become a party to any other treaty which provides for the transfer of prisoners. I am hoping that we would soon be able to accept the offer of the Tanzanian Government with respect to this national who is there serving a 20-year sentence. The background of the case is that he has been accused of murder.

If the Government of Trinidad and Tobago does not honour its commitment in this matter to repatriate this national, it is possible that the clemency granted to this prisoner could be compromised.

Furthermore, I am of the view that the reasons for the establishment of the scheme for the transfer of convicted offenders within the Commonwealth, and the Convention on the Transfer of Sentenced Persons, are valid. These instruments are intended to ease the offender's eventual reintegration into his home country. By enabling him to serve his sentence where he would be more likely to retain links, as I said before, with family and friends this could be easily achieved.

An important consideration is that to be involved in this transfer is to be defrayed by the sentencing and administering countries' in such proportions as they may agree, either generally or with regard to any particular transfer.

We have sought through our diplomatic channels to obtain information concerning nationals who are in prison all over the world, in the major capitals, at least. Additionally, information was also sought from the Commissioner of Prisons in Trinidad and Tobago with regard to foreign nationals who are imprisoned in our own country. Consultation with our diplomatic missions abroad have revealed that a limited number of Trinidad and Tobago nationals are imprisoned abroad on various offences. For example, in the case of the United

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Kingdom, there are presently five nationals; two in Rome/Italy; with respect to Canada 12. The Government understands that individuals who are convicted and sentenced to prison terms of less than two years are incarcerated in Canadian provincial institutions. We are still awaiting information with regard to our nationals who are imprisoned in America.

It has also been established that a total of 85 persons of foreign nationality are serving custodial sentences in Trinidad and Tobago. I will give you a breakdown of these. Of these foreign nationals who are in Trinidad and Tobago, there are 68 convicted, and 17 unconvicted which make a total of 85. A further breakdown will show that there are 17 convicted females and 4 unconvicted females; 48 convicted males and 13 unconvicted males.

These inmates are citizens of the United States of America, the United Kingdom, Canada, Venezuela, Jamaica, Guyana, Barbados, Grenada, St. Vincent and the Grenadines, Dominica, St. Lucia and Ghana.

5.50 p.m.

As I was saying earlier on, the Government of this country has been receiving requests from various other countries, such as the United States of America and Great Britain, through diplomatic communications. The Government of Canada has also, through diplomatic channels, proposed an agreement to conclude a Transfer of Offenders Treaty. We have been having requests from various countries and Canada has also encouraged us to become a party to the Convention. The enactment of this particular piece of legislation will enable the Government to respond to those requests and will also provide a flexible mechanism to facilitate the repatriation of prisoners of foreign nationality, and could reduce to a certain extent the prison population in our own country.

The Bill accordingly seeks to implement a scheme for the transfer of prisoners within Commonwealth countries and to enable Trinidad and Tobago to enter into bilateral agreements with countries which have not adopted the scheme or have not become a party to the European Convention on the Transfer of Sentenced Persons.

With your permission, Mr. President, I should just like to go through quickly the provisions of the Bill.

Clauses 1 and 2 are self-explanatory.

Clause 3 provides that the provisions of the Bill shall apply to a country which is declared by ministerial order to be a country to which the Bill applies when an agreement which is defined to include a treaty, has been entered into between the country and the Government of Trinidad and Tobago.

Clause 4 authorizes the Minister to whom responsibility for the administration of prisons is assigned to issue a warrant for the transfer of a prisoner to Trinidad and Tobago upon the application of such prisoner and with the agreement of the country in which he is incarcerated. It also prescribes the conditions under which the warrant may be issued and the particulars to be included in the application of transfer. I suspect that I could leave some of these provisions to be dealt with by my colleague, the Minister of National Security, in his contribution to this debate.

Finally, Mr. President, the enactment of this legislation will enable this country to effect the transfer of prisoners to and from Trinidad and Tobago under the scheme for the transfer of prisoners within the Commonwealth, and to accede to the Convention on the Transfer of Sentenced Persons in accordance with the procedures stipulated therein. We would be able then to participate in both arrangements for the transfer of prisoners. I want to underscore that at this present time the state is unable to do this because of the absence of this legislation.

I therefore want to urge hon. Senators to support the passage of this Bill and I have great pleasure in moving that this Bill be now read a second time.

Sen. Daly: Before the Minister takes his seat, would he be good enough to tell us how many of the 68 convicted persons have been convicted of drug-related offences?

Hon. R. Maraj: I am unable at the moment to give the Senator that information, but I am sure in the course of the debate we shall be able to provide him with that.

Question proposed.

Motion made, That the Senate do now adjourn to Tuesday, March 2, 1993 at 1.30 p.m. [Hon. L. Saith]

Question put and agreed to.

Senate adjourned accordingly.

Adjourned at 5.56 p.m.