

Leave of Absence

Tuesday, November 2, 1993

SENATE

Tuesday, November 2, 1993

The Senate met at 1.30 p.m.

PRAYERS

[MR. VICE-PRESIDENT *in the Chair*]

LEAVE OF ABSENCE

Mr. Vice-President: Hon. Senators, the President of the Senate, Sen. The Hon. Emmanuel Carter has been granted leave for the period November 1, 1993 to November 30, 1993.

Sen. Prof. John Spence has been granted leave from the Senate for the period October 30, 1993 to November 15, 1993. Sen. The Hon. Joan Yuille-Williams, Sen. The Hon. Barry Barnes and Sen. John Rooks have been granted leave from today's sitting.

SENATOR'S APPOINTMENT

Mr. Vice-President: I have been advised that His Excellency the President has appointed Prof. Lawrence Wilson to be a temporary Senator with effect from November 1, 1993 and continuing during the absence from the country of Sen. Prof. John Spence.

OATH OF ALLEGIANCE

Sen. Prof. Lawrence Wilson took and subscribed the Oath of Allegiance as required by law.

PAPER LAID

Report of the Auditor General on the accounts of the Agricultural Development Bank of Trinidad and Tobago for the year ended December 31, 1992. [*The Minister of Planning and Development (Sen. Dr. The Hon. Lenny Saith)*]

ORAL ANSWERS TO QUESTIONS

**Central Bank
(Merger)**

5. Sen. Martin Daly asked the hon. Minister of Finance:

Could the Minister kindly state:

- (i) In accordance with which of the provisions of section 44D(1) (a) to (c) of the Central Bank Act did the Central Bank form its opinion when it

assumed control of the National Commercial Bank under section 44 D of the Act?

- (ii) What were the circumstances giving rise to the opinion formed by the Central Bank?
- (iii) By virtue of what legal powers has there been a merger of the National Commercial Bank, Workers Bank (1989) Limited and Trinidad Co-operative Bank Limited at the initiative of the Central Bank?

**Central Bank
(Equity Funding)**

6. Sen. Martin Daly asked the hon. Minister of Finance:

Could the Minister kindly state:

- (a) In what sum will the Central Bank provide initial equity funding of First Citizens Bank?
- (b) What will be the source or sources of funds for the proposed equity funding?

The Minister of Finance (Hon. Wendell Mottley): Mr. Vice-President, I would take questions Nos. 5 and 6 simultaneously. These questions cannot be appropriately answered at this time since there is an application for judicial review by a shareholder of the Trinidad Co-operative Bank Limited.

Sen. Daly: Mr. Vice-President, who determines whether that is a correct response to the questions? Is it in the subjective judgment of the Minister? Sir, can you guide me? I know it is a difficult question.

Mr. Vice-President: Yes, Sen. Daly, it is a difficult question. I am referring to the Standing Orders. Mr. Minister can you indicate when Sen. Daly might get the answers to his questions?

Hon. W. Mottley: Mr. Vice-President, I would imagine that as soon as the judicial process has run its course.

Sen. Daly: This business of First Citizens Bank is a very serious matter. The Minister has come—I may say after I consented to a postponement of two weeks—and without any warning, has taken refuge in judicial proceedings. I am asking on a point of order for your guidance, whether it is for the subjective judgment of the Minister rather than for the Chair that he can take refuge in judicial proceedings.

I emphasize, I have had no warning. Two weeks ago, I was approached about whether there might be a postponement of the question. I am at a loss in the situation. This is why I seek your guidance, to know whether the Chair abdicates or is forced by the Standing Orders to abdicate in this matter.

If it meets with your agreement principally—I still regard you as determining what goes on in the Senate procedurally and not the Minister—if it would assist, perhaps the matter can be adjourned for a week so that some mature ruling could be given on the matter.

At the moment, I am protesting that the Minister and not the Chair decides a procedural matter.

1.40 p.m.

Mr. Vice-President: Sen. Daly, the Minister has given an answer. It may not be, in the circumstances, what some of us might consider an appropriate answer. I would like to get some guidance on this matter because it is a difficult question.

Sen. Daly: Would you accede to my respectful request that rather than the answer be accepted, the matter be deferred for two weeks so that we can get some ruling?

Mr. Vice-President: Sen. Daly, the Minister has answered the question.

Sen. Daly: I do not want to argue with the Chair, but we see that he is purporting to give a blanket answer in relation to questions 5 and 6, and it is difficult at the moment to accept, on the face of it, how that answer could apply to question 6. That is a decision which the Government took quite apart from any litigation.

Is it your ruling that in these matters the judgment of the Minister as to whether it is covered by judicial proceedings is what rules? If that is so, then it means that in the matter of these questions the Chair has no role.

Mr. Vice-President: I do not think it is a question of the Chair not having a role. I think it is a question of judgment as to the appropriateness of the answer. In the circumstances, I think we should proceed at this time.

Sen. Daly: As you please, Sir.

The following question stood on the Order Paper in the name of Sen. John Rooks:

Television Advertisement

7. (a) Is the hon. Minister of Information aware that over the last two months there has been an advertisement on all three television stations being displayed several times per day, of the Prime Minister asking the population to "go down the road with him"?
- (b) Is the Minister further aware that in local parlance this means that the country is going down and we should expect more difficult times ahead?
- (c) Will the Minister please advise of the cost to date for these advertisements and who is paying this?

Mr. Vice-President: Sen. Rooks is absent and he has asked that question No. 7 be deferred for one week.

Question, by leave, deferred.

LAND ACQUISITION

The Minister of Planning and Development (Sen. Dr. The Hon. Lenny Saith): Mr. Vice-President, I beg to move,

That this Senate approve the decision of the President to acquire the lands described in the Appendix for the public purposes specified.

Mr. Vice-President, there are some corrections as follows:

Schedule 1: the land area is 506.1 square metres and not 596.1.

Schedule 5: .0719 hectares said to belong formerly to S&C Seenath, not "S and C.

Schedule 6: the name is Seeram Namdeo.

In respect of parcel No. 1, the section 3 notice which is the notice of intended acquisition was published on January 27, 1993; the section 4 notice, which is the authority to commence work on the parcel of land, was published on January 29, 1993. The parcel of land was used in the laying of a sewer trunk main and construction of an access road to the Couva North housing settlement project.

In respect of parcel No. 2, section 3 notice was issued on July 5, 1979; section 4 notice on July 31, 1979, and the land was utilized for the construction works of the Uriah Butler Highway.

In respect of parcel No. 3, section 3 notice was issued on July 29, 1976; section 4 notice on September 8, 1977, and the land was utilized for the construction of a road off Mango Alley No. 2 in Trou Macaque.

Parcel No. 4: the section 3 notice was issued on August 15, 1974; the section 4 notice on September 9, 1974, and the parcels were utilized for the construction of the Claude Noel Highway.

Parcel No. 5: the section 3 notice was issued on July 5, 1979; the section 4 notice on July 31, 1979 and the land was utilized in the construction of the Uriah Butler Highway.

Sen. W. Mark: On a point of order, Mr. Vice-President. I am finding it difficult to follow what the Minister is saying. I think that at least he could have given us an appendix with some corrections. He is moving at a rapid pace in terms of identifying corrections, and somehow I am not following clearly what he is saying.

Mr. Vice-President: Sen. Wade Mark has identified three corrections and he is continuing to present his Motion at this point in time.

Sen. Dr. The Hon. L. Saith: There are three corrections. What I am now presenting is the information with respect to the dates and the notices for each parcel.

Parcel No. 6: the section 3 notice was published on October 21, 1983; the section 4 notice on December 1, 1983, and the lands were used in the construction of an access road off St. John's Trace in Avocat.

Parcel No. 7: the section 3 notice was published on March 19, 1981; the section 4 notice on May 14, 1981 and the lands were utilized for improving bridge works at B11, Morne Coco Road, Diego Martin.

Parcels Nos. 8 and 9: the section 3 notices were published on August 18, 1977; the section 4 notices on August 22, 1977. Four parcels on those notices were acquired in 1977, and this completes the acquisition of the remaining parcels of land which are necessary for the development of the San Fernando Hill.

As hon. Senators are aware, by bringing this Motion to Parliament, this enables us to publish the section 5 notices so that the Government can begin negotiations with the landowners for payment of compensation.

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I also wish to advise the honourable Senate that work on the new Land Acquisition Bill has been completed by the Chief Parliamentary Counsel and the matter is now to be sent to Cabinet. It is my hope that it will be introduced in Parliament before the end of the year.

Question proposed.

1.50 p.m

Sen. Wade Mark: Mr. Vice-President, we on this side, whenever matters of land acquisition come before the Senate, particularly when these acquisitions are for public purposes as defined, we cannot in good conscience oppose these measures. However, the issue that we are faced with in this particular Motion is one of false promises, and I want to start off with the issue of false promises.

The present Land Acquisition Act, as you know, is extremely unfair. I have raised the issue over and over, that is, the issue of compensation to persons whose properties have been seized, actually taken over by the state, given the law governing that kind of activity in this country, and people have not been properly compensated.

A draft Bill was published about two to three years ago, under the last administration, in an effort to address some of the deficiencies of the current legislation and the hon. Minister of Planning and Development, who is now acting Prime Minister, has been coming to this Senate time and time again and indicating that this new Bill would come here shortly. Again he has indicated hope. He hopes, that very shortly, this matter will come before this Parliament, possibly by the end of this year.

We discussed land acquisition, as my records indicate, some time in June, 1992, and on that occasion I raised the issue about the status of this particular piece of legislation. The Minister in his normal style indicated that that matter was being addressed. He indicated that:

"Comments have been received, a team of officials has reviewed these comments and has made a series of recommendations to the Minister. I dealt with them last night..."

That was at that time:

"...and it is my intention that by the middle of this month..."

which was June, 1992—

"...my recommendations to Cabinet would be made in respect of the amendments, if any, to the draft legislation."

That was in June, 1992.

Mr. Vice-President, in November, again, I raised the issue about this particular piece of legislation which is outstanding and is causing much inconvenience to landowners in this country. I had indicated at that time that I was waiting with bated breath to receive this piece of legislation and the Minister assured all of us here that the matter was in the hands of the Attorney General and that he proposed to take this matter to the Cabinet the next week. He also said, that hopefully after that, it would come to the Parliament in the normal process of how Bills arrive in Parliament. This was November 17, 1992.

Today, we are almost a year later, and the Minister in question has told us a short while ago, that, hopefully—the matter is yet to be sent to Cabinet, even though he indicated as much last rounds, in November 1992 it would be sent shortly and would be brought to this Parliament.

The reason I am raising this particular matter is that many poor people in this country have encountered severe hardships as a result of the unjust nature of the present legislation that governs the acquisition of land in this country. As Senators would have noted in the Minister's presentation, a number of parcels of lands have been acquired and, as he indicated, there is a process involved under the present legislation in terms of how lands are acquired and when people are compensated when lands are acquired.

Since 1979, in a particular instance, the state took possession of people's lands and the state is now before this Parliament, seeking approval to begin negotiations insofar as compensation is concerned. Mr. Vice-President, 1979, today is 1993, 14 years after, and the persons in question have not been compensated by the state. I am certain that under the present arrangement, the interest rate, which is about 6 per cent, would not be altered. So that people are being inconvenienced, because when they take one's land, he has to vacate, he has to go somewhere else and the state is operating in a very unjust fashion. We are saying that the state, when it acquires people's property must move speedily to compensate those persons whose properties have been acquired.

This particular draft legislation that the Government has been playing hanky-panky and footsy with, for almost two years—they have been in power two years now, the last administration introduced it, they were not responsible for its

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introduction and yet the Government is still pussyfooting and playing around with a very important piece of legislation that can, in fact, relieve hundreds of persons who have been unjustly and insensitively dealt with by this Government under the current land acquisition law of this country.

2.00 p.m.

Mr. Vice President, we on this side believe that there are many deficiencies in the present legislation, in terms of the procedure for acquisition, the method of assessment for compensation and the payment of interest, as well. Therefore, it is our view that grave injustices continue to exist under the present law and we urge the Government—when they want to pass legislation to exempt themselves by administrative fiat to gain special privileges and preferences, to buy good vehicles, they do it rapidly and speedily; but when the Prime Minister has to repair his home, spend millions of dollars, that is done rapidly and speedily, but when the Government acquires the property of private citizens, these citizens have to wait 13 years to get some "kakadah", to get some compensation from the state, at a fixed rate of interest and there is a draft law that was supposed to have been passed a year ago still gathering dust somewhere. I ask myself, whether this Government is really concerned about those citizens whose lands have been acquired, and who still await proper payment.

Mr. Vice-President, we no longer have much faith in the Minister of Planning and Development. Many are the false promises—this is the fourth false promise—he has saddled on this Parliament concerning this new draft Bill in two years.

Sen. Saith: You have quoted only two.

Sen. W. Mark: I have quoted two so far.

We again ask the hon. Minister of Planning and Development—because he is a landowner and he would not like that to be done to him, so why do that to other people in this country—currently acting as Prime Minister, whilst the Prime Minister is out of the country—to move swiftly to bring the new legislation to this Parliament. We would like him to do that, Sir. I know he has the capacity to move swiftly in other areas while the Prime Minister is out—which I will deal with in another matter.

Under section 3 of the present law what happens—I think that we need to provide some information to our colleagues here, because the Minister talked about section 3 and section 4 and did not tell us exactly what these things are

about. Mr. Vice-President, I am sure you can well imagine a situation where your land has been acquired—the state simply puts a publication, via the *Gazette*, of a decision in the name of the President to acquire property for public purposes. That is done under section 3 of the present law and within a few hours the state can move in and begin to do what it has proposed to do. Under section 3 of this particular Act that we are debating—because this is an Act we are dealing with here—there is absolutely no consultation with the particular person who is affected, none whatsoever. That is unfair. The Government should not enter my property and just seize it. That is an outdated law, that was during the war days. We are living in a democratic state now and the proposed new legislation is supposed to address this. The Government is conscious of this, the Minister is conscious of it, why then, this unnecessary delay in this matter?

Section 4 of this present Act allows the Government to enter one's land and proceed to do public works without any payment, without any compensation. So they seize your property, they enter and they begin to work, and you are out in rain under the present law. No compensation!

Section 5 of the Act is what we are debating today. The Minister comes with a Motion seeking Parliament's approval in order to begin discussions and negotiations with the ultimate objective of engaging in some kind of compensatory arrangement in respect of the individuals or owners in question. We feel that this is a situation that has to be addressed very, very urgently. As you know, Mr. Vice-President, compensation under the present law is based on the market value of the land 12 months before this section 5 is invoked.

The proposed draft legislation seeks to correct this defect by making provision for compensation to be paid from the time the state takes possession of the lands. The hon. Minister is aware of this. The concept of compensation would be changed to include loss of use or business from the time the state enters and takes possession. No Senator, including Dr. Saith, my good Friend Sen. Rahael, no one would want to experience the kind of injustice that is currently being meted out to owners of property in this country. Therefore, we want to insist that the Minister deal with this matter very speedily.

The draft Bill that the Minister has failed to bring to this Parliament so far, establishes time schedules to compel—*[Interruption]* No, we are not debating it, we are saying that the Government is aware of these new provisions, and what we are arguing at this time is why the Government has taken so long to bring this

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legislation to Parliament when it is aware that there are provisions in the Bill to give poor people more justice. That is the point I am making. Rich people like you, as well. We are saying that this matter has to be dealt with expeditiously and we are asking this so called "caring" Government, which is absolutely oppressive—all this caring they are talking about they are oppressive—why in some instances, a matter which can be addressed in two years has to take 15 years? In two years or less matters such as these could be addressed.

2.10 p.m.

Therefore, we believe that the Government is acting immorally in coming to this Parliament, conscious of the new provisions in the draft legislation, to seek parliamentary approval to actually short-change landowners in this country, to short-change property owners when it knows that there are provisions in the new draft to correct some of the deficiencies in question.

Mr. Vice-President, we would have hoped that a government that is strapped for accommodation for government buildings and offices would accept that land acquisition is related to this as well. Just recently the Government acquired an ALGICO building for, I think close to \$5 million. The building is still there. I pass there almost every day. Nothing is taking place there. So ALGICO goes home with \$5 million or thereabouts, and the building seems to be just there. I do not know what is taking place there. I see no activity. Maybe the Minister of Public Administration can tell us what is taking place at ALGICO, the building that was acquired on behalf of the state. What is taking place with that property?

In the Auditor General's Report of 1992, it is stated that in 1991 taxpayers of this country spent almost \$33.6 million on rental office accommodation. In 1992, it went down to \$26 million. This is what the report states. Why does this Government not move rapidly to acquire property for accommodation for offices so that we can get rid of this amount of money that we are paying to landlords in this country? We would want the Minister to look at this very seriously.

On the one hand, under this law and under the new one that is to come, the Government has to come to this Parliament for approval in order to acquire property for public purposes, in this instance one of the parcels is to facilitate the laying of the sewer trunk main and construction of the main access road to the Couva North settlements project. I do not know if that has to do with the CRC which was launched recently and that is part of it, but we welcome this. Then there is the question of the improvement of the Uriah Butler Highway. For all these things, they have to come here to this Parliament to seek its approval.

We wonder—and I ask the hon. Minister of Planning and Development—why is it when Government is seizing people's property under the law, it has to seek parliamentary approval to begin discussions or negotiations surrounding compensation but when this Government sells out or disposes of the state property that is owned by the population of this country, it does not have any legal obligation to come to this Parliament to tell us why it must sell out Urea, give it away? The Adam Smith Institute is floating about this country advising Government, but the Adam Smith Institute also advised Mrs. Thatcher and she was kicked out, so the Government must take note. Do not get too attached to the Adam Smith Institute.

Mr. Vice-President, the point that we are making is that there ought to be an arrangement that compels this Government or any government, in the same way that it has to seek parliamentary approval, it must come here and seek approval when it is disposing of the country's assets. This is what we are saying on this side.

Where is the accountability? We have accountability in this instance, but we have no accountability when it comes to the proposed sale of T&TEC and WASA, but that will be the PNM's Waterloo. They can proceed. They are not seeing what is happening, you know. Parties are being swept away completely, even prime ministers are losing their seats, acting as well.

Sen. Capildeo: But he does not have a seat.

Sen. W. Mark: No. If he had any intention.

We are demanding that this Government provide the society and this Parliament with greater accountability in terms of this issue that I have raised.

As you know, Mr. Vice-President, there is a particular matter, a loan agreement that the Government recently entered into in which it is supposed to privatize 27 state enterprises. They used all kinds of fancy words, divest—the word is privatize—they have not named those enterprises, but we need to understand this matter. We know there is an inner Cabinet and he is the leader—inner Cabinet of three—a durable salesman who has no authority in this country. None! Nobody elected him. He is all over Europe; wherever the Prime Minister is, he follows—

Sen. Capildeo: By coincidence. He does not travel on the same plane.

Sen. W. Mark:—and is selling out this country.

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We are saying that just as we have accountability in terms of land acquisition, the Government must have accountability in terms of disposal of people's property in this land. We would like to know if there is a link, because the Government is privatizing everything. I know they will probably want to privatize the Government shortly, maybe get rid of the Cabinet and bring in the real government, Sidney Knox and Dr. Lenny Saith; the real businessmen, Sabga and so forth, and let them run this country and privatize it. That is what is going on.

We would like to know if there is a link—and the Minister must let us know that—between the new land acquisition bill and Government's land reform policy. Is there any connection? We would like to get it from our good Friend, the hon. Dr. Lenny Saith.

We have expressed some concerns about this matter. We have lost confidence completely in the Minister of Planning and Development in terms of his false promises about the Land Acquisition Bill which is a very important piece of legislation. We are fed up with promises in this Parliament. We want action. We want the Bill to be tabled and we want to debate that Bill quickly, so that people whose lands are being acquired could in fact get proper compensation.

I would like to indicate in closing, that scores of people have experienced tremendous injustice under this old law and we call on this Government to move to introduce the new one. The present law is unjust, and Government cannot continue to hide or to ignore the injustices of this particular law. We call on the hon. Minister to engage in urgent activity to redress this situation and we also call on the Minister of Planning and Development not to give us any promises again. We want a firm date otherwise do not tell this Parliament that the Bill is coming here shortly. Give us a firm date or do not tell us anything.

We are saying that the time has come when the Government must address this issue of proper compensation to people whose properties have been taken under the law, in a sometimes brutal fashion—24 hours' notice and you roll in and you take people's property. We are saying that the days of Gestapo politics and Hitlerism are over. Those are colonial times. We have passed that stage and, therefore, as a fledgling democracy, under tremendous stress and strain as we know, we want to promote democracy in our country and we want to advance the interest of the broad masses of our citizenry. One of the ways of doing that is to ensure that when people's lands are taken away, they are rapidly and adequately compensated and they are given some opportunity to be heard in their own defence.

2.20 p.m.

So whilst we would reluctantly go along with this Motion, we serve notice on the hon. Minister of Planning and Development—do not play tricks with this Parliament any longer; do not bring a bag of false promises here—we want to get the Land Acquisition Bill tabled in this Parliament so it can be properly debated.

I want to know if the Bill is going to be made retroactive as well, because the fact of the matter is that the Government, the Opposition, and I am certain the Independent Senators, are aware of the provisions of the Bill that is being proposed. I would like to ask the hon. Minister, when he is making his final contribution on this matter, to say whether the Government is thinking about retroactivity in terms of people's lands which have been acquired since this new Bill was drafted in 1991, or thereabouts. I want to know whether the Government would be prepared—conscious of the fact that there are new provisions in this Bill—to address the wrongs that I have identified, to deal with retroactivity in terms of adequate compensation to those persons whose lands were acquired in a very forceful manner, as a result of the law as it exists.

I am not blaming Sen. the Hon. Lenny Saith for seizing people's properties, what I am saying is that the law that exists today is extremely harsh, oppressive and unjust and the Minister is aware of this. I am saying that the time has come for us to think about compensation on a retroactive basis for those landlords. I am talking about the properties acquired, from 1991—I am not going way back—the time that the Bill was drafted, whether the Government would be giving consideration to this matter.

Those are our observations on this Motion that is before us and we hope that the hon. Minister would take it in stride, or in the manner and style in which it has been presented, to ensure that that Bill comes before this Parliament, not shortly, but we want a firm date from the hon. Minister as to when this Bill would be presented. Thank you very much, Mr. Vice-President.

The Minister of Public Administration in the Office of the Prime Minister (Sen. The Hon. Gordon Draper): Mr. Vice-President, I rise, really, to treat with one issue raised by Sen. Wade Mark in the course of his contribution, and that refers to the ALGICO building.

First, let me say that it is good to note that Sen. Wade Mark has expressed his endorsement of Government's policy to acquire the ALGICO building, as we may do others, to provide suitable accommodation for the public service.

Sen. W. Mark: Mr. Vice-President, on a point of clarification. I never, at any point in time, indicated to this Parliament that I am in agreement with the Government overpaying ALGICO to the extent that it did. I am saying that we should acquire property, but you see, there is a conflict of interest which I did not get involved in here. That, probably, would be the basis of another debate. But quote me properly on this matter, Sen. Draper.

Sen. The Hon. G. Draper: As I was saying, we note the endorsement of Sen. Wade Mark of Government's policy, in principle, towards providing adequate accommodation for the public service, and that the direction which was taken with regard to the ALGICO building, which, no doubt, would be taken for other buildings, has received the blessing of the hon. Senator.

With regard to the specific concern he raised, he noted that his forays around the savannah suggested that no work had been done. Let me indicate to this Senate that part of the agreement with regard to the purchase of that building included the ALGICO company itself, under the supervision of the Ministry of Works and Transport, undertaking significant repair work, including repair work on the roof, the electrical fittings and other structural work that had to be done before the building could, in fact, have been occupied. That work has now been completed.

The second phase of the work which needed to have been done to allow occupation of the building was internal work regarding partitions, and the moving in of furniture and fittings, and that is currently underway at that building around the savannah, which would allow the Ministry of Community Development, Culture and Women's Affairs to occupy that building as its main office building early in 1994.

Hon. Senators may also note that the terms of the sale of that building allows, up to now, no movement of cash, but that the Ministry of Finance has, through a bond mechanism, arranged for a deferred payment to ALGICO. So that we have, in fact, been able to acquire improved accommodation for the public service at appropriate and good terms, in fact, for the people of Trinidad and Tobago.

Sen. W. Mark: On a point of clarification. Would the hon. Minister of Public Administration be prepared to table in this Parliament, the agreement that was signed between this Government and ALGICO to acquire this building, so that the parliamentarians here would be able to understand the terms of conditions that have been defined, in the interest of the population? He said that it was done in the interest of the population of Trinidad and Tobago. Would he be kind enough

to table in this Parliament, the agreement governing the terms and conditions of that sale?

Sen. The Hon. G. Draper: Mr. Vice-President, this Government has always said that it is committed to accountability, that it is open to full communication and disclosure. I have no objection to that request and will table the requisite papers for the scrutiny of this honourable Senate.

Sen. W. Mark: Would he be so kind to tell us, when? We keep hearing, "we will, and we will and we shall, and shortly." We would like to get a specific date. Would we be able to get that document at the next sitting of the Senate?

Sen. The Hon. G. Draper: Mr. Vice-President, I will not commit for next sitting; I will commit to provide it before the end of the year.

I was about to wind up, because there are some of us who make our points and sit down. I rose simply to put on the record of this Senate, a response to some concerns coming from the other side, again in the context of openness and providing information, to say that the physical work has been completed, we are about to complete the internal work and we consider it good investment to provide the public service with good accommodation.

I thank you, Mr. Vice-President.

The Minister of Planning and Development (Sen. Dr. The Hon. Lenny Saith): Mr. Vice-President, I want to assure Sen. Wade Mark that we always take what he says in stride, we understand the manner in which he presents it, all sound and fury, hyperbole, and even Sen. Wade Mark himself does not believe half of what he says, but he says it anyway.

We have indicated before that there are deficiencies in the present Land Acquisition Act which we are seeking to correct by bringing a new Bill to Parliament. If only for the record, let me indicate the progress on that Bill.

The draft Bill was put out for public comment in September 1991, with a deadline of October, 1991. The comments were received and a technical team from the Ministry of Planning and Development, during the period November, 1991 to May, 1992, evaluated the comments and studied the Bill. As a result of that a draft report was submitted to the Minister on May 8, 1992.

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During the period May to June, the Minister met with the team and requested them to review some of the points raised in that report. As a result of that exercise, the team reported, finally, to the Minister of Planning and Development on November 5, 1992. On December 3, 1992, on submission to Cabinet by the Minister, the Government approved the recommendations of the review team for amendments to the Act and in accordance with the practice by which legislation is prepared for Parliament, those recommendations were forwarded to the Chief Parliamentary Counsel, in December, 1992.

2.30 p.m.

As I have indicated in my contribution earlier, my understanding is that the CPC has now completed work on the Bill, it is ready to come to Parliament, but it needs to be returned to the Cabinet for final approval. As soon as that is completed we propose to bring the Bill to Parliament.

Other matters raised by the hon. Senator, in fact, will be debated when the Bill is laid, including whether it will be retroactive or not. I do not propose to anticipate the debate that will take place when the Bill is laid.

Question put and agreed to.

Resolved:

That this Senate approve the decision of the President to acquire the lands described in the Appendix for the public purposes specified.

APPENDIX

Description of Land	Public Purposes for which to be acquired
1. The following parcel of land containing five hundred, and six point one square metres (506.1m ²) more or less, situate on the northern side of Carli Bay Road, in the ward of Couva, in the county of Caroni, described in the Schedule hereto and coloured raw sienna on a plan of survey filed with the Director of Surveys in his office.	To facilitate the laying of the Sewer Trunk Main and construction of the main access road to the Couva North Settlements Project.

APPENDIX (cont'd)

Description of Land	Public Purposes for which to be acquired
<p style="text-align: center;">THE SCHEDULE</p> <p>A parcel of land comprising 506.1m² (5,448 sq. ft.) situate on the northern side of Carli Bay Road at its junction with Victoria Street in the ward of Couva, county of Caroni and said to belong now or formerly to Paras Kowlessor and Sylvia Harrison.</p> <p>This parcel is more particularly shown coloured raw sienna on a survey plan filed in the vault of the Lands and Surveys Department, Red House, Port of Spain.</p> <p>2. The following parcel of land containing zero point one five four four (0.1544) of an hectare, more or less, situate at the junction of Clarke Road and Uriah Butler Highway, in the Borough of Chaguanas, in the county of Caroni, described in the Schedule hereto and coloured raw sienna on a plan of survey signed by the Director of Surveys and dated April 3, 1993, executed under Survey Order No. 91/92 and filed in his office.</p> <p style="text-align: center;">THE SCHEDULE</p> <p>A parcel of land triangular in shape comprising 0.1544 of an hectare, more or less, situate approximately 130 metres south of John Peter Road, at the junction of the south bound carriageway of the Uriah Butler Highway and Clarke Road, Charlieville, in the borough of Chaguanas, in the county of Caroni and said to belong now or formerly to Genevieve La Croix.</p>	<p>Improvement to Uriah Butler Highway.</p>

APPENDIX (cont'd)

Description of Land	Public Purposes for which to be acquired
<p>The parcel of land is more particularly shown coloured raw sienna on a survey plan filed in book 1140 folio 136 in the vault of the Lands and Surveys Department, Red House, Port of Spain.</p> <p>3. The following parcel of land containing eighty-nine point seven square metres, (89.7m²), more or less, situate at Laventille, in the ward of St. Ann's, in the county of St. George, described in the Schedule hereto and coloured raw sienna on a plan of survey filed with the Director of Surveys and executed under survey Order No. 117/90 and filed in his office.</p> <p style="text-align: center;">THE SCHEDULE</p> <p>A parcel of land containing 89.7m², more or less situate at Trou Macaque, on the northern side of Mango Alley No. 2 in the ward of St. Ann's, in the county of St. George, said to belong now or formerly to Winston George.</p> <p>This parcel is more particularly shown coloured raw sienna on a survey plan filed in the vault of the Lands and Surveys Department, Red House, Port of Spain.</p>	<p>Road Construction</p>
<p>4. The following parcels of land containing two point zero six five nine eight (2.06598) hectares, more or less, situate on the western side of All Fields Trace, north of Milford Road, in the ward of Tobago, in the parish of St. Patrick, described in the Schedule hereto and coloured raw sienna on a plan of survey signed by the Director of Surveys and dated December 16, 1992, executed under survey order No. 102/89 and filed in his office.</p>	<p>Highway Construction</p>

APPENDIX (cont'd)

Description of Land	Public Purposes for which to be acquired
<p style="text-align: center;">THE SCHEDULE</p> <p>Twelve (12) parcels of land comprising together 2.06598 hectares situate on the western side of All Fields Trace, approximately 230 metres north of Milford Road, Lowlands in the parish of St. Patrick, in the ward of Tobago, and consisting as follows:</p> <ol style="list-style-type: none"> 1. 12.5m² said to belong now or formerly to Leeson George. 2. 5817.1m² said to belong now or formerly to Roy James Bhutan. 3. 1019.9m² said to belong now or formerly to Roy James Bhutan. 4. 3801.0m² said to belong now or formerly to heirs of Clifford Patrick. 5. 457.9m² said to belong now or formerly to heirs of Clifford Patrick. 6. 507.7m² said to belong now or formerly to Pearl Smith. 7. 444.3m² said to belong now or formerly to heirs of E. Pitt. 8. 3834.7m² said to belong now or formerly to heirs of Susanna Pitt. 9. 3713.8m² said to belong now or formerly to heirs of Daniel Pitt. 	

APPENDIX (cont'd)

Description	Public Purposes for which to be acquired
<p>10. 42.7m² said to belong now or formerly to Neville Romany.</p> <p>11. 496.2m² said to belong now or formerly to Neville Romany.</p> <p>12. 512.0m² said to belong now or formerly to Neville Romany.</p> <p>These parcels are more particularly shown coloured raw sienna on a survey plan filed as plan RH 261 in the vault of the Lands and Surveys Department, Red House, Port of Spain.</p> <p>5. The following parcels of land containing zero point eight seven zero nine, (0.8709) hectares more or less, situate at Bejucal, in the ward of Cunupia, in the county of Caroni, described in the Schedule hereto and coloured raw sienna on a plan of survey filed with the Director of Surveys and executed under Survey Order No. 110/79 and filed in his office.</p> <p style="text-align: center;">THE SCHEDULE</p> <p>Eleven (11) parcels of land comprising together 0.8709 hectares along the western side of the former Princess Margaret Highway reserve, Bejucal, between lands of Rufus and Yula Andrews on the south and lands of Kodarboccus now state in the north in the ward of Cunupia in the county of Caroni and comprises as follows:</p> <p>1. 0.0719 hectares said to belong now or formerly to S. and C. Seenath.</p>	<p>Highway construction</p>

APPENDIX (cont'd)

Description	Public Purposes for which to be acquired
<p>2. 0.0384 hectares said to belong now or formerly to Ramdath Holdings Limited.</p> <p>3. 0.0317 hectares said to belong now or formerly to Ramdath Holdings Limited.</p> <p>4. 0.0063 hectares said to belong now or formerly to Charles Lalla.</p> <p>5. 0.0065 hectares said to belong now or formerly to Housilla Maharaj.</p> <p>6. 0.1298 hectares said to belong now or formerly to Henry Ramcharitar.</p> <p>7. 0.1264 hectares said to belong now or formerly to Leo C. D. Seebaran.</p> <p>8. 0.1343 hectares said to belong now or formerly to Nabbi Baksh and others.</p> <p>9. 0.1431 hectares said to belong now or formerly to Roopnarine Charran.</p> <p>10. 0.1500 hectares said to belong now or formerly to International Aerodio (Caribbean) Limited.</p> <p>11. 0.0325 hectares said to belong now or formerly to Tazim Mohammed.</p> <p>These parcels are more particularly shown coloured raw sienna on a survey plan filed in the vault of the Lands and Surveys Department, Red House, Port of Spain.</p>	

APPENDIX (cont'd)

Description	Public Purposes for which to be acquired
<p>6. The following parcels of land containing together seven nine eight point zero square metres, (798.0m²), more or less, situate at St. John's Trace, in the ward of Siparia, in the county of St. Patrick, described in the Schedule hereto and coloured raw sienna on a plan of survey signed by the Director of Surveys and dated November 3, 1986, executed under Survey Order No. 14/84 and filed in his office.</p> <p style="text-align: center;">THE SCHEDULE</p> <p>Four (4) parcels of land comprising together 798.0 square metres situate on the northern side of St. John's Trace approximately 0.4 kilometres from Siparia Old Road and approximately 10 kilometres north of Siparia, in the ward of Siparia, in the county of St. Patrick and said to belong now or formerly to the following:</p> <ol style="list-style-type: none"> 1. 463.3 square metres said to belong now or formerly to Ganga Singh. 2. 29.9 square metres said to belong now or formerly to Seeram Namdeo. 3. 268.4 square metres said to belong now or formerly to Seeram Namdeo. 4. 36.4 square metres said to belong now or formerly to Kuldipnarine Goberdhan. <p>These parcels are more particularly shown coloured raw sienna on a survey plan filed in book 1140 folio 37 in the vault of the lands and Surveys Department, Red House, Port of Spain.</p>	<p>Access road</p>

APPENDIX (cont'd)

Description	Public Purposes for which to be acquired
<p>7. The following parcels of land containing together seventy-seven point nine square metres, (77.9m²), more or less, situate at Morne Coco Road, Diego Martin in the ward of Diego Martin, in the county of St. George, described in the Schedule hereto and coloured raw sienna on a plan of survey signed by the Director of Surveys and dated May 18, 1989, executed under Survey Order No. 47/88 and filed in his office.</p> <p style="text-align: center;">THE SCHEDULE</p> <p>Three (3) parcels of land comprising together 77.9 square metres situate at Morne Coco Road, Diego Martin approximately 100 metres west of the junction of the Diego Martin Main Road and the Morne Coco Road, in the ward of Diego Martin, in the county of St. George, and described as follows:</p> <ol style="list-style-type: none"> 1. 39.9m² said to belong now or formerly to Morne Haven Condominiums Limited. 2. 19.8m² said to belong now or formerly to Major Bullen. 3. 18.2m² said to belong now or formerly to Aubrey Ameerali. <p>These parcels are more particularly shown coloured raw sienna on a survey plan filed as R. H. 189 in the vault of the Lands and Surveys Department, Red House, Port of Spain.</p>	<p>Road improvement to bridge</p>

APPENDIX (cont'd)

Description	Public Purposes for which to be acquired
<p>8. The following parcel of land containing two point three eight seven seven (2.3877) hectares, more or less, situate at the San Fernando Hill off Circular Road, in the City of San Fernando, in the county of Victoria, described in the Schedule hereto and coloured raw sienna on a plan of survey signed by the Director of Surveys and dated April 9, 1979, executed under Survey Order No. 103/77 Part 5 and filed in his office.</p> <p style="text-align: center;">THE SCHEDULE</p> <p style="text-align: center;">A parcel of land comprising 2.3877 hectares situate at San Fernando Hill, in the city of San Fernando, in the county of Victoria and said to belong now or formerly to Hasmatali.</p> <p style="text-align: center;">The parcel of land is more particularly shown coloured raw sienna on a survey plan filed as No.EH.125 in the vault of the Lands and Surveys Department, Red House, Port of Spain.</p>	<p>Development of San Fernando Hill</p>
<p>9. The following parcels of land containing together six four five one point six square metres, (6451.6m²), more or less, situate off Pointe-a-Pierre Road, on the San Fernando Hill, in the city of San Fernando, in the county of Victoria described in the Schedule hereto and coloured raw sienna on a plan of survey signed by the Director of Surveys and dated March 9, 1978, executed under Survey Order No. 103/77 part 3 and filed in his office.</p> <p style="text-align: center;">THE SCHEDULE</p> <p style="text-align: center;">Three (3) parcels of land containing together 6451.6 square metres situate on the southern side of Point-a-Pierre Road on San Fernando Hill, in the city of San Fernando, in the county of Victoria and comprising:</p>	<p>Development of San Fernando Hill</p>

APPENDIX (cont'd)

Description	Public Purposes for which to be acquired
<p>(a) 195.7m² said to belong now or formerly to T. L. Austin;</p> <p>(b) 462.9m² said to belong now or formerly to James N. Nimblette;</p> <p>(c) 5793.0m² said to belong now or formerly to Roopnarine Nathai.</p> <p>These parcels are more particularly shown coloured raw sienna on a survey plan filed in book 1066 folio 114 in the vault of the Lands and Surveys Department, Red House, Port of Spain.</p>	

BUSINESS OF THE SENATE

The Minister of Planning and Development (Sen. Dr. The Hon. Lenny Saith): Mr. Vice-President, I beg to move that the Senate deal with Bill No. 1 under Bills Second Reading at this stage.

Assent indicated.

GUARANTEE OF LOANS (UWI) BILL

Order for second reading read.

The Minister of Finance (Hon. Wendell Mottley): Mr. Vice-President, I beg to move,

That a Bill to enable the Government of Trinidad and Tobago to guarantee loans to the University of the West Indies by any lending agency for use at the campuses of St. Augustine and Mount Hope, be now read a second time.

Mr. Vice-President, the purpose of the Bill is to enable Government to guarantee a proposed loan from the European Economic Community to the University of the West Indies for upgrading student accommodation facilities at the St. Augustine campus.

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The EEC has agreed to finance the upgrading of student accommodation facilities at all three major campuses of the University of the West Indies, that is, at Cave Hill, Mona and St. Augustine. It is proposed that \$16 million ECUs, which is the EEC's unit of account, approximating TT \$105 million would be made available to the University of the West Indies for such upgrading of accommodation, and the funds are coming mainly as grants.

Ten million ECUs, or TT \$65.9 million, are coming as grant funds and TT \$39.5 million, in loan funds. These funds are being provided from the six European Development Fund, Lomé III Convention available for regional co-operation programmes.

This proposal was presented to the regional leaders and was approved at the tenth meeting of the Caribbean Community at Grand Anse in 1989. As part of the loan agreement, however, each UWI campus territory was required to provide a guarantee for that part of the loan from its respective government. Specifically, the Government of Trinidad and Tobago is expected to guarantee the St. Augustine campus' share of the loan funds which amounts to TT \$10,809,221. This loan is coming on highly concessionary terms, with a 30-year repayment at one per cent interest rate with a 10-year moratorium. I repeat, TT \$10,809,221, 30-year repayment at one per cent interest rate with a 10-year moratorium.

The money, together with the grant portion, is to be used in Trinidad on two buildings at UWI, namely, a hall of residence at the Mount Hope Medical Sciences Complex and a student centre involving a cafeteria and lounge facilities at the main St. Augustine campus. The governments of both Jamaica and Barbados have already signed the loan guarantee arrangements for upgrading the Cave Hill and the Mona campuses. However, no funds for any campus can be released until all three guarantees are in place, and the Trinidad and Tobago's guarantee is still outstanding.

At present, there are two pieces of legislation which authorize the Government of Trinidad and Tobago to guarantee loans, that is, the Guarantee of Loans (Statutory Authorities) Act and the Guarantee of Loans (Companies) Act. The UWI does not fall within either of these two Acts and, therefore, we are seeking to bring this special piece of legislation in order to guarantee the funds to be advanced from the EEC.

At the same time, we are seeking to slightly broaden the matter to contemplate, as yet, unforeseen areas in which some multilateral, government or

other lending agency might be seeking to lend facilities to UWI that the Government may want to lend its support of finance.

Finally, clause 7 empowers the Minister to grant exemption from taxes, where this is necessary, to give full effect to the guarantee. I believe this is a non-controversial matter, it is since 1989 that these funds had been contemplated under a previous administration, and involving other governments of the Caribbean. We therefore seek to have the Trinidad and Tobago leg of the bargain assented to.

I beg to move.

Question proposed.

Sen. Salisha Baksh: Mr. Vice-President, the Bill before us seeks to enable the Government of Trinidad and Tobago to guarantee loans to the University of the West Indies by any lending agency for use at the campuses at St. Augustine and Mount Hope.

I was really hoping to hear something quite different from the Minister of Finance. On the face of it, this may appear as a considerate and genuine gesture of the Government, but when this Bill is put into the context of the situation in which the Government owes the university over \$200 million—in fact, according to the Vice Chancellor's report of April, 1983, Volume I, to be exact, the balance payable by Trinidad and Tobago stands at \$237,232,485.

The virtue in this proposed legislation is seriously undermined. According to Prof. Max Richards, principal of the University of the West Indies, St. Augustine campus:

"The University will be in serious trouble if the debt owed to it by Government is not paid soon."

In other words, the university presently stands on the threshold of financial destruction.

2.40 p.m.

The university has already reached the maximum limit it can obtain from commercial banks and also has several debts to suppliers of goods and services. How would the university repay such loans given that its expenditure exceeds its non-governmental revenue? What really is the purpose of this Bill before us today? I was hoping to get definite answers to the following questions. Is it going

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to eventually raise the university out of its present economic crisis or, is it digging the grave which will become the burial site for the university eventually? Does this Bill reflect the Government's commitment to promote and foster higher education or, is it a mask that hides the reality that the Government is unprepared to give tertiary education the priority it deserves?

What really is the purpose of this Bill before us today? If we do more than skim the surface of the words which appear therein, we would realize that the Bill is a recipe for disaster. *[Interruption]* I expected such an immature and an unintelligent response when I made that statement, because this is perhaps the reason that the university and, in fact, the entire country is in such an unfortunate state. I think my learned Friends are all in need of proper training and I am sure there are courses being offered at the university which will fill the present void in the behavioural pattern they presently portray.

This Bill provides for finance, not in the form of a gift, but rather a package of loans guaranteed by the state and this package if opened will have the disastrous effects of the *Pandora's box*.

Mr. Vice-President, our university is no different from its counterparts worldwide when it comes to its operations. Running a university efficiently is a difficult task especially in the light of the increasing student intake and harsh economic conditions, but the job can be done. It calls for the committed effort on the part of the Government, students, donors, and the university itself, to make the system work. If any one of these bodies is unprepared to perform its functions then we will soon witness the demise of our university; a university which for decades has symbolized the independence, the culture, the intelligence, the freedom and development of the Caribbean people. If we allow the university to continue on its present course—the course of imminent destruction—due to lack of funding, we would be guilty of shattering a dream of past and present visionaries, who recognized that the establishment and continued operation of our own Caribbean university is a fundamental aspect in the development of Caribbean esteem, image and growth.

Mr. Vice-President, we must not stand idly by and allow our university to fall prey to insensitive and destructive forces. Many of us have graduated from this very university. For several of us the St. Augustine Campus was our home for quite a number of years. It is where we met our friends, perhaps our spouses. It is where we expanded our knowledge. It is where we developed our talents in the various fields. It is where we matured and experienced the true meaning of life.

Having enjoyed this facility and benefited from our learning, we have to fight now to serve and preserve the very institution which once nurtured and cared for us. I cannot help saying that this Government is running the university like it is running this country, and that is, downhill. Although we are encouraged on a daily basis to go down the road together—and I was hoping we would have heard the cost of that trip today—we would not allow the Government to take our university along with them. No way we would allow that!

The education of future generations must not be mortgaged with instalments that are impossible to repay. Always remember, repossession of educational independence is tantamount to the obliteration of our Caribbean identity.

Mr. Vice-President, in this debate I intend to concentrate on some solutions to the financial disaster which presently shakes the foundation of the university and continues to crack the walls which surround it. Talk alone will not solve the problem, neither will making provisions for borrowing as this Bill seeks to do. What is needed is an immediate and comprehensive policy which aims at cost reduction and cost recovery and further, a system that concentrates on financial diversification and income generation.

I am aware that this Government has indeed formulated a five-year plan to repay the university the Government's outstanding debt, but the university is experiencing a cash flow problem presently. This great proposal for repayment will not really assist the university in providing the funds it needs presently to enable its continued operation. As mentioned earlier, we all have a contribution to make with respect to ensuring the revival and the survival of the university. The acceptance of better ways and more positive attitudes of co-operation are essential if we are to derive short-term and long-term benefits. Let us therefore, examine the role to be played by the four major bodies which I have mentioned earlier.

2.50 p.m.

Firstly, the Government: The Government of this country must use all the resources within its power to ensure that citizens have access to tertiary education which is, at the very least, available and affordable. This Government has to realize that there is a better way to finance our university, which if properly implemented, will consume a smaller portion of the state budget. It would improve performance and quality and thereby, contribute positively to national development.

The Bill before us would only provide temporary relief for the university, but what is needed is a permanent policy which will ensure economic viability. In other words, it is one thing to guarantee a loan for the university, but it is quite another thing for a university which is deeply submerged in debt to repay or indemnify the Government for any loan granted to it.

In clause 6 of the Bill which deals with the repayment by the university of funds borrowed by the Government acting as guarantor, one hopes that the university would not actually have to repay such sums if the Government remains its substantial creditor. What is needed is a system of reducing the Government's debt to the university by crediting the Government's account with the sums it borrows and should be made to repay on behalf of the university.

This system of offsetting future borrowings with present debts would ensure that the university does not become further financially liable to lending agencies. Essentially, the Government has to be persuaded to set the university free, providing it with a rational, clear, logical basis of state financial support as prerequisite to an improvement in the quality of our university and the reduction in the financial contribution on which they currently depend. The Government should be the target of a major public relations campaign to change the attitude towards the university. Donor organizations can play a major role in this campaign by providing funding for workshops to which appropriate Government Ministers and officials are invited.

Secondly, the university: The university would have to change its attitudes and practices to become more entrepreneurial; it has to become more efficient, goal driven, ready to decentralize decision making and accountability and fundamentally more aware of what everything costs. Unless these changes occur, the university would not be capable of responding to broader economic reforms of rationalizing its financial relationship with the state, and ultimately, of surviving as a credible institution.

A key consideration for the reconstructing of financial management is to ensure that financial allocation decisions and the accountability for them coincide. Each university activity should operate as a cost centre, if not a profit centre. The question of productivity which was also featured in the university's reform programme must be addressed, for if students are paying substantial fees, they must be ensured adequate facilities for learning and research, to justify such fees.

Thirdly, the students: Often overlooked in discussions of attitudes change is the role of students. Within recent years, students have demonstrated against

deteriorating library resources; inadequate teaching facilities; shortages of academic staff; absentee academic staff and appalling teaching methods. Apart from the major issue of students bearing some of the cost of the university education, there are many other ways in which students can help to reduce the cost and allow the university to operate more efficiently.

A highly organized students' association is required for income generation through student activity. Over the years, the Guild of Undergraduates has been a vibrant association, but it can still do more to ease the burden of the university. The Association should be capable of generating a fair proportion of the money needed to finance students' activities and this generation of money to finance students' activities will thus save the institution from having to allocate resources for that purpose. Each year students make a contribution to the Guild of Undergraduates and all students should be aware of the benefits to be derived. They should ensure proper accountability from the Association.

Fourthly, the donors: There is absolutely no question that our university on the whole understands the depth of crisis into which it has slipped. It appreciates the support and concerns of donors and without this support, I am sure perhaps the university might have already collapsed. We hope that such a drastic event would not have to occur before the Government shows a true commitment to establishing a rational, financial relationship to the university.

Donors can materially assist by funding and organizing programmes to educate the government, university students and the public on the need for reform, by supplying proven computerized management information systems and by supporting efforts to establish income-generating activities.

When these bodies understand their roles in achieving the mutual goal of growth and development of the university, only then will our university truly prosper and strive.

3.00 p.m.

Mr. Vice-President, although there is an alumni association, namely the Guild of Graduates, it is largely inactive. The financial potential of this association is clearly untapped and although the national economy appears gloomy, minimal contributions on a regular basis from the thousands of university graduates would undoubtedly amount to a substantial sum. The Guild of Graduates should start immediately on a fund-raising drive because it owes a duty to the institution responsible for its higher learning.

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[SEN. BAKSH]

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One can get so carried away with the topic of the University of the West Indies. However, I am trying to stay on track here by just dealing with this piece of legislation which will allow further borrowing from an already debt-ridden University, which is disastrous.

I would like to reinforce at this point that our University symbolizes the achievement of a Caribbean people. Caricom may come and go; our cricket team may win or lose and governments will always change, but the University of the West Indies represents the stability, the capability and achievement of Caribbean people. This Government has to ensure that it enhances the growth of the University and does not contribute to its demise. The Bill today provides no financial relief and no liquidation of Government's outstanding debt. It is a lethal injection and offers no cure.

I thank you, Sir.

Sen. Michael Mansoor: Mr. Vice-President, it is perhaps a brave Senator who seeks to address you and this honourable Senate after the eloquence of Sen. Salisha Baksh. Indeed, her contribution today, delivered as it always is, in such measured tones, could very easily be described as a lecture in how to get blood out of stone.

I raise this point, especially when one considers the financial position of the University and what we are about to do today, which is basically to guarantee borrowings of the University. I do not have any financial information on the University so as to give an opinion as to whether it is solvent or not, nor do I have information about the future financial performance of the University as to whether or not it would be able to fund its debt. But, I seem to recall that on at least two occasions in this honourable Senate, newly appointed Ministers of Finance and Education have sought to persuade this Senate that their predecessors in office left them oodles of debt to finance. On that basis alone, I venture to guess, and perhaps to suggest, that the financial health of the University is in danger, and that the University is indebted, perhaps to a number of creditors with whom it may have difficulty making peace.

Mr. Vice-President, I do not wish to engage this Senate in a debate on tertiary education because I do agree with the Minister that what he is seeking to do today is relatively simple, that is, he is asking this honourable Senate to enable the Government to give a guarantee for what amounts to TT \$10.8 million of debt for the University. The amount of TT \$10.8 million, especially when one remembers

that it is wedded to a grant of some \$66 million, is really not much money in terms of the University and its financial exposure. So that, the guarantee in the sum of \$10.8 million, which the Minister is seeking to provide the University, can be supported and does have my support.

However, the language of the Bill is not *ad idem* with \$10.8 million. The Bill seeks to ask this Parliament to give the Government the right and the ability to guarantee as much as \$100 million in borrowings, so that immediately one has a difficulty. Why does the Minister seek to get a ceiling in the amount of \$100 million when the amount at issue is only \$10.8 million? That is my first concern, particularly in the light of the ambiguity about the financial position of the University and the locus of financial responsibility for the University.

Who is really responsible? Is the Trinidad and Tobago Government responsible by itself, or are other governments responsible? The answer, of course, is that it is a joint financial arrangement. This creates a difficulty with the absolute amounts of the guarantee, the \$10.8 million versus the \$100 million that is suggested in the Bill.

The other difficulty I have with the legislation is in clause 6, which seems to suggest that the University can only repay the Trinidad and Tobago Government on these guarantees by way of actual payments to the Consolidated Fund. I would have thought that the guarantor would not wish to limit the ability of the University to repay whatever funds are paid pursuant to these guarantees. Why would the Government not consider it feasible to have the University assigned assets in order to secure moneys paid under these guarantees? So that clause 6 limits, for what reason I do not know, the ability of the Government to determine how the amounts which it may pay under these guarantees can be funded.

I have another concern. If the University is indebted to all and sundry, as I rather suspect it is, it is very clear to me that creditors of the University may wish to use this piece of legislation to demand guarantees from Government for other lendings to the University.

3.10 p.m

For example, what prevents a local bank, a local insurance company, or indeed, any other creditor of the University from saying to the Government; "I demand a guarantee because other creditors of the University have a guarantee;" or "Why should my position be jeopardized or be any less favourable than the other creditors of the University?" This is why I submitted an amendment which

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seeks to limit who can receive guarantees under this particular piece of legislation. What I am suggesting is that the guarantee be limited to international lending agencies or indeed to whatever arm of the EEC we are talking about today. I ask the simple question: Why should this legislation be used to give guarantees to any creditor of the University, any bank, any insurance company or any source of financing?

Mr. Vice-President, this Bill, although it appears to be simple and innocuous, is really the thin edge of the wedge, because what we are doing in this legislation is putting the Government, I believe, and the University in a position, where in order to maintain its credit with any source of finance, it may in fact have to give a government guarantee. I see the difficulty, not insofar as the loan grant arrangement that the Minister talked about this afternoon, that is not the difficulty I have with it, but I see this as opening the floodgates for an institution about which we know very little in terms of its finances.

I suggest that the Bill seek to limit the persons who can be in receipt of these guarantees. Also, I fail to understand why we need to have a Bill for \$100 million, when all we need is \$10.8 million, and we have had, I believe, this type of discussion in this honourable Senate before.

My last concern is clause 7, and I may be in error on this one. If one reads clause 7, one has to put a specific interpretation on the word "remitted". When I read it on the first occasion I was under the impression that what clause 7 sought to do was to enable a creditor, who was in receipt of a guarantee, to tell the Government that certain taxes must be used for the payment of these guarantees or the satisfaction of these loans. It really turns on what interpretation one puts on the word remitted. If the word remitted means waived, the interpretation that the Minister gave in his address would be correct. But if the word remitted means paid or such, which is the more common, modern-day meaning, clause 7 becomes a rather dangerous animal. I do not know whether it would be advantageous to make the matter very clear that what is being considered here is really enabling the Minister to say that there is no stamp duty payable on this particular guarantee which is what I think is meant. But the way the language is couched gives one the impression that the guarantor or the recipient of the guarantee can tell the Government that one must have such and such a tax to pay this particular loan, which I do not think is what is intended. I will suggest that the word "waived" or "forgiven" be used rather than "remitted".

I should also say that at least one other Independent Senator, quite independently looked at clause 7 and came up with that conclusion as to what it meant. So that it may be a question of language and if this language satisfies the law that remitted means forgiven or waived, I would drop the point.

Mr. Vice-President, I have no problem supporting the Bill insofar as it relates to the particular grant and loan at issue, but I have much difficulty with opening the floodgates, if you will, with the result that the Government may be in a very embarrassing position and be forced to give guarantees to all sorts of creditors whom we may not be even thinking about today.

With those few words, I wish to ask the Minister to consider the points that we have raised.

Sen. Wade Mark: Mr. Vice-President, the purpose of this Bill before us this afternoon, as outlined by the hon. Minister, is to enable the Government of Trinidad and Tobago to guarantee loans granted by the European Economic Community to the University of the West Indies for upgrading certain facilities at the University's several campuses. The total amount provided, as indicated by the hon. Minister, is TT \$105 million, comprising of \$65.9 million in grant funds and \$39.5 million as loans.

The sum earmarked for the campus in Trinidad and Tobago is expected to achieve, as he said, two major objectives. The establishment of a hall of residence at the Mount Hope Medical Sciences Complex, and secondly, a students' centre involving a cafeteria and lounge at the St. Augustine campus.

Mr. Vice-President, we are talking about the University of the West Indies. The question that we have to ask in a very blunt manner—whether we want to face it or run from it—is: what precisely is the state of the University of the West Indies today? The University is under financial seige and it is in a deep financial crisis. In fact, if we look at the *Newsday* issue of Monday, November 1, there is an article entitled, "UWI Stays Short Of Funds Despite Higher Fees."

I want to quote the first paragraph to the Senate, to really deal with the issue of UWI because we do not have any accountability here this afternoon, but we are asked by the hon. Minister to give support to a piece of legislation that is going to guarantee loans that UWI access from whatever source. We are asked, in fact, to underwrite, if they fail to pay, but we have no accounts, we have no update of the state of affairs at UWI, so we are signing a blank cheque.

3.20 p.m.

"The higher fee structure introduced at the University of the West Indies at the start of the current academic year has done little to ease the financial constraints facing that institution. UWI Chancellor, Sir Shridath Ramphal admitted last Saturday that the university is being put to a severe financial test, even though there has been drastic cutbacks in expenditure."

The University of the West Indies is under attack, and as if "shot call" for UWI, because, in spite of the higher fee structure, there is still a serious expenditure crisis, there is still a revenue crisis at UWI at this point in time.

Mr. Vice-President, you probably, would be aware that the regional Governments introduced new fees when they abolished the Cess arrangement this term. At present, persons going into the Arts and General Faculty who traditionally would have paid about \$2,000 under the Cess arrangement, are being called upon now to pay \$4,000; Social Sciences—\$3,400; Natural Sciences—that is for tuition on an annual basis—\$6,000; Engineering—\$7,400; Law—\$5,000; Medicine—\$67,000 [*Interruption*] That is TT dollars. Agriculture—\$7,500. So, in spite of the new fee structure, the University of the West Indies, St. Augustine campus, is in a deep financial crisis. As my colleague said, the Government of Trinidad and Tobago, has a large outstanding sum, and as she said also, the Government is seeking to address that issue.

When we talk about loans and UWI, we cannot escape our responsibility, as a Senate, to link UWI with development, transformation and diversification of our economy. There is a link between the University of the West Indies and the whole process of development, transformation and diversification. Therefore, when one looks at the world economy and the kind of structural changes taking place, it tells us that what is required is substantial reformation of education, training, research and development policies in the region, and in Trinidad and Tobago in particular. People are an asset, and indeed a key asset in the development process. We need to adopt policies aimed at improving the quality of our human labour if we are to make sense and if we are to get some space in the 21st century.

A report has been leaked, and we are always fortunate to receive these reports anytime they come down. We have received the *Mc Intyre Report*, which I understand would form the plank of the Government's 1994 Budget. This McIntyre study deals with social consensus or national consensus—with which the hon. Minister of Finance apparently has difficulty. It says in no uncertain

terms that the critical problem in Trinidad and Tobago is the quality of education, particularly of our students who are leaving the system lacking basic skills. As you know, Mr. Vice-President, we got the shock of our lives recently. This Government has been vainly boasting about 100 per cent literacy, well, we now know that close to 30 per cent of the population—*[Interruption]*—roughly 30 per cent are experiencing functional illiteracy in this country, they are illiterate.

We are saying that this problem of quality education is going to be exacerbated in this economy, particularly as we become more sophisticated under the impact of what I like to call "the knowledge revolution". There is a knowledge revolution and it is going to have a serious impact on our country. It is sweeping across the globe today and, therefore, we need to pay attention to this problem. Students are leaving the school system today without understanding basic English, they do not understand basic foreign languages—we have been talking about establishing Spanish as a second language in this country for some time—sciences, mathematics and computer studies. Why do we have to pay duties on computers? We do not understand it. That is a matter which the hon. Minister of Finance may wish to deal with in his 1994 Budget, but we will deal with that at the appropriate time.

What we want to focus on here today is the question of the quality of the human resource situation in our country, and the University is very critical in this particular regard. The quality is poor and it is extremely disturbing. The main deficiency is at the university level. University education and training provide the capacity for analysis. It also provides the capacity for problem formulation and management.

What we have experienced in the region is a situation where a very small proportion of the working-age population appears to have benefited from university and tertiary education and training. In fact, in this same report in the newspaper, Mr. Vice-President, it is stated by the Chancellor of the University, and I quote:

"Let us not be too complacent or self-congratulatory; tertiary education is still catering to only 3 to 4 per cent of the relevant population age group in the region—a percentage far below acceptable levels."

This is part of the crisis in this region. The University of the West Indies, or any university, as you know, has a number of functions and responsibilities. One of the functions of any university is to produce skilled personnel on a basis and

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quantity to satisfy the needs and growing requirements of any nation in its development thrust. If we look at this text, *Overview of the Report of the West Indian Commission—Time for Action*—the particular text I am referring to is Human Resources, page 118, says under Educational Attainments:—

"The supply gaps at the University level are now being documented. Surveys done of projected private sector demand for graduates over the period 1991/1996, indicate demand levels in the range of 4,800 to 7,200 per annum over the period. At the present time, the UWI produces only 2,600 graduates per year. The rest of the tertiary system about 1,400, while some 1,600 emigrate. In other words, net current output is about one-half to one-third of projected private sector needs. When to that is added the requirements of the public sector, it is clear that the Region faces very major shortfalls in the high-level personnel in the immediate period ahead."

3.30 p.m.

Mr. Vice-President, all this nonsense about liberalization and privatization, new fashions and creeds that are being propounded by the Government, those things would have no meaning unless we address some of these fundamental issues that I have outlined.

We have to query: What is this Government doing about the University of the West Indies? This Government does not have any social policy. Let us make it very clear. It does not have a social policy. It seems to be committed to a programme of irrational and indiscriminate privatization, including the possibility of the University of the West Indies. There is a possibility that this Government could, as it is doing in local government, deliberately withhold funds in order to contract out, at very oppressive wages and levels of wages in this instance, jobs that are done by regular and permanent workers, to URP and other people in the society. I am asking and I am posing the possibility.

Mr. Vice-President, as the Chief Justice said recently at the opening of the law term, you cannot play games with justice and you cannot play games with development, and the university is a foundation of development in any nation and country. So we have to approach this particular area in terms of funds in a very serious way. We have to provide the university with the necessary funds. If it means, as my good Friend said, that we have to engage in some sharing, let us deal with that, but the university must not be allowed to actually languish and possibly die.

The University of the West Indies is in serious trouble as we speak. The moneys are just not coming. They are not going to the university. They are operating, I understand on a monthly basis now at UWI. The lecturers are having difficulty to receive their salaries.

The University of the West Indies is operating on a day-to-day basis today and if we are not careful, we face the real possibility of just not having a university now and in the future. We face that possibility. As my Friend said, our dream and our children's dream could be shattered. We may end up having a set of buildings and a number of activities going on there which have nothing to do with the original aim and/or intention of the university.

We are talking about UWI and we are talking about guaranteeing loans to UWI, but the university, as I said, has certain functions to perform in this society. Whilst it has been doing some work and whilst it has been producing graduates—we understand today there are four prime ministers in this region who are supposed to have gone through the University of the West Indies, our own Prime Minister, Patrick Manning—

Hon. Senator: Honourable.

Sen. W. Mark: Not me. The point about it is that the university has been producing quality, as well as numbers. We cannot deny that.

Sen. Capildeo: As well as numbers.

Sen. W. Mark: Okay. We have to be extremely careful because when we look at the situation today, if we do not continue to produce the kind of skilled personnel necessary to develop our nation's economy and society, and we continue to lapse in terms of our financial commitments to the University of the West Indies, the next area that we would have to face is the importation of consultants and that is an expensive business. I am certain that the Government would be aware because the amount of money that is being spent on consultancy services in this country, if we had the personnel here or if the Government would tackle what we have here, we would save a lot of foreign exchange.

The university also has a very critical responsibility in the area of research and development. We would like to advance on this side that there is need for a graduate school at the University of the West Indies; a school where you will have excellence; where people—*[Interruption]*

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You see, that is the problem with the university, not even the Minister of Planning and Development understands the link between what he has proposed here this afternoon and what I am saying. The Government comes here for us to sign a blank cheque. We say, "No. We are not signing any blank cheque. We are advancing some positions." But you 'steupsing' in the background asking what is the relevance of what I am saying to the Bill. You see, that is the problem. You need to go back to the university. You seem to have missed your training.

What we are saying is that all these matters are important because we are not supporting any bill on which we do not get sufficient information to justify our support. We are not doing that. Therefore, the issue of the functions of the University of the West Indies, we have to address that. Public education—very important role, a role of enlightenment in the society. To what extent the university is doing this is another question, but we know that is a function.

The promotion of democracy—actually keeping the fires of democracy burning and being fearless. We have had a history in our country where UWI lecturers have been associated with political parties and, to my mind, compromising to some extent the impartiality. Because what is happening is that governments do not like lecturers. They do not like the University of the West Indies.

Mr. Vice-President, once you were a lecturer up there and you would know that when the academicians make their scholarly statements and interventions, it does not go down well. Once it does not go down well with the Government, they want to ostracize you. So the University of the West Indies has a very important role to play in the promotion of democracy in our region. As my colleague said, the University is the living manifestation of integration in the region. They engage in all sorts of training and education in the region.

Today the price of UWI education is virtually out of the reach of many ordinary citizens. We have an elite having access to UWI education and as income and poverty multiply and mount in this country, we find ordinary people's children not being given the opportunity to go to the University of the West Indies to obtain a First Degree.

I refer again to this Mc Intyre study because we shall make it public shortly. We do have copies of that document and it—*[Interruption]* We have a copy of the document. That document tells us that poverty increased from 18.5 per cent in 1988 to 22.5 per cent of households at the end of 1992, whilst the distribution of

income and expenditure between households has changed from a 1988 estimate of 0.68 to 0.592. It is now estimated that some 30 per cent of our population may be unable to access health care while 70 per cent of the unemployed are below the age of 30.

Sen. Saith: Mr. Vice-President, on a point of order. While I enjoy listening to Sen. Wade Mark—

Hon. Senator: You do?

Sen. Saith: On many occasions. I really do not see the relevance of the contribution at this point to the Bill.

3.40 p.m.

Sen. W. Mark: Mr. Vice-President, may I be guided on this matter?

Mr. Vice-President: The point of order is upheld. Sen. Wade Mark, you would address your comments to the Bill before us, which is to treat with enabling the Government of Trinidad and Tobago to guarantee loans to UWI by any lending agency. So please, let us get back to the more germane matters.

Sen. W. Mark: Mr. Vice-President, there is no doubt in my mind that I am making a link between the inability of our country to generate the kind of income so that ordinary citizens can gain access to the University of the West Indies. I simply attempted to demonstrate that because of the shift in the various social indices in the country, it is becoming more and more difficult for ordinary people to gain access to the University of the West Indies.

Mr. Vice-President: Which is why we might want to support the guarantee of these funds. Could you get back to the Bill, please, Sen. Wade Mark?

Sen. W. Mark: I think that you have to be impartial, Sir.

Mr. Vice-President: I wish you would withdraw that statement.

Sen. W. Mark: I withdraw that statement without any hesitation whatsoever.

You see, one of the difficulties that we have here is really establishing the links, because we cannot deal with a Bill that simply seeks to get our support so that this Government can become a major guarantor of loans to the University of the West Indies, without discussing what is taking place there. If we cannot discuss what is taking place at the university, we cannot give this any support. I am saying that the matters I am raising here are pertinent and relevant to the

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university and our future as a nation. Therefore, I would advance that the Government of this country needs to re-order its priority. That is what we are arguing here. The Government must recognize that UWI is not producing salt-fish; it is producing something that is critical and essential to our development and transformation and it is very important. Development is about the quality of life. It is not about prudent financial management. It is not about getting your budget deficit, balance of payments and artificial surpluses right. Development is about providing the foundations that we need to ensure a sustainable and improved quality of life. That is what development is about. That is what the University of the West Indies is really about.

I do not understand. Maybe from a philosophical perspective I am above many. I am trying to establish a link here so that people can understand, but I seem to be in another world.

So we are saying that the university is about that, and we are saying that in thinking about spending on the university, the PNM Government must be constantly reminded of this reality. That is what we are arguing here. So whether you take loans or not, what we are saying is that you need to take these things into account. The University of the West Indies does not belong to the PNM. We must make it very clear. The University of the West Indies belongs to the people, and the people alone will decide whether UWI will survive or not.

Therefore, what we are saying at this time is that we should take charge of UWI, because the Government is organizing itself in such a way, it is building up a case every day in this society to privatize a number of institutions, and we are saying that UWI could be on the chopping block in that regard. If that happens, all the loans we are talking about here would become irrelevant to poor people. It would not make sense.

We, as an Opposition, have an interest in UWI, because we want to expand it. We want UWI to become that Hall of Fame. Mr. Vice-President, you would know better than I that there is an inflexibility at the University of the West Indies. I cannot understand, we are going to guarantee loans, what are we going to guarantee these loans for? Are we going to guarantee these loans so that UWI could begin an evening university in this country, where ordinary workers who may wish to pursue a degree can do so over a three- or four-year period without having to resign from their jobs? You would know that at the University of the West Indies today, one can go for two years part-time, but after that, you must

become full-time. We are arguing, on this side, that the university must become more flexible, in order to allow ordinary people to get an opportunity to gain higher education and knowledge.

When UWI borrows \$10, \$15 and \$30 million and cannot pay it back, we, taxpayers, have to guarantee that loan, therefore we want to see the programmes of UWI. We are not signing any blank cheque, as I said. Let us see what UWI is doing.

We have an Institute of Business—I have nothing against business—but I am simply saying that business should not rip off people. I say that the Government should tax Republic Bank. They made \$122 million. I think there should be an extra profit tax because we know the manipulation that went on there. We will deal with that at another time, because my Vice-President would advise me accordingly. We are saying that if loans are to be guaranteed by the Government, we would like to ensure that those loans are going into areas that can advance the interest of the poor and ordinary people, the masses of people.

Do you know that the labour movement, in spite of its crisis today, has made a very rich contribution to the social, economic and political development in this region over the last 50 years? Do you know that today, as we speak, after all these years of the University, we have not been able to establish a Chair in Industrial Relations? If a worker wants to go to UWI to do a degree in Industrial Relations, we do not have that facility at the University of the West Indies, but we have the Institute of Business. I am saying, in the same way that we can establish an institute of business, we want to establish an institute of industrial relations at the University of the West Indies, so that workers can go and upgrade their skills in a proper way. This is an area we would like to emphasize. We are talking about UWI and about a programme that the Government is now pursuing called structural adjustment and stabilization.

3.50 p.m.

One of the points that we need to take into account, which is a very serious matter—I am not getting into the depths of this structural adjustment now, this is not the time for it—is that the World Bank has a view of the University of the West Indies and we must know about that view, because it is going to affect us. There are many people in the Government who are unrepentant in their ways. They believe in a particular philosophy, which the World Bank promotes, therefore, we have to be guided in terms of what can take place at the level of the University with respect to the World Bank.

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The World Bank is of the view, as far as UWI is concerned, and as far as social development goes with respect to education, that in a period of expenditure cuts and serious economic constraints, the Government of Trinidad and Tobago and the governments of developing countries should focus only, or in the main, on primary education. What they are advising developing countries to do—and that is where the University can become an endangered species [*Interruption*] I am not quoting any document as yet; I am reporting. This is reported speech.

This question about the University, in terms of tertiary education, and the World Bank's view is very critical and important, and we need to focus on it very seriously. The World Bank is telling developing countries: "Do not deal with university education". "You have a shortage of skills in terms of lawyers, doctors and dentists; Europe and North America have an over supply, therefore, Third World countries should get out of university training and education". That is a googly that is now being promoted by the Adam Smith Institute and the Government of this country has a new love relationship with that institute. So, I am advising and warning the hon. Minister of Planning and Development, not to go to bed with the Adam Smith Institute and deal a severe blow to the university. I want to advise him on that issue.

We reject that message totally and absolutely. Our independence as a nation depends on our ability to provide our own experts and skills. The question that we face as a people is whether we are prepared to pay for that ourselves or whether we are prepared to take the easy way out and allow the Government to adjust, stabilize, privatize and sell out our country—we have choices in this matter—and give up tertiary education. We are saying that we must be prepared to take charge of our affairs.

Mr. Vice-President, I think Dr. Kari Levitt was at your forum, NCT. She told us, in 1972, that we live in a period when our governments' powers are being taken away from them. This Government has no power, let us face it. This is a helpless administration. PNM does not draft any plan, in spite of what the Minister of Finance would tell us. They do not have a programme of their own; plans are drafted for them; programmes are formulated for them and they simply parrot these programmes and claim them as their own. Shameful group of men and women!

We have a task and our main task is to devise all the ways and means necessary so that we can pull back this power from these institutions. We insist that we are not prepared to roll over and play dead when these agencies are out to "mash up" our institutions such as UWI.

The direction of the world economy is clear. I think it is necessary when we are talking about the University of the West Indies, we have to put that issue in its global perspective. Therefore, I want to quote two sections from a text before I close to demonstrate the role of skills and education in this new order. Brain power is the real power. Natural resources are not going to give us the comparative advantage as we had in the past. Therefore, in a very good text entitled *Head to Head, the coming economic battle among Japan, Europe and America*, by Lester Thurow, which I recommend to all my colleagues—*[Interruption]* Yes, I read the entire thing, but I would quote sections of it because I would not be allowed to read it here. I shall deal with two small sections that would be of interest to us here, because we are talking about the university, higher learning, greater skills and intelligence.

Firstly, on page 40 of this text:

"New technologies and new institutions are combining to substantially alter these four traditional sources of competitive advantage.

Natural resources essentially drop out of the competitive equation."

I repeat that:

"Natural resources essentially drop out of the competitive equation. Being born rich becomes much less of an advantage than it used to be. Technology gets turned upside down. New product technologies become secondary; new process technologies become primary. And in the twenty-first century, the education and skills of the work force will end up being the dominant competitive weapon."

But the Government is retrenching people; it is brutalizing people.

I would like to commend this particular section because the emphasis is on education, training and advanced skills, and the University of the West Indies has that critical responsibility in this era. And, the Government has an important responsibility in this regard. Therefore, we sit here and we talk much, but the fact of the matter—*[Interruption]* No, I am not referring to myself.

Mr. Vice-President: Sen. W. mark, your speaking time has expired.

Motion made, That the hon. Senator's speaking time be extended by 15 minutes. *[Sen. S. Capildeo]*

Question put and agreed to.

Sen. W. Mark: Mr. Vice-President, I now quote from page 51 of this text. "Skills":

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"While technology creates man-made comparative advantage, seizing that man-made comparative advantage requires a work force skilled from top to bottom."

One needs a work force skilled from top to bottom.

"The skills of the labor force are going to be the key competitive weapon in the twenty-first century. Brainpower will create new technologies, but skilled labor will be the arms and legs that allow one to employ—to be the low-cost masters of—the new product and process technologies that are being generated. In the century ahead natural resources, capital, and new-product technologies are going to rapidly move around the world. People will move—but more slowly than anything else. Skilled people become the only sustainable competitive advantage."

4.00 p.m.

Mr. Vice-President, I raise these points so that we can look at the University of the West Indies in a new perspective, because all these things that we are talking about—development and transformation, would have no meaning if we do not pay attention to upgrading and the advancement of our skilled manpower and human resource development. That is the point that this text is advancing. A final word for liberalizers like Minister Kuei Tung—this is the final quote because I do not want to exhaust my time. Page 209:

"Market access is central in export-led growth."

I repeat:

"Market access is central in export-led growth. To become a little economic dragon, such as Singapore or Taiwan, two requirements must be met. A country must get itself organized to compete; but it must also have a place where market access is relatively easy—a 'market of first resort.' In the past half century the market of first resort has been the United States. But generating just 23 per cent of the world GNP, America cannot continue to buy almost half of the Third World's manufactured exports. During the 1990s the United States will probably be forced to cure its balance of payments deficit. When it does, imports will have to go down and exports will have to go up. As this happens, the American market for a time will effectively be closed to the developing world. As a consequence, if Europe and Japan aren't willing to become markets of first resort, there may well be no new little economic dragons in the years ahead."

This is extremely important in the context of the Government's efforts to go willy-nilly, unilaterally breaking down barriers, liberalizing trade and at the same time, access to markets abroad are becoming tighter and tighter.

In other words, what is being stated is that we have to take account of these changes and these developments and the University of the West Indies, our education system, becomes very critical in this context and in this regard. Therefore, the Minister of Finance should, in closing, let us know what are some of the plans for the university.

We believe that a Bill like this might appear to be very simple and very limited in terms of size and volume, the fact of the matter is that we need to have greater accountability by the University of the West Indies. We heard recently—and I have to investigate this one a little deeper—they talk about no "sacred cows," but I understand there is one at the University. We will deal with that at the appropriate time. However, what we advance at this time is that the Government owes it to each and every Senator to let us know what is the state of health at the University. What new programmes does the Government intend to encourage the University to pursue? What precisely, in the context of our development thrust, is the Government doing to expand and to make the University more accessible to ordinary people?

Mr. Vice-President, if we are able to gain some knowledge of what the Government intends to do—we also say that the amendment as advanced by Sen. Michael Mansoor is an amendment to which we are going to pay close attention. We do not believe that it is a very advisable approach to adopt in this Senate. We do not believe that the Government can come and seek the support of this Parliament without providing us with the kind of information necessary so that we can come to an informed decision and judgment.

As Sen. Michael Mansoor said, in this area of the lending agency, this could open a floodgate. We suspect that the Government would need to advise us very clearly on what is its intention under this section. There are many people out there who are owed much money by the University of the West Indies and, we would like to know whether for instance, the Government is going to allow these people to have a new approach and a new relationship with the University of the West Indies, given what is being proposed at this time.

Those are my comments on this particular Bill that is before us. I hope that the Government would have seen the importance of the continuity of the University of

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the West Indies. I hope the Minister of Planning and Development who is responsible for the University would stop "chinksing" and give the university the kind of support that is necessary to ensure its survival, growth and expansion. The university is a very critical institution to our continued development as an independent and sovereign nation. We on this side will give total support to measures that are designed to make the university continue to function in a viable and in a feasible way and to give the population, particularly the younger ones, some kind of hope in terms of access to tertiary and university education in this country of ours. Our children are necessary to the future and education and training would be critical for the advancement of our country in its quest for development, transformation and diversification. The university has a very critical role to play in that process and we will give whatever support that is necessary to ensure the continuity and the survival of this institution that is so dear and near the hearts of so many people in this region, and in Trinidad and Tobago.

Mr. Vice-President, with those few words, I thank you.

Sen. Martin Daly: Mr. Vice-President, may I say it is very pleasant to see you sitting in the Chair once more.

Contrary to the last speaker, I do not agree that the approach taken by Sen. Mansoor is not advisable. In fact, I rise to support, in principle, the amendments proposed by Sen. Mansoor. I do so because the Minister has given us an important piece of information. He says that the purpose lying behind this Bill is to give the Government the ability to enter into a guarantee in circumstances where the EEC, which is an international organization, will be making a loan in order to assist the university. Therefore, it is, in my respectful view, very proper and commendable to take the approach that if that is the purpose of the Bill, then the Bill should say so and the permit or licence that is given by the Bill should be confined to that purpose or to purposes very nearly like it.

I respectfully agree with Sen. Mansoor that any reference to sources of lending, other than lending governments and international organizations, should be removed from the Bill. If and when it becomes necessary for the Government to have a bigger cheque or more blanks in the cheque, then the Government can come to the Parliament and give us the case in relation to borrowing from all these other sources. The Minister has advanced absolutely no reason at present for extending the permit or licence of the Bill that far. Against that background therefore, not only do I support Sen. Mansoor's amendment in confining the Bill

to those two sources but I also support Sen. Mansoor in suggesting that the \$100 million aggregate referred to in clause 4, be considerably reduced. It will certainly be our intention in committee to suggest something between 20 as the lower part of the range and 50 as the upper part of the range.

4.10 p.m.

There is a reason why one takes this approach. Legislation is capable of being abused. At present, there is a situation where intervention on the basis of unsound practice has been disguised by a merger. I refer to the recent announcement by the Central Bank that it had merged certain banks, when in fact, in the case of at least one bank, it had intervened under a section that relates to unsoundness. That is one example of how legislation can be abused. Whenever legislation comes to Parliament, if the legislators regardless of whom they represent, do not confine legislation strictly to the purpose which is advanced by the Government, we would get ourselves into difficulty.

That leads to the ability under the guise of legislation, permitting one thing, to do something different. I refer again to the distinction between merger and intervention when there is unsound practice. Indeed, the example which I am giving is a very recent example of how legislation can be abused. Maybe my mind will be changed when someone in authority makes a statement about the matter. I merely give it as one example of how legislation can be abused if it is not tightly drawn. It appears to me that legislation that is not tightly drawn lends itself to cover-up, as well as misleading people about the basis on which you are acting.

To relate all that to this Bill, this Minister whom I am sure is well wedded to principles of good accountability—although it looks as though he may be led wrong very soon, in the matter to which I am referring—will come here and we would accept what he is saying, that the purpose of this Bill is to access loans from an international organization, and we would sit quietly and allow the Act to be extended beyond that limited purpose. Then, at some future date, the Government or some government agency might have to take control of UWI because it is being badly run, but they might come and say under the guise of this legislation, it is a merger. Where would we be? That is just one detailed example of the need for the approach Sen. Mansoor has proposed about containing legislation to the purpose for which it is intended.

Mr. Vice-President, you are always smiling. I suspect on this occasion you may be smiling because you might have seen me referring to a green book which

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circulates sometimes in the Chamber. No doubt, you would guide me if I am reopening a question on which a certain ruling was given earlier.

Against that background, and the possibilities for mis-description of executive action and silence of authorities in the face of mis-description of executive action, I very strongly support the approach adopted by Sen. Mansoor to confine legislation to the purpose for which it is intended.

Thank you very much.

Sen. Rev. Daniel Teelucksingh: Mr. Vice-President, I will support the explanation given by the hon. Minister in piloting the Bill, that the intention is geared towards that proposed loan from the EEC to upgrade student facilities at the three campuses of the UWI.

I cannot understand why this was not included in the wording of the Bill: "An Act to enable the Government of Trinidad and Tobago to guarantee loans to the University of the West Indies by any lending agency." Somehow or the other, what the Minister has said in his introductory remarks in piloting the Bill almost contradicts this. This is why I cannot support the Bill as it is. I would like to support this request. I think his request is quite simple and straightforward. I have no problem with supporting that, a 30-year repayment period at one per cent interest, but it is nowhere reflected in the document before us and therefore I cannot vote to support this as it is. Something is wrong with it.

I agree with a previous speaker that what the Bill is really doing is presenting to us a blank cheque. This is what it is. I agree with that point of view. We cannot support that. I have two reservations about the Bill. The first one is that there is an established perception in Trinidad and Tobago—I am not aware that there is any significant change—that anything we receive from government, we do not really have to give back or repay.

I want to quote an example from education itself. A few months ago, Papers were laid in the Senate from the Auditor General, dated March 17, 1993. These were accounts of the Students Revolving Fund Loan for 1981. In that report, there was an outstanding students' loan balance of over \$10 million. That is government's funds, of course. One may ask, why a 1981 report was brought to Parliament in March 1993? We may also ask, what attempts were made to recover these outstanding loans? We may want to ask why some of those students whose names are on this list in my hand, who are defaulters and who we know today are well placed in the society are not making an effort to keep the fund revolving to

help other students in need? In fact, they have run the fund dry and it does not exist today. It is instructive for us to know but I am not going to read their names.

They are Trinidadians and Tobagonians whose names are listed here and are owing the Government of Trinidad and Tobago. One person owes \$63,000; another \$51,000; someone had taken \$77,000. I saw one here, this must be a very privileged person still owing about \$136,000 to go to the USA to study. I have counted about 200 names on this list. I understand that in March when the hon. Minister laid these Papers, three such lists were presented in the Senate.

I would not be surprised that some of these people among the intelligencia today, believe that there is no need to honour loans from the Government or guaranteed by the Government. That is my problem with the decision and the plan today to guarantee a loan. This is the mentality. Once the Government guarantees there is no need to repay. This perception still exists. It is still here among us.

4.20 p.m.

I quote a statement from this Auditor General's Report which also reflects not only the mentality of those who borrow money from the Government, but also, it reflects poor management as far as Government is concerned. The Auditor General states:

"The full extent of such accounts in the vicinity of \$10 million could not be ascertained from the records of the fund."

"...Supporting records in respect of loans to students were not maintained adequately."

Listen to this, Mr. Vice-President, this one is unbelievable:

"In some instances, loan cards were not seen for loan beneficiaries and loan files did not contain copies of signed agreements between beneficiaries, guarantor and financial agents".

Can you imagine people borrowing money to the tune of almost \$10 million and the Auditor General could not find their loan cards and files? I would like to know where these have gone.

My second serious reservation about the Bill as it is worded has to do with my rudimentary knowledge of loan conditionalities and adjustments that usually accompany financial dependence. I do not think that our university should be subjected to the kind of restrictions that we in the Third World know to be quite

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burdensome, painful, debilitating, and which sometimes seem to retard progress. I would not like our university to borrow money and to be restricted by loan conditionalities. That freedom that is enjoyed by the university should be preserved at all costs.

In conclusion, I wholeheartedly endorse the view by all those who have challenged the Government to consider more seriously its commitment to support tertiary education, to devise ways and means to honour its outstanding indebtedness to UWI and to make determined efforts to maintain its annual subvention to that institution.

I think the time has come in our development when we need two persons to head the Ministry of Education: one minister for pre-school and primary education and another minister whose sole responsibility should be secondary, technical, vocational and tertiary education. I certainly do not see the wisdom in placing the University of the West Indies in the Ministry of Planning and Development or in any other ministry for that matter, other than the Ministry of Education.

Does this reflect something? That the Government does not know what to do with the University of the West Indies so it wishes to put it with environment and all the other things. Something has to be wrong. Why would the Government take an important institution like that and move it from the Ministry of Education? I strongly suggest that we, as a growing nation that has developed so much, think in terms of having two persons in the Ministry of Education and divide the portfolio.

I thank you very much.

Sen. Capildeo: Mr. Vice-President, should I begin now? I see it is 4.25 p.m. Should we take the tea break? I will be some time.

Mr. Vice-President: The sitting of the Senate is suspended. We would resume at 4.55 p.m.

4.25 p.m.: *Sitting suspended.*

4.55 p.m.: *Sitting resumed.*

Sen. Surendranath Capildeo: Mr. Vice-President, this Bill is of enormous importance to our country's future. It is the kind of legislation that will impact directly on the quality of life in our Republic. It is one of the very necessary bits and pieces and building blocks which determine whether or not we continue our descent into barbarity or erect bases and structures which will hold together a

civilized society, where the pursuit of happiness in peace and tranquility, is the legitimate right of every person, and education, Sir, is *sine qua non* of the cultured life.

But lest I be misunderstood or misinterpreted, Sir, let me make my position clear. The University of the West Indies, like the Parliament of this Republic, is fast becoming a failed institution. Both the university and the Parliament, have failed this country. It is a tragedy, but both institutions have been reduced to expensive anachronism. It is scandalous that both institutions have lost their effectiveness and, to me, it is humiliating that both institutions have become largely irrelevant to day-to-day life in our country.

We have to do some serious thinking on the matter, but it seems to me that we have lost the art of serious intellectual enquiry. We have abandoned honest introspection and critical evaluation of ourselves and our institutions and we have given up control of our destiny to others. We are content, Sir, to let our minds relax in the chains of slavery and indentureship. We appear to be happy to allow second-rate minds and cultureless communities to take decisions for us.

Mr. Vice-President, you only have to look at page 1 of the *Trinidad Guardian* of Monday, November 1, 1993, which I want to quote in some detail, Sir, because it is very relevant to this debate. It is under the bold headline:

"Cowal hits inaction on TT's problem areas"

It goes on to say, and I quote:

"Listing too, the problems of crime and the administration of justice, Cowal wondered about the solutions, suggesting that not to be part of the solution, was to be part of the problem."

So if this Government is part of the problem, quite obviously, the ambassador is saying it could never be part of the solution—and they sit in silence or they mumble while I speak. I continue:

"Again everyone agrees, at every end of the political spectrum, that the justice system must be overhauled. Yet the courts limp from year to year without any major improvements."

It is not us, it is a foreigner in our land speaking. She goes on:

"How can a nation address the problems of which we have all been speaking with a Police Service in need of fundamental reform and a limping system of justice, she asked.

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Maintaining that she was not pointing the finger of blame at anyone because there is more than enough blame to go around for anyone, Cowal suggested that:

The forces in power seem to be reluctant to attempt decisive action because the other side might then be able to inflict a political setback on them."

The good lady is referring to the Government and to the Opposition.

"The forces in opposition say they are reluctant to support a Government initiative because they feel they aren't being consulted enough.

The forces in the public service appear to be content to let things go on as they are. Everybody talks about the need for change but nobody seems to want to do uncomfortable things to accomplish it."

Mr. Vice-President, let me repeat what I said, We have given up control of our destiny to others. We are content to let our minds relax in the chains of slavery and indentureship. We appear to be happy to allow second-rate minds and cold and cultureless communities make our decisions for us. It was not the President of Burundi or Aideed of Somalia or Cedras of Haiti who, the other day, cut off the phones to our beleaguered police stations. And if you read today's news, Sir, you will realise it was not the people of Afghanistan or Georgia or Yugoslavia who cut off water supplies to the St. Clair Police Station. We ourselves did it, Mr. Vice-President. And you have to ask the question, what kind of madness is going on? Is this what our education system has provided?

Sir, do you know where that St. Clair Police Station is? It secures the area where almost all the foreign ambassadors, high commissioners and trade officers and their families live. It supervises the area where almost all our top business executives, professionals and their families live. It is directly in front of two of our international hotels, and I can go on and on. But what is the message we are sending out to the nation at large and to the outside world? Is it that we do not care? Is it each man for himself? Or is it, Sir, that when the Americans pull out from Somalia they are to come here and camp in the savannah?

Do you see the relevance of education in all of this, Mr. Vice President? Listen, you will learn. Just how educated are we? I want to refer to yet another newspaper article on page 1 of the *Trinidad Guardian* of October 19, 1993. This time there is a blazing headline entitled:

"Ruction in court: Prisoners and cops clash in front of magistrate."

It tells a savage tale of a policeman being attacked in the presence of a magistrate in open court; of fights breaking out in open court, in front of a magistrate; of civilians jeering at policemen trying to do their duty; of the magistrate himself being humiliated and publicly vilified.

5.05 p.m.

This is where we are, Mr. Vice-President. We have come down the road to this sorry, sorry pass. What is more sorry is that this nightmarish scene, about which we are yet to get an official statement, is the creation of children who were and who are the recipients of free education. Senators would remember the proud boast of the People's National Movement, one of their main planks—free secondary education. Well, this is the result of free secondary education in the *Trinidad Guardian* of October 19, 1993. This time there is a blazing headline entitled: the last 36 years—"Ruction in court. Prisoners and cops clash in front of magistrate". We should read the entire horrible, nightmarish report, Sir. It is a scandalous shame.

Mr. Vice-President, these are the children who carry the future of the nation in their school bags. Well, in that court we had a taste of what the future of our nation will be. We know what the future has in store for us. I ask, just how educated are we?

Now, Sir, we come to the icing on the cake, the *pièce de résistance*, the "surwa", as we say, the sweetness in the pot, the "bun-bun". I want to refer to yet another page 1 headline; another blazing, page 1 scandalous headline:—

"Students on a high—The survey shows 84 per cent drink, 35 per cent smoke, 10 per cent on marijuana."

Remember, Mr. Vice-President, this Bill enables the Government to guarantee loans to the University of the West Indies. Let us pause here, Sir. Where does UWI source its students? The answer must be that in the Trinidad and Tobago Campus at St. Augustine, the vast majority of students would come from Trinidad and Tobago. Let us turn to the *Guardian* of October 31, 1993, let us see what it says:

"According to statistics from both the 1988 and 1991 surveys, with the exception of marijuana usage in Jamaica, this country now ranks highest among teenaged users of alcohol, tobacco and cocaine in the Caribbean region.

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"Findings from both national surveys of representative samples of secondary school students aged 14—18 years..."

Oh boy! Aged 14 to 18, Sir, pre-university entrance age—

"...revealed that alcohol use was fairly consistent from childhood to adolescence. Increasing usage occurred between the ages of 10 and 14 years, perhaps marking the experimentation period associated with transition from primary to secondary level institutions."

Not only have our children passed through an experimental stage, they have become mature, and that is at the pre-university age, immediately the age upon entering university.

Mr. Vice-President, what are we doing? The Government is asking us to guarantee loans to educate a bunch of would-be alcoholics. That is what this Bill is asking us to do, with a blank cheque. Has any follow-up been done on this report? Recently the Forbes Burnham man of business, Shridath Ramphal, was heard to say that he was getting worried about the growing reduction in male attendance at some of the faculties. I would not get worried about that, I would want to embrace the university, but he was getting worried. Has any research been done about that? What is happening? Or are we being asked to pump money into the University of the West Indies and reduce it eventually to a BWEE, PTSC, WASA, TTEC type of operation? How can we be expected to come here to make intelligent contributions to a Bill like this when no research was done, no facts put before us; we do not know what is happening with the finances, we do not know what is happening with the university? All we are told is "give us a blank cheque".

This is what I meant when I said earlier that we have decided to abandon our responsibilities. We slip with ease back into the position of the mind of the slave and the indentured immigrants—let somebody else decide for us. It has become too difficult. It has become so difficult that it is easy to say "sell out the assets", "get the highest price", "have a fire sale", "balance the budget", and the devil take the hindmost. Whatever happens let it happen.

Mr. Vice-President, education is too serious a matter to let this Bill go through without a word or two on its meaning. I see the Minister of Finance is here and he seems to be listening with interest to this debate, probably the only one there who would be able to understand it. It is part of our classical heritage. The Vice-President also went to the institution, so he would understand above all people. *[Interruption]* I deliberately forgot you. As I was saying, Sir, education is far too

serious a matter for me not to say a word or two about the meaning of education in our history. It is part of our classical heritage to see education at the centre of our common life. This is an understanding which goes back to Plato and Aristotle, who concluded both in his *Ethics* and in his *Politics*, with discussions of education as a central concern of the polis, a term that is usually translated as "city-state", that includes the idea of society or community as well.

For Aristotle, education had a considerably broader meaning than we usually give the term. In book 10, chapter 9 of *Nicomachean Ethics*—I am sure the learned Minister of Finance would remember this—Aristotle says, and I quote:

"It was indeed the primary function of the polis to provide those laws, written and unwritten, that would educate its citizens into a life of virtue for only such citizens would make a good polis possible."

We seem to have forgotten that part of our training.

So, it was not schools that Aristotle was thinking about in the first instance when he discussed education, but the laws and the morals of the whole community. These are what educate people, both as children and as adults. For Plato and Aristotle, the great educators were, above all, the great law givers.

5.15 p.m.

I merely mention this, Sir, to attempt to return this honourable Senate to its basic function as great law givers. You see, we seem to have forgotten our role. We come here and we say sign a blank cheque and we go about our business and we forget the purpose of education; we forget the meaning of education and we forget our role.

What really is needed is a full-scale, thorough investigation into the St. Augustine Campus of the University. We ought to re-examine the purpose for which it was founded and funded. We ought to critically evaluate what it has achieved or not achieved during its years of existence. We, Sir, ought to chart the course of the University well into the 21st century. We must determine what its future must be and what society expects of the university. We can no longer delay such a debate.

That is one of my principal objections to bills of this sort, which are merely mechanical, without soul and without meaning. When we come to such an important institution as the University of the West Indies—this country, Sir, has

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reached a state where crucial decisions have to be taken on almost every aspect of our lives and the University of the West Indies is just one such aspect.

I want to end, Sir, by quoting from a book entitled *The Good Society* published in 1991 and it is edited by five of the most distinguished sociologists in America today. I quote from the chapter dealing with technical and moral education, section 9, heading 'Life enabling Education', at page 176. It is a lengthy quote. That is why I have cut short my discourse because I want to share the thoughts with the hon. Ministers of Planning and Development and Finance.

"The philosopher Albert Borgmann has said that "to educate is to enable and disable for life"."

If I may say so, it appears in this country it has disabled many.

"However pluralistic its forms, education can never merely be for the sake of individual self-enhancement. It pulls us into the common world or it fails altogether. Creating a "life-enabling" education is a public task of great difficulty but it is essential."

Again, that is the quarrel I have with this Bill. To come with such a bill, you must tell us about these things. He goes on:

"Here we may summarize some of our suggestions as to needed changes.

1. Education has become something of a panacea for all social problems in the twentieth century, but instead of dumping our unsolved problems on our public schools or expecting our universities to come up with technical solutions to our difficulties, we should recover a more classical notion that it is the whole way of life that educates. Our jobs, our consumer marketplaces, our laws and our government agencies, our cities and neighbourhoods, our homes and churches, all educate us and create the context in which our schools operate, supporting them or undermining them, as the case may be. A genuine "education society" means something more than a society with good schools. It means a society with a healthy sense of the common good, with social, moral and public spirit, and with a vivid memory of its own cultural past. Schools can contribute to that, but they cannot create it out of whole cloth and should not be expected to. Only a further democratic transformation of all our institutions will make possible a genuine "education society"."

So, hon. Minister, when you come here to ask *carte blanche* for \$100 million, talk to me about these things. The second point he makes, Sir:

- "2. Our entire educational system, in some ways like our economy and our government, has grown enormously in response to particular and often transient pressures so that the larger coherence has suffered. Many parochial schools, we are told, since they have a good sense of their mission and the support of their constituencies, produce not only skilled but responsible citizens. The sociologist James Coleman's work on schools shows that they can succeed only when, first, the school itself, its principal and teachers, has a solidarity concept of its mission; second, strong families are behind the children; and third, effective communities help to organize the families in support of these schools."

So you come, Mr. Vice-President, with this Bill to assist UWI, but you do not tell us about the schools, the principals, the teachers, the families behind the children and the communities' help to organize the families. He goes on, Sir:

"Higher education has also expanded in ways that no individual can any longer understand. To overcome disciplinary specialization so many interdisciplinary programmes, projects and institutes have been produced that they only increase the level of incoherence. Adding new entities to deal with every new problem is not the answer. We must give serious thought, particularly within the older established disciplines, to the meaning of educational enterprise and its effect on students and faculty."

We have had a deafening silence from the other side on that, Sir. They come to ask us for money to guarantee loans for the educational institute that is known as the University of the West Indies and there is a deafening silence on this. We do not know what it is about. We do not know what the university is about. We do not know what thoughts the Minister has on it. We know absolutely nothing and I take objection to that. He goes on.

"We must recover an enlarged paradigm of knowledge, which recognizes the value of science..."

Sen. Saith: Mr. Vice-President, on a point of order. While I appreciate the reading voice of the hon. Senator, I really do not see the relevance of what we are being subjected to and ask you to rule on the matter please.

Sen. S. Capildeo: Mr. Vice-President, may I—

Mr. Vice-President: I was hoping, Sen. Capildeo, that you would have brought us back to the Bill much more expeditiously than you seem to be doing, so I am upholding Sen. Saith's point of order. Would you please get back to the Bill?

Sen. S. Capildeo: Mr. Vice-President, what I am saying here is totally and completely relevant with respect to the Bill. They are seeking funding for the University of the West Indies. They are seeking for the taxpayer to guarantee funds for debts incurred by the university. Implicit in that funding is the university itself, its life and its meaning and if that is not relevant, I do not know. But I was coming to an end, Sir:

"The idea of education for citizenship in a complex world is not some quaint leftover from a nineteenth-century curriculum. It is an essential task for a free society in the modern world. We must re-define our paradigm of knowledge to see why education for citizenship is not subsidiary to the dominant "cognitive complex" of higher education and is not a decorative "general education"."

That is the point, Sir. It seems to me that our education system has become a decorative general education. It is decorative. It has become largely irrelevant.

The point I am making, Sir, is if the Minister comes to this Senate to seek our assistance to support this Bill, he must tell us to what purpose and to what use, and not come merely to ask for a *carte blanche* acceptance of this Bill. It is a very technical, simple Bill, but it is fraught with danger.

I thank you, Sir.

5.25 p.m.

Sen. Prof. Lawrence Wilson: Mr. Vice-President, I have no authority, of course, to speak on behalf of the university, but there are a few things that I know about the university which I can say. Questions have been asked about the finances of the university; questions have been asked about University programmes—intra-mural programmes, part-time programmes, distance teaching programmes; programmes for people who could access education after working hours. What I would like to say is that all of these matters are matters for the public record. These are available to the public and they can be laid in this Senate at any time.

So that university's finances, which, I believe, amount to about TT \$100 million per year, how this is spent can be put in this House. University

programmes are published and you could access them whenever you want. The university has, recently—and I must say this is recently—had a particular concern with education outside its normal intra-mural programmes. Part time programmes exist practically in every faculty, perhaps except law and medicine. Distance teaching is the hallmark of Vice-Chancellor Mc Intyre's new programme.

Indeed, I would say that one of the biggest loans taken by the university recently of some US \$56 million from the IDB and US \$10 million from the CDB, these loans together are for distance teaching and outreach activities, as well as for building up the capital of the university, which has not been replenished for a long time now. But all these are matters for public record. Whenever you want them, you can always appeal to Principal Max Richards and he would lay them here. Indeed, if they are required for this House, they can be laid here at any time.

I thought I would say this to start, because it seems to me that this is one of the substantive objections to the Bill as it is written, that it has been brought here without any of the supporting functions and supporting roles of the University of the West Indies.

The second point I would like to make is that the EDF Lomé 3 facility between the EEC and the University of the West Indies was negotiated and signed in 1989. The EEC has become a little impatient with the rate at which the university is accessing the loans, and so forth, and they have said, and perhaps, quite correctly, that these facilities would be turned off in July, 1995. Now the US \$10 million, I think it is, about which we are talking here today, are for facilities on the St. Augustine campus for accommodation, halls of residence and for facilities for a lounge and a cafeteria which are absolutely crucial for the well being of the St. Augustine campus and the Mount Hope Medical Sciences Complex. If we do not start building pretty soon, I am afraid that July 1995 would come and this money would not be drawn down and it will be lost. This would be catastrophic for the development of the campus.

The third point I would like to make is that there is a regional component. Unless the three campus governments approve this Bill, then it is null and void. Barbados has approved it; Jamaica has approved it; it is left for us to do so now. I must say the Mona campus and the Cave Hill campus are well ahead of the St. Augustine campus in drawing down the facilities in the EDF programme. Perhaps we are to be blamed for that, but this would only hold it up even a little bit further.

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The substance of the Bill is that the funds are required to provide accommodation and facilities on the St. Augustine campus. Let me tell you that nationals of Trinidad and Tobago, particularly those from the country districts, live under conditions in the St. Augustine/Curepe area that can only be described as horrible. They live in hovels. They live under conditions that I certainly do not like to visit because they upset me.

What I am saying is that a hall of residence is an absolute necessity for the development of the campus in order to alleviate the absolutely horrible conditions under which some students of Trinidad and Tobago find themselves. Not only students from Trinidad and Tobago, students from the region and from other parts of the world. I have had occasion to visit a student from Zambia recently and when I crawled into the place in which he lived, it was absolutely shocking. He had a health problem and I have no doubt in my mind that the conditions under which he lived contributed to the development of that problem.

The final point I would like to make is that for students of Trinidad and Tobago who come to the campus from locations which are too far to allow them to go back and forth each day and they have to, perhaps, stay for two or three nights in St. Augustine, going back on the weekends, or whatever, these students have absolutely no facilities on the campus. There is no lounge, no cafeteria, except the KFC, and one would not want to have KFC every day.

So it is critical for a lounge to be put down for these students. The students from the other parts of the region usually, because of the hospitality of Trinidad and Tobago, are put in the halls. Students who come from Jamaica, Eastern Caribbean States, and so forth, they get priority for hall accommodation. But what about the student who comes from Toco or South? These are the ones who have the great difficulty; these are the ones who live in the hovels around Curepe. This is why I think it is very important for us to move expeditiously to access the funding to put up the accommodation and the facilities for a cafeteria, a lounge, so that students could live in some degree of comfort on the campus.

The EDF loan does a number of other things. It provides for lecture room space and so on. In many faculties of the St. Augustine campus, students sit on the floor to hear lectures; they stand outside lecture rooms to listen to lectures, particularly in the faculty of social sciences, where the classes go up to 300 and 400. There are students sitting on the floor, and they are beginning to get very restless about this. I think we need, urgently, to get accommodation which would allow students at

least to sit down and hear the lectures. We cannot blame them for not getting creditable performances if they cannot sit down to listen to the lectures.

I think that these are the few words I would like to say to encourage this honourable Senate to approve this Bill so that we could get on with the business of providing facilities for students, not only from Trinidad and Tobago, but from the region and from the international community, because we do have an international community of students on the St. Augustine campus.

Thank you very much.

The Minister of Finance (Hon. Wendell Mottley): Mr. Vice-President, we, on this side, certainly welcome the intervention of Sen. Prof. Wilson who has brought the debate back down to the concrete reality of providing much required services and facilities in the university, and removed it from the very airy-fairy plane that the debate had taken where there was no reality to the practical requirements. It is all well and good to take ideological positions and get off into the realm of fancy words and book theory, but then you see the consequences of that line and the inevitable suffering that could result from that.

Indeed, if a general debate was required on the university, there are other parliamentary means by which this could have resulted. But to take this very practical measure and carry it to the extremes of flights of fancy and irrelevance, is something that, for the time I have been in Parliament, I have never seen a particular measure stretched to the point where the rubber band has actually burst. I have never seen anything like that.

5.35 p.m.

The situation is that the university certainly has its problems. It is not common to St. Augustine; it is throughout the Caribbean territories. Indeed, it is now a problem in other universities, even in the developed world, because the whole world is going through some difficult economic times. The problems are being addressed, however, and the university is being asked to look at other means of funding. The Government is trying to deal with the arrears in some fashion, despite all other pressures on the budget. So, the matter is that the other concerns are being addressed and, certainly, the information is available. There is no dark secret about the financing and programmes of the University of the West Indies. If, after perusal of that information, hon. Senators feel that a debate on the functions and future of the university is required, there are parliamentary procedures to have that done.

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The only substantive matters that were raised that have real relevance to this Bill were the ones concerning whether we, in our wisdom, should have this guarantee to extend and possibly expose the Government to providing guarantees beyond what is clearly intended here. And, for possible avoidance of a similar bill coming back next few months for a similar loan guarantee in an entirely similar situation.

It is a matter that we can discuss so as to contain some of the breadth that, perhaps, may be there at this time, but contemplate similar situations that might arise because we are not fully aware of all the details of what possible assistance the university in this new time might be seeking, but at the same time, head off too broad a wicket on which to bat.

We, on this side, are flexible on that point and we look forward to the committee stage to discuss that further.

Thank you, Mr. Vice-President.

Question put and agreed to.

Bill accordingly read a second time.

Bill committed to a committee of the whole Senate.

Senate in committee.

Sen. Mansoor: Mr. Chairman, I do not know what the protocol is with respect to the title of the Bill, "An Act to", I would just like to say that the words "by any lending agency", if certain amendments are made, that description of the Bill may be somewhat wide.

Mr. Chairman: The title is dealt with last, so we can come back, depending on how we treat with the amendments that you have raised.

Sen. Mansoor: All right.

Clause 1 ordered to stand part of the Bill.

Clause 2.

Question proposed, That clause 2 stand part of the Bill.

Sen. Mansoor: Mr. Chairman, very simply, the purpose of the amendment suggested to clause 2 is basically to limit the recipients of these guarantees. My amendment has been circulated. I do not know whether the Government would

wish to consider specifically stating that the EEC is involved. If that is so, I think that is preferable, to identify the EEC in this matter.

Hon. W. Mottley: So that it would read, therefore:

"Insert the words 'the European Economic Community or any international organization.'"

Sen. Mansoor: And delete the rest.

Mr. Chairman: We have an amendment which would read:

"(2) In this Act, lending agency means 'a lending government, the European Economic Community, or any other international organization'. And we delete from the words 'a bank' down to the word 'financing'."

Question put and agreed to.

Sen. Daly: Mr. Chairman, may I make a very small point which has to do with the drafters of the Bill. I wonder, since the Minister of Finance features in clauses 6 and 7, whether in the definition of "Minister" we could say "Minister unless otherwise stated means". It is a little misleading. It is a very small point, but—

Dr. Saith: Is the suggestion that we add "unless otherwise stated"?

Sen. Daly: That may not be parliamentary jargon. I wondered if there should not be some signal that more than one minister is involved, for tidiness.

Mr. Chairman:

"(2) In this Act, lending agency means 'a lending government, the European Economic Community, or any other international organization'. And delete from the words 'a bank' down to the word 'financing'."

And 'Minister, unless otherwise stated', means the Minister to whom responsibility for the University is assigned."

Question put and agreed to.

Clause 2, as amended, ordered to stand part of the Bill.

Clause 3 ordered to stand part of the Bill.

Clause 4.

Question proposed, That clause 4 stand part of the Bill.

Sen. Mansoor: Mr. Chairman, some of us had articulated the point that the guarantee in question is TT \$10.8 million per announcement of the Minister. One wonders whether an amount as high as TT \$100 million was necessary in these circumstances. What is being suggested is that \$100 million is almost 10 times the amount that is required. Might it not be appropriate to set it at a more reasonable amount, say TT \$50 or \$20 million?

Hon. W. Mottley: I think that we tightened the top which is where the risk is. The university might come into some particular programme for which I have no way of forecasting, but I do not think it is overly generous.

Sen. Mansoor: I would not press the issue. I would be prepared to withdraw it, but I am just concerned.

Amendment withdrawn.

Clause 4 ordered to stand part of the Bill.

5.45 p.m.

Clauses 5 and 6 ordered to stand part of the Bill.

Clause 7.

Question proposed, That clause 7 stand part of the Bill.

Sen. Mansoor: Mr. Chairman, with respect to clause 7, what bothers me is that the language of the clause suggests that it might be possible that a guarantor could tell a government what to do with certain taxes, and that possible interpretation arises from the meaning of the word "remitted" I think the word can mean two things. "Remitted" could mean "sending a payment" or it could mean "forgiven", perhaps in the old English. I am suggesting that the amendment that I have submitted be withdrawn and that instead, I am asking the Government to consider changing the word "remitted" to "waived" and the word "remittance" to "waiver." It would make it very clear that what is intended here is a waiver of stamp duty on a guarantee as opposed to any other.

Amendment withdrawn.

Mr. Mottley: Mr. Chairman, for those of us who pray and who know about the remittance of sin, that is quite clear—I hope. But we will accept "waived" and "waiver."

Dr. Saith: We will waive our rights on this.

Guarantee of Loans (UWI) Bill

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Question put and agreed to.

Clause 7, as amended, ordered to stand part of the Bill.

Mr. Chairman: What about the title?

Sen. Mansoor: With respect to the title, it should be "certain lending agencies"

Mr. Chairman: The title of the Bill will now read:

"An Act to enable the Government of Trinidad and Tobago to guarantee loans to the University of the West Indies for use at the campuses of St. Augustine and Mount Hope."

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

Senate resumed.

Bill reported, with amendment; read the third time and passed.

Motion made and question proposed, That the Senate do now adjourn to Tuesday, November 9, 1993 at 1.30 p.m. [Hon. L. Saith]

Question put and agreed to.

Senate adjourned accordingly.

Adjourned at 5.50 p.m.